
THE CONCEALED HANDGUN

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P.O. Box 116 Ropesville, Texas 79358
www.txchia.org



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Info inside.**

THE CONCEALED HANDGUN

The Concealed Handgun is published quarterly for the benefit of members to provide news and educational information of mutual interest. The association is not responsible for unsolicited manuscripts or photographs. Comments or opinions expressed in by-lined text should not be considered official views of the association, its officers, or directors. Members are invited to submit material for publication to the following mailing address:

Submit articles to George Pena 6873 TX. Hwy 55 Uvalde, TX 78801 or

bulldog@gpena.net

Newsletter available on-line in color @ www.txchia.org

The Texas Concealed Handgun Association is a membership organization. Its objectives and purposes are: to promote the continuation and improvement of the Texas Concealed Handgun (CHL) Law; represent the standards and concerns of members to the general public, news media, Department of Public Safety and legislators; to promote responsible firearms safety and ownership; to provide current information to members about the laws, lesson plans and topics related to the Concealed Handgun License program; to promote high standards of instruction and training; and to support the right of responsible, law abiding citizens to own, keep and lawfully carry firearms for personal protection.

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Starting in 2011, this newsletter will be a "quarterly" newsletter. It will go out only four times per year. Also, if you wish to receive it via E-MAIL you can opt for it on-line at our website, call the office, or return the enclosed change of service memo.

Or do nothing, and nothing will change.

Questions And Answers

Larry Arnold



- Hi,
I have a question about something in the new handbook we purchased from you. On page 7 I am reading 411.188J and 411.190D-1 and it looks like it is saying you can totally renew online without an instructor. If this is true it is new to us. Could you please explain this to me - I have a class starting tonight.

Have you heard anything else on the Utah handgun license for Texas being voided?

CHLs have to take renewal classes for the first two renewals. After that they take the class every ten years. On the years they don't have classes they can renew online. The Utah Legislature sent their new law to their governor. As far as I know it hasn't been signed yet. I suspect it will be. That will mean that Texas residents can still get a Utah license, but only after getting their Texas CHL.

I had my license revoked due to a DWI arrest. The charges are now dismissed and I was wondering what I need to do to get my license back. Thanks.

Contact the Concealed Handgun Licensing Section. Contact information is at <http://www.txchia.org/links.htm>.

First check and see whether your license was revoked or suspended. It should have been suspended upon arrest, but not revoked until you were convicted. If your CHL was suspended and the charges have been dropped then send DPS copies of the relevant documents, and they should reinstate your CHL.

Hi, I am a motorcycle rider, long time, 68 years old, was invited to the Banditos Birthday party in Houston, it's been there for 45 years. I was pulled over by Houston PD Gang Unit, had all proper paper work and my CHL, they told me that if I was affiliated (sp?) with a gang (read club) I could not carry even if I had a CHL. I am not, I repeat not, a member of the Bandito MC. Is this Houston BS or what ? I was not arrested nor was my pistol taken, does not make sense, if it is truly illegal I think I would be in the Harris County jail. Hope you can clear this up for me.

It's true that you can't carry a handgun in your motor vehicle if you are a member of a criminal street gang.

However, "member of a criminal street gang" is defined as a person who has been designated as such by a law enforcement agency through a specific legal procedure using an established set of criteria. The chances that a person who fits the criteria to be designated a member of a criminal street gang would still be eligible for a CHL approach zero.

I'll refrain from commenting on Houston BS.

I am retired military and I am going to be taking a concealed handgun training course to get my concealed handgun permit. My girlfriend wants to attend with me, she is a school teacher and an upstanding citizen in the community. However, she got a DUI, the only one in her life, and it was in Dec. Will this affect her ability to get the license? This is the only alcohol-related incident.

It may or may not, depending on whether she was convicted of a Class A or B misdemeanor.

