



COMMONWEALTH OF VIRGINIA JOINT LEADERSHIP COUNCIL OF VETERANS SERVICE ORGANIZATIONS

101 N. 14TH ST., 17TH FLOOR
RICHMOND, VA 23219

*Air Force Association
Air Force Sergeants
Association
American Legion
AMVETS
Association of the United
States Army
Disabled American
Veterans
Fleet Reserve Association
Iraq & Afghanistan Veterans
of America
Legion of Valor of the
U.S., Inc.
Marine Corps League
Military Order of the
Purple Heart
Military Officers Association
of America
Military Order of the
World Wars
Navy Mutual Aid Association
Paralyzed Veterans of
America
Reserve Organization of
America
Roanoke Valley Veterans
Council
Veterans of Foreign Wars
Vietnam Veterans of America
Virginia Army/Air National
Guard Enlisted
Association
Virginia National Guard
Association*

Approved September
9, 2021

JLC Contact
**Marine Corps
League**
John Clickener
click03@verizon.net
804-761-3269

Position Paper 2022-03 **VSO Color and Honor Guards**

OBJECTIVE: To address concerns expressed by members of Veteran Service Organizations (VSOs) participating in color guard or honor guard activities.

BACKGROUND:

- During the 2020 session of the Virginia General Assembly, a bill was passed amending §18.2-433.2 of the Code of Virginia. The new law would make it a Class 5 felony for any person to teach or demonstrate to any other person the use, application, or making of any firearm ... or technique capable of causing injury or death to persons...
- We are concerned that the legislation will inadvertently criminalize Veterans Service Organizations (VSO) honor guards, color guards, or rifle teams as they perform their duties, which are focused on providing a dignified final salute to our veterans or thanking and recognizing the contributions that veterans and military service made in the service of our country at public ceremonies.
- Our concern is that a VSO honor guard, color guard, or rifle team member may be inadvertently identified as a member of a paramilitary organization and held liable for inducing fear in another person while displaying or firing volleys at a veteran's funeral or other ceremony, or even a VSO color guard or rifle team participating in a local parade or other ceremony.

DISCUSSION:

- The use of rifles accompanying the American flag and the service flags of the United States has been recognized for many years as a tradition. Further the rendering of three rifle volleys followed by *Taps* has been a tradition at military funerals since the Civil War when the three volleys were used to tell opposing forces that the wounded and dead had been removed from the battlefield.
- An update to the Code of Virginia is needed to ensure our VSO honor guards, color guards, and rifle teams, which are comprised of volunteers from VSOs across the Commonwealth, are exempted from any inadvertent impact of the new statute.

RECOMMENDATION: That the Governor and General Assembly amend §18.2-433.2 to grant an exemption to Veteran Service Organizations performing authorized color guard activities such as parades or dedication ceremonies and honor guard activities such as funerals or dedication ceremonies as well as the teaching, training, and practices necessary to achieve and maintain a level of professional proficiency.