

## 2010 State Fair Experience for CHL Holders

For the first time since the law changed preventing government owned or leased properties' restriction of entry by CHL (Concealed Handgun License) holders; the State Fair of Texas' policies were compliant with laws covering the display and collection of information. The overall experience by those reporting was timely, courteous and non-invasive.

To better understand the changes, learn how to expedite entry as much as possible and to identify possible areas of difficulty, a poll was started on TexasCHLforum.com and the board's owner ensured it was maintained in a prominent and visible location. Thanks to Mr. Cotton for allowing this study and enabling the highest possible participation.

### **Background:**

I've worked in emergency services for twenty-four years. The area of Dallas I have spent most of my tenure was in Oak Cliff. The South Dallas/Fair Park areas were secondary response regions and so were not the focus of the majority of my runs. With that I still made hundreds of runs to those areas and Fair Park in particular. The large majority of my responses were due to violence of some kind.

During runs of the fair I have answered aggravated assaults, stabbings, shootings, criminal assaults (rapes) and aggravated robberies (commission of another crime during a robbery). In the early days there were some inside the grounds but most were either in the parking areas, surrounding convenience stores or at intersections heading out of the area. I am also privy to the statistics in the area and they are disheartening.

Prior to 1994, the parking around Fair Park was largely unpaved and unfenced. Off duty law enforcement worked security and even until recent years, would leave at closing and often beat the crowds out of the park. In 1994 the FIFA World Cup came to Dallas and the parking lots were all paved and new fencing was installed all around. A large cadre of local and state police patrolled during the games and we still answered to scenes of violence.

In 1995 the CHL became the law of the land though it came with several restrictions. One of which allowed virtually any entity to restrict entry based solely on carrying a weapon under authority of the CHL. Fair Park posted signage everywhere. Screening was non-existent and many licensee's carried anyway. Different laws provided certain "defenses to prosecution" prior to the CHL law and an unofficial "don't ask don't tell" policy seemed to be the order of the day following its enactment. Carrying during this period was fairly common. The crime rate in the area during the fair declined.

Following the attacks of 9/11 in 2001. A security company was hired to provide screening at the gates. The civilian security personnel would wand entrants in an effort to discourage anyone (CHL holders included) from entering armed. The year this practice started there was a shooting inside the fair where a female was wounded on the Midway. The spin was that the shot had somehow managed to come from outside the grounds, traveled to the Midway missing thousands of Fair goers and striking the young lady low on her body. The ludicrous nature of this position requires no further comment. This "security theater" did little to deter some from carrying their concealed weapons as discovery was almost certainly avoided. There was a slight increase in violent crime during this period.

In 2007 it became illegal to restrict entry by CHL holders to any property owned or leased by a government entity. So in 2007 we began to "show" our licenses to security personnel. The problem

was that the personnel was poorly trained and a roving security supervisor was required to come out and record the entry by a CHL holder. I and many others experienced everything from being waved in to waiting sometimes thirty to forty minutes for the supervisor to decide on coming out. There were more than one occasion where the security person would shout "I've got a gun here," across the crowd. Derision and discourteous behavior were the norm. Crime once again declined despite efforts to discourage CHL holders.

Letters were written and at least the discretion of the gate personnel and the wait times were reduced in 2008. There was still the information gathering and I would only show my ID when discovered. We went three times, twice involved a supervisor. One was quick to respond, courteous and just noted that he had verified the CHL. The second took about 15 minutes to arrive and was obviously displeased though he said nothing untoward. He began to take my information and I got out my own notepad and insisted on his ID, employee number etc. When he asked why I told him that should my information become compromised, I was starting with him in the legal proceedings. He looked a little uncomfortable but provided the information. No one associated with the company could ever account for the information gathered!

In 2009 we had had enough. I only encountered one supervisor. I was waiting with another CHL for about fifteen minutes. When the supervisor came out he recorded this man's information. When he got to me I started with his information first being as invasive as he intended to be. He became very irate and I informed him that he did not have the authority to restrict my entry and the recording of personal information relating to CHL holders was illegal by anyone except the Texas Department of Public Safety; this included other law enforcement agencies. I gave him the option of surrendering all of his information and/or waving me on or escorting me to the law enforcement officer at the gate to verify the CHL but I would not allow my personal information to be recorded. He signaled for the police officer who came over, listened to his tirade and took my credentials. He nodded and handed them back to me with a, "Have fun!" and shot the supervisor an incredulous look. Several others had similar experiences and we all wrote letters to legislators, the attorney general, state fair, mayor and police chief of Dallas advising them all of the liability and illegality of the process. I also sent a formal complaint to the Texas Department of Public Safety – *Private Security Bureau*. I received only one definitive answer and that was from DPS, they informed me that the company involved was already under investigation and this issue would be added to the list of complaints.