DPS has asked that we not answer specific questions of this nature, as we aren't attorneys. You can contact the Concealed Handgun Licensing Section with the details for a definitive answer. Contact information is at <http://www.txchia.org/links.htm>.

I suggest you try email, as it's difficult to get through on their Helpline.

I believe the new change to the finger printing process is going to cripple the CHL. Not everyone lives next door to an L1 Identity Solutions office and not everyone can go to one between 9 and 5 Mon. thru Fri. Who got the kickback on this? Also it is a French based company handling our identity info and receiving funds for every set of prints.

I can see where the new electronic fingerprint process is causing some problems. However, TCHA has no control over the issue. You might want to contact your representatives to the Legislature.

I was reading your chart on your website, I am a bit confused. Could you clarify? Do you mean you must conceal licensed handguns in your vehicle on your private property? Or do you mean while you are in the vehicle on public property?

If you are on your own property or property under your control it's legal to carry openly or concealed. This includes carrying in a vehicle. (Presuming a place where you could drive around, like a ranch or a large business like an RV site.)

However, you need to make darn sure you don't get so used to carrying openly on your property that you forget to conceal for a trip off-site. Therefore, while it might be legal to openly carry a gun in your vehicle on your property, it might be more prudent to always carry concealed.

Another reason is so you're used to having your gun in the same place, whether on your property or in public. That way if you suddenly need it, you don't have to remember which carry you're doing.

I would like to ask a question if possible and would like to see if you can let me know about carrying a handgun in my truck in the state of Texas. The truck I have is registered under my father-in-law's name but it is mine. He financed it for me because I did not qualify..I am the only one that drives the vehicle and the payment comes out of my wife's and my checking account. Now, can I legally have a handgun in my possession, due to the vehicle is an extension of your home law.. or that traveling law.. Just to let you know also. My house is also under my Father-in-law's name and we pay for that also.. I don't want to get into any trouble if I cannot have it in my vehicle. Please let me know. I appreciate it.

Penal code Chapter 46.02(a) says a person may carry a handgun:

- (1) on the person's own premises or premises under the person's control; or
- (2) inside of or directly en route to a vehicle that is owned by the person or under the person's control.

In your vehicle the handgun must NOT be in plain view. You also can't have a handgun in your vehicle if you are committing another crime (including DUI), if you are federally prohibited from possessing firearms (like a felon), or if you are a member of a criminal street gang. I presume none of those apply.

The "travelling" exception isn't pertinent here so you should be good to go.

“The strongest reason for the people to retain the right to keep and bear arms is, as a last resort, to protect themselves against tyranny in government.”

Dear Texas Concealed Handgun Association,

Meena and I are high school journalists from The Harker School in San Jose writing for our newspaper, The Winged Post, and we are doing a story covering the recent legislation changes regarding gun control on college campuses. We're interested in interviewing you for our story so we can understand a little more about why and how certain regulations have been made. We'd love if you could answer a few questions for us via e-mail.

- 1) What is the environment of a school that allows concealed campus carry?
- 2) Based on previous shootings, Columbine, Southern Union, Virginia Tech, how would the legislation to allow concealed carry in colleges help mitigate school violence?

- 1) What is the environment of a school that allows concealed campus carry?

The same as the surrounding area off campus where concealed carry is legal. Forty of the fifty states are right-to-carry, with either shall-issue concealed handgun licenses or no-license-required constitutional carry. None of them have any problem with it.

School campuses in Utah allow concealed carry, as do some colleges in Colorado. There don't seem to be any horror stories surfacing. The Harrold Independent School District in north Texas changed it's policy to allow teachers to carry concealed in 2008, amid warnings of dire consequences. According to a one-year follow-up, the only problem was answering media inquiries. (<http://www.timesrecordnews.com/news/2009/aug/05/harrold-marks-year-of-guns-in-schools/>) Now it's 2011, and there still haven't been any incidents.

