

An Ordinance for the Establishment of the Bedford County Militia for the Purpose of Securing the Natural and Constitutional Rights of the People of Bedford County and other Lawful Purposes

WHEREAS, from the founding of this Nation, Virginians have embraced the principle of resistance to abuse of power; that when a higher government overreaches, it is the duty of the lesser governments to interpose themselves, to protect the People, to give meaning to the protections of the U.S. and Virginia Constitutions; and

WHEREAS, the Board of Supervisors of Bedford County, Virginia has sought to protect the rights of the People by declaring Bedford County a “Second Amendment Sanctuary,” providing new safeguards for their future security; and

WHEREAS, the natural right of self-defense with arms belongs both to the individual and to the People of this County, collectively; and is recognized in Article 1 Section 13 of the Virginia Constitution, which describes the “militia” as “the body of the people, trained to arms” and ordains that “in all cases the military should be under strict subordination to, and governed by, the civil power;” and this natural right is also recognized in the Second Amendment to the U.S. Constitution; and

WHEREAS, since time immemorial in England and in this Commonwealth, militia have been raised at the county level; and

WHEREAS, George Mason, the author of Article 1 Section 13 of the Virginia Constitution, at a meeting of 21 Sept. 1774 chaired the creation of an independent company of volunteer militia for Fairfax County, independent of the royal governor; and Patrick Henry, the first governor of Virginia, raised an independent company of volunteer militia under similar exigent circumstances; and

*WHEREAS, notwithstanding the recognition by Virginia Code § 44-1 of the “unorganized” **“militia of the Commonwealth of Virginia”** and the recognition by U.S.C.A. § 246’s of the “Unorganized Militia” of the United States, the County’s power to call for a voluntary muster of the “unorganized” militia within its borders is not in any way foreclosed, nor is its power to raise the Bedford County Militia under exigent circumstances, to preserve civil order and prevent civil rights violations; and*

WHEREAS, the Board of Supervisors has called upon the Bedford County Sheriff and the Commonwealth Attorney; their deputies and employees; and the People of Bedford County, to resist tyrannical attempts to deprive the People of certain firearms and components which are necessary for self-defense; militia service; law enforcement, and national defense;

THEREFORE:

The Bedford County Board of Supervisors shall recognize the County Militia as follows:

SECTION 1. Recognition of the Bedford County Militia as an Independent Company and County Auxiliary in the event of an Emergency or Disaster.

The Bedford County Board of Supervisors recognizes the creation of the Bedford County Militia as an Independent Company whose leaders shall be chosen by election by the members of the militia according to the bylaws of the militia as established and maintained by its members. The board further recognizes the militia as a lawful volunteer auxiliary of the county government in the event of an emergency, natural disaster, terrorist attack, or any other situation that would require the use of organized volunteers or armed force to provide relief or defend the rights of the people of Bedford County.

Information regarding the members of the militia shall be privileged from disclosure under open records laws as personnel records ([§ 2.2-3705.1 \(1\) of the Code of Virginia](#)); personal contact info from a person desiring contact from a public body by email or cell phone ([§ 2.2-3705.1 \(10\)](#)); and as plans and information to prevent or respond to terrorist activity, the disclosure of which would jeopardize the safety of any person ([§ 2.2-3705.2 \(4\)](#)), per written invocation requirement.

SECTION 2. Militia Leadership and Membership

The Commander of the Militia shall be elected by the members of the militia in accordance with the bylaws of its members. The election of the commander must be certified by a member of the county board of elections, a member of the county board of supervisors, or the county sheriff to ensure an accurate and impartial count of all votes cast.

No militia officer or member may have been convicted of a felony in any State, and all officers and members must take an oath to support and defend the constitutions of the United States and the Commonwealth of Virginia against all enemies, foreign and domestic. All militia positions will be volunteer and un-paid.

All other membership requirements such as dues, uniform standards, physical fitness standards, and training requirements shall be determined by the Commander of the Militia and the bylaws of the militia.

SECTION 3. Militia Liaison and Coordination.

The Commander of the Militia must provide an annual report to the Board of Supervisors regarding the size and readiness of the militia for county service. The report shall consist of the total number of militia members, the percentage of members who have attended militia training at least once a quarter during the calendar year, and the number of members who are qualified for county militia service.

The Commander of the Militia must appoint a County Militia Liaison Officer to coordinate with the Board of Supervisors, the Emergency Management Coordinator, and the Sheriff as necessary to prepare for or respond to emergencies. The Liaison Officer is appointed by the militia commander, but cannot assume office until the appointment is confirmed by a majority of the Board of Supervisors. The Liaison Officer must be willing to attend no less than one militia

training event quarterly to observe or participate in training and provide reports to the Board of Supervisors on the progress of the militia as required.

In the event the Liaison Officer is incapacitated the Commander of the Militia may appoint an interim officer until an official appointment can be made.

SECTION 4. Arms, Ammunition and Accoutrements.

Citizens shall provide their own firearms, ammunition and tactical accoutrements, meeting uniform standards adopted by the county militia, and keep them in good repair.

SECTION 5. Coordination and Cooperation with Paid Public Peace Officers.

The county militia shall cooperate and coordinate with existing paid municipal, county, and state public peace officers, upon the official request of these agencies, made through the County Militia Liaison Officer.

However, the county militia shall be responsible to the citizens of the county and to the constitutions of the Commonwealth of Virginia and of the United States, and shall NOT cooperate in or permit the enforcement of any enactment or supposed law which is null by reason of its conflict with the natural rights of citizens or with the constitutions of the Commonwealth of Virginia or of the United States.

ORDAINED by the Bedford County Board of Supervisors of the Commonwealth of Virginia,
this ____ Day of [month] in the Year of our Lord 20__

[Board Member]

[Board Member]

[Board Member]

[Board Member]

[Board Member]

[Board Member]

[Board Member]

[Signatories and attestations as required by County protocol.]