The Brady Center, the Mayors Against Illegal Guns, and the Violence Policy Center have been predicting mayhem from concealed carry licensees, off-duty police officers, armed airline pilots, licensees in national parks, checking guns on Amtrak, the expiration of the "assault weapons" ban, carrying in restaurants, and so forth for twenty-five years now. (Ever since the mid-1980s, when Florida was changing their concealed carry law.) So far they are batting zero. I predict that the predictions of violence from campus carry will be just as wrong.

- 2) Based on previous shootings, Columbine, Southern Union, Virginia Tech, how would the legislation to allow concealed carry in colleges help mitigate school violence?

First, the vast majority of active shootings have happened in "gun-free" zones. It's true that there is little evidence that guns can save lives in gun-free zones. Could that be because legal possession is prohibited? Unfortunately there's too much evidence that guns can still take lives in gun-free zones. But what about where guns aren't banned?

December 9, 2007, an active shooter attacked the New Life Church in Colorado Springs. Jeanne Assam, a church member, was one of six ushers carrying a concealed handgun on a Colorado concealed handgun license. She intercepted the shooter and shot him. She's credited with saving at least a hundred lives. (No, she was NOT a "security guard" as many news reports said. In Colorado, as in most states, you have to be licensed and commissioned to be an armed security guard.)

A study at Colorado State University (<http://www.collegian.com/index.php/article/2010/02/guns>) showed that the campus crime rate dropped after concealed carry was allowed. While the study doesn't show that concealed carry caused the drop, it does quite clearly show that concealed carry did not increase the campus crime rate. If carrying lets students and faculty protect themselves from random crime, that's an added benefit.

I hope the above helps with your article. Please let me know if I can be of further assistance. As a journalist myself, I would appreciate seeing your finished story.

Larry Arnold, Director, Texas Concealed Handgun Association

Sir,

I have a question regarding a new law in Texas regarding concealed carry. Our motorcycle club will be making a ride to San Antonio in June and several of us have Alabama permits, which Texas accepts. We have been told that if a group is together, wearing the same clothing (colors) and if more than three of that group have concealed weapons permits and are carrying otherwise legal weapons, those people are considered a "gang" and are carrying weapons outside of the law, and are subject to arrest. This sounds like an urban legend to me and something Texas would not allow, but I want to be sure we are acting within the law when we visit your state. Any guidance would be appreciated.

In Texas your Alabama permit allows you to carry a concealed handgun anywhere a Texas licensee can.

You may carry a handgun in your motorcycle whether you have a concealed handgun license or not, as long as it's concealed, you aren't prohibited from possessing it, you aren't committing a separate crime, or you aren't a "member of a criminal street gang."

Texas has a legal procedure to designate a person who associates with a criminal gang as a "member of a criminal street gang." It's fairly involved, and includes proving criminal activity that would preclude such a person from having a concealed handgun license. The process also involves notifying the persons designated as members, as the reason behind it is to place restrictions on where they may go and who they may associate with.

In short, since you are licensed you obviously aren't prohibited from possessing a handgun or a member of a criminal street gang. As long as you don't commit a crime while riding (like DUI) you should be good to go. This isn't to say no officer will hassle you, unfortunately, but you are legal.

Enjoy your visit!

“Personally, I carry a gun because I'm too young to die and too old to take an ass whoopin'“

Our Annual Conference "2011" Fun Shoot Awards and pics



First Place.....Mike Lane



Second Place.....Bob Clackley



Third Place Tie...Chris Bird



Third Place Tie....Jack Betz



Texas Supreme Court Justice
David Medina



Mike Arnold, George Pena, Erwine Ballarta,
Justice David Medina



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David, George, and Erwine



Justice Medina accepting Honorary lifetime
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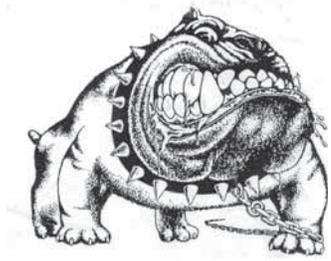
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Use of Force

George Pena

We had a very eventful use of force panel discussion included in our seminar this year and it was very successful. Judd and Sheila Earley put on an exhibition with simunition ammo to show how you can or cannot get a shot off to the target in time, when a threat runs at you from twenty-one feet. It was “eye opening.”

Lots of good questions were asked and answered well. We had attorneys, book authors, and many instructors with a very wide range of knowledge to answer every question.

We talked scenarios, before and after a shooting, during a shooting, should you shoot? Could you shoot? What are you shooting?

My belief is that too often you carry a gun that's comfortable rather than carry a gun that should help you with any situation that comes along. You know that little .380 that fits so good in your pocket is not going to do the job against one or two bad guys wielding shotguns. I don't care how good you think you can shoot with it.

Chris Bird talked about the shooting in Phoenix Arizona. He brought out a lot of good points and facts about that day.

All feedback was good about this session and we hope to continue doing this in the future.



Historian Speaks at Annual Banquet

By Larry Arnold



The 2011 TCHA banquet celebrated the 100th birthday of the Pistol, Model 1911, adopted by the U.S. Army on March 29, 1911.

Maj. Richard Koone from the National Museum of the Pacific War in Fredericksburg brought the group the history of the pistol, assisted by a Korean police action "veteran" pistol carried by his uncle.

The uncle was a sergeant in the Arkansas Army National Guard, and his artillery battalion was federalized for the Korean War. Once in Korea he received a direct commission and was assigned the pistol. He kept the pistol during his career with the ARNG until he retired as a lieutenant colonel, and somehow kept the pistol after retirement. When Maj. Koone was commissioned as a second lieutenant in the Field Artillery his uncle gave him the pistol, saying that he wanted to pass it on to the next artillery officer in the family. Maj. Koone carried the .45 during his military service, and still uses it when he does living history programs for school kids at the museum.

Maj. Koone has been the Education Director at the museum since January 2002. He served in the U.S. Army from 1974 to 1977 as a generator mechanic, then accepted a commission and served from 1979-1996 as a Field Artillery officer. He graduated from the University of Arkansas in 1979. From 1996 to 2002 he worked as Site Manager of the Computer Battle Simulation Center, Fort Sam Houston, Texas.

In addition to his own .45 Maj. Koone brought more examples, showing how diverse the design has been. He recalled the early history, including the military's need for a sidearm with more stopping power than the .38 Spl. revolver, the .45's invention by John Browning, and the Army's selection process, including the grueling test requirement that eliminated the competition.

The 1911's continued popularity was certainly evident, as a large majority of the TCHA members admitted to owning more than one of the original or its variants.

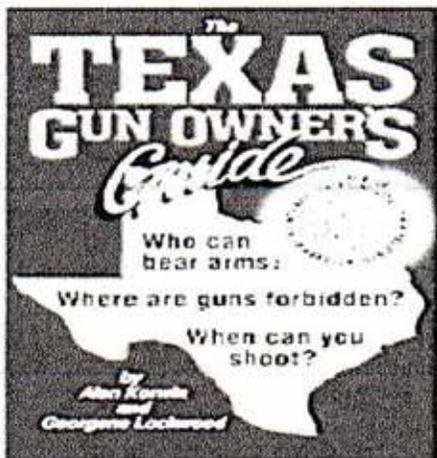


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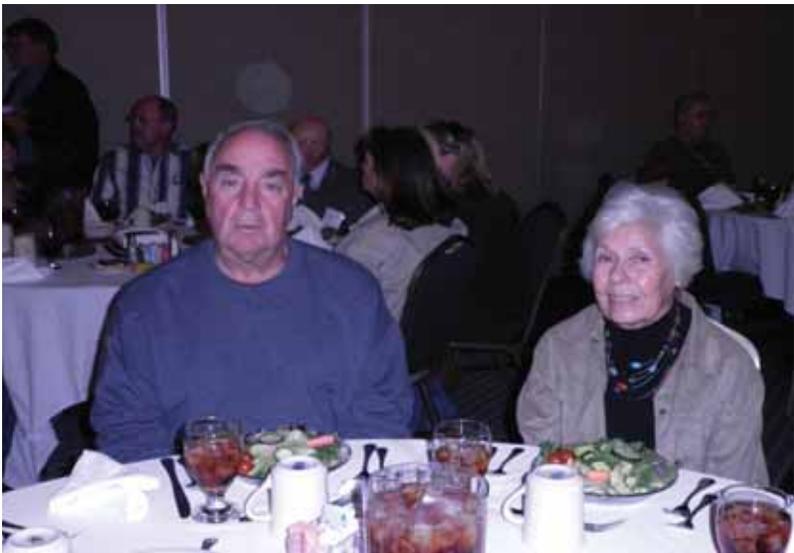
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Banquet



An Interesting Encounter

By
Chris Bird

More than a month after our annual meeting at the beginning of March, our editor George Pena sent me an email requesting that I write about what our two dinner speakers had to tell us. For someone suffering from the terminal effects of old-timers, this was like asking Mrs. Lincoln to review the play more than a month after her husband was assassinated. Even if I had taken notes at the time, I would not have been able to read them more than a month later. However, not being one to let George down, here are some vague and distant memories of March 5, or was it March 7 or even 11, whatever.

Erwin Ballarta I had met at our meeting last year. He was a lieutenant in the Texas Department of Public Safety where he taught troopers how to defend themselves with his own version of unarmed combat. Months later I had attended an all-day workshop on disarming techniques and gun retention that he put on in Bexar County with the help of Mike Arnold, another of our members. After retiring from DPS, Ballarta formed Capitol Strategic Operations, a private security company in Austin.

As usual on the Saturday morning of our annual convention, we had a fun shoot at the Hill Country Shooting Sports Center. I do remember that it was cold. Not as cold as the cattle drive I was on in British Columbia in the 1960s when it was 30 below and we had to get off our horses and walk to stop our feet from freezing. However, it was cold for south Texas in March and the wind was blowing the paper targets off their cardboard backers. Consequently we were reduced to shooting at a steel figure target somewhere from 50 to 100 yards away and in teams of four cutting through a two-by-four with our bullets.

I started with the long-range target where I saw Ballarta and a gentleman who obviously was a friend of his. As he was getting ready to shoot, I noticed the gentleman had a badge on his belt in the way that cops in plain clothes do. Oh, I thought, a policeman friend of Erwin's. I believe that the gentleman had to borrow a gun to shoot which I thought was strange. When it was his turn to shoot I watched his bullets kicking up dirt about halfway between where he was standing and the target. Oh well, I thought, some cops just are not very good shots.

Later, Ballarta, "the cop," Bill Davison and I made up a team and successfully cut our two-by-four in half. However, it is difficult to see how well anyone else is shooting when you are trying to hose lead at a wooden stud.

That evening, Ballarta was introduced as the first speaker at the banquet. He told us about providing security for Lance Armstrong during the Tour de France. I remember it was a fascinating look into the world of celebrity security. But weeks later and without notes, don't ask me for details.

Then Erwin introduced his friend as Justice David Medina of the Texas Supreme Court. I remember Medina spoke eloquently about the Second Amendment, but again don't ask me to get specific.

I did go up to him afterwards and told him about my thoughts in the morning. I offered to send him a copy of the sixth edition of *The Concealed Handgun Manual* when it arrived from the printer. He kindly gave me his contact information. The book arrived from the printer yesterday and I have sent him a copy.

The Texas Supreme Court deals with civil litigation and matters involving juveniles. However, I am glad that the only people who appear before its justices are other lawyers – not ordinary folk like me. Now, what is George's email?

Do As We Say, Not As We Do – Hypocrisy in the Senate

By Chris Bird

Do as we say, not as we do, seems to be the attitude of a vast majority of Texas senators when it comes to carrying handguns for self defense. Twenty-five senators have voted to allow themselves special privileges in terms of where and when they can carry. These privileges are not available to the woman being stalked by a former spouse or the college student threatened with rape.

Senate Bill 905 exempts elected officials from the onerous restrictions placed on concealed-handgun license holders. Like judges and prosecutors, Texas senators and representatives would be able to carry their handguns into bars, hospitals, churches and government meetings, even if garnished with signs that restrict ordinary license holders from carrying.

Senator Dan Patrick, R-Houston, is the author of the bill. Patrick has been a strong supporter of gun rights, voting in this session in favor of employees being able to keep guns locked in their vehicles in company parking lots and for students and employees with concealed-carry licenses to carry on college and university property.

His spokesman, Logan Spence, said ever since Gabrielle Giffords, a congresswoman from Arizona, was shot in the head in a Tucson shopping center, elected officials have felt the need to be able to defend themselves because they do not have bodyguards. He didn't have a convincing answer as to why legislators should have special privileges.

At least he and some other senators who voted for the bill have generally supported gun rights for Texans. What is inexplicable and appears to be blatantly hypocritical is the vote of Senator Judith Zaffirini, D-Laredo. I called Zaffirini's office but did not receive a return call or statement.

Another senator who voted for Senate Bill 905 but against the campus carry bill is Senator Leticia Van de Putte, D-San Antonio. Both senators voted against bills that would allow students and employees of colleges and universities to carry handguns for protection on campus – restrictions from which they have voted to exempt themselves.

I received a statement from Van de Putte's office in which she said she is an ardent supporter of Second Amendment rights but opposed the campus carry bill because it did not allow universities to opt out.

"The decision whether or not to allow handguns on a university campus should be made only after input from students, faculty, staff and university leaders," her statement said.

Senator Jeff Wentworth, R-San Antonio, is the author of the campus carry bill but was one of six senators who voted against Senate Bill 905. He says that citizens don't approve of elected officials voting themselves special privileges. That sums up the position of TCHA.



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Enclosed are my dues for membership in the Association. *If you are a Texas CHL Instructor please submit a copy of your Texas CHL Instructor Certificate with this application.*

Send completed application to:

Texas Concealed Handgun Association Membership
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Board of Directors

Invites all interested members to attend and get involved in the process of the “works” of our association.

Along with the actual board meeting we will set sights on future possibilities and objectives for short and long term goals.

As we all can see, our association is headed in a great direction and we can’t afford to stall now. Many Texans are watching us and expect good things and it’s up to us to provide a good future.

We had a great conference in Kerrville this year and next year we’ll “kick it up a notch” believe me.

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Fingerprints and Photos By Larry Arnold

CHL students are reporting problems with the L1 FAST fingerprinting service, particularly in out-of-the-way locations. LoneStar Handgun in San Antonio has taken a novel approach to the problem by becoming an L1 vender.

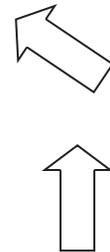
They are offering students the ability to be fingerprinted at their facility before or after class. In addition to being able to submit the prints electronically they include the passport photos for the applicant. The fee for L1 is \$9.95 regardless of location and LoneStar includes the photos at no additional charge. They schedule fingerprinting Monday thru Friday but plan to add Saturdays, which is a great benefit as the other L1 locations don’t offer weekend printing.

Visit LoneStar Handgun at <http://www.lonestarhandgun.com/>.



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To keep updated on Texas reciprocity, check the DPS website at:
http://www.txdps.state.tx.us/administration/crime_records/chl/chlsindex.htm
or Texas Concealed Handgun website at: <http://www.txchia.org/>

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