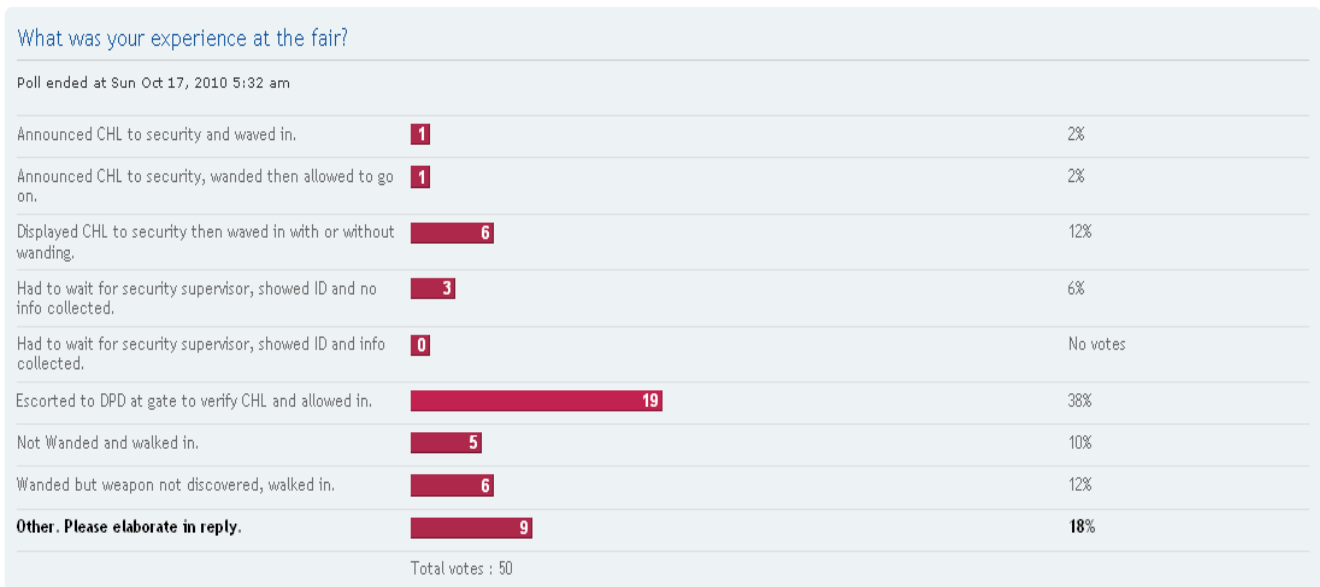
So here we are in 2010. This year, being unsure what if any changes had been installed, I took a pad and paper as well as a camera. Others reporting took everything from video recorders to hidden audio recorders. One person had retained an attorney in expectation of more problems. Almost all responding reported that a security "supervisor" was stationed at the gate and no one would look at the CHL but either escort or direct the licensee to the police officer working the gate to verify the CHL but without any information recorded. There were some minor incidents of indiscretion or having no supervisor on location but all in all, most reported an almost painless process and a completely legal handling.

For once, I have to thank The State Fair of Texas for complete compliance with the laws governing CHL.

**The Data:**

The general consensus indicates that the most efficient procedure provided this year's experience and assuming at least an equally streamlined operation next year is to first purchase your ticket, ask the ticket sales personnel to point out the gate supervisor. Approach the supervisor, discreetly declare you have a CHL and follow their instructions. Reporting members have described either being escorted to the officer inside, meeting the supervisor inside and then going to the officer or simply being asked to do so on your own.

The poll itself shows a pretty impressive general experience. There were some who attended multiple times and one that reported an erroneous entry. I will attempt to make sense of this information.



*Illustration 1: Raw Voting Results From TexasCHLForum.com Poll*

To adjust for reported errors and additional visits that could not be reported, the following color coded legend should help filter the results. The poll ended the 17<sup>th</sup> of October so some data may be drawn from posts as well. They will be recorded as “Additional From Multiple Visits. Including additional votes from postings after the poll closed there were a total of fifty-six votes. I posted two additional and there were three reporting after the poll closed. I am moving one vote to another column as is another member.



**Column Key**

- Announced CHL to security and waved in. = **AWI**
- Announced CHL to security, wanded ...= **AWd**
- Disp. CHL ...waved in with or without wanding. = **DWI**
- Waited for Supervisor no Information Taken = **WNI**
- Waited for Supervisor-Information Taken = **WIT**
- Escorted to DPD, verified CHL and allowed in. = **DPD**
- Not Wanded and entered. = **NWE**
- Wanded but weapon not discovered, walked in. = **WND**
- Other = **OTH**

Poll Data Adjusted For additional Entries and Error Correction									
#Votes	AWI	AWd	DWI	WNI	WIT	DPD	NWE	WND	OTH
25									
24									
23									
22									
21									
20									
19									
18									
17									
16									
15									
14									
13									
12									
11									
10									
9									
8									
7									
6									
5									
4									
3									
2									
1									

**Legal Verification by DPD:**

Unlike years before, the most any security person would do, normally, is glance at the CHL. My own experiences ranged from them not seeing it at all and even acting as if they were avoiding looking at the credentials.

Now my druthers, and I believe those of most CHL holders, is not to “need” verification at all. But since a screening process is in place, having a law enforcement officer looking at the CHL and NOT taking information is at least legal. For the vast majority of those reporting, it was a quick announcement and escort to the sitting DPD officer. Forty-three percent of those reporting fell into this category. This is nearly three times the next closest category...”Other”. Of special note is that the information column is empty.

## The Others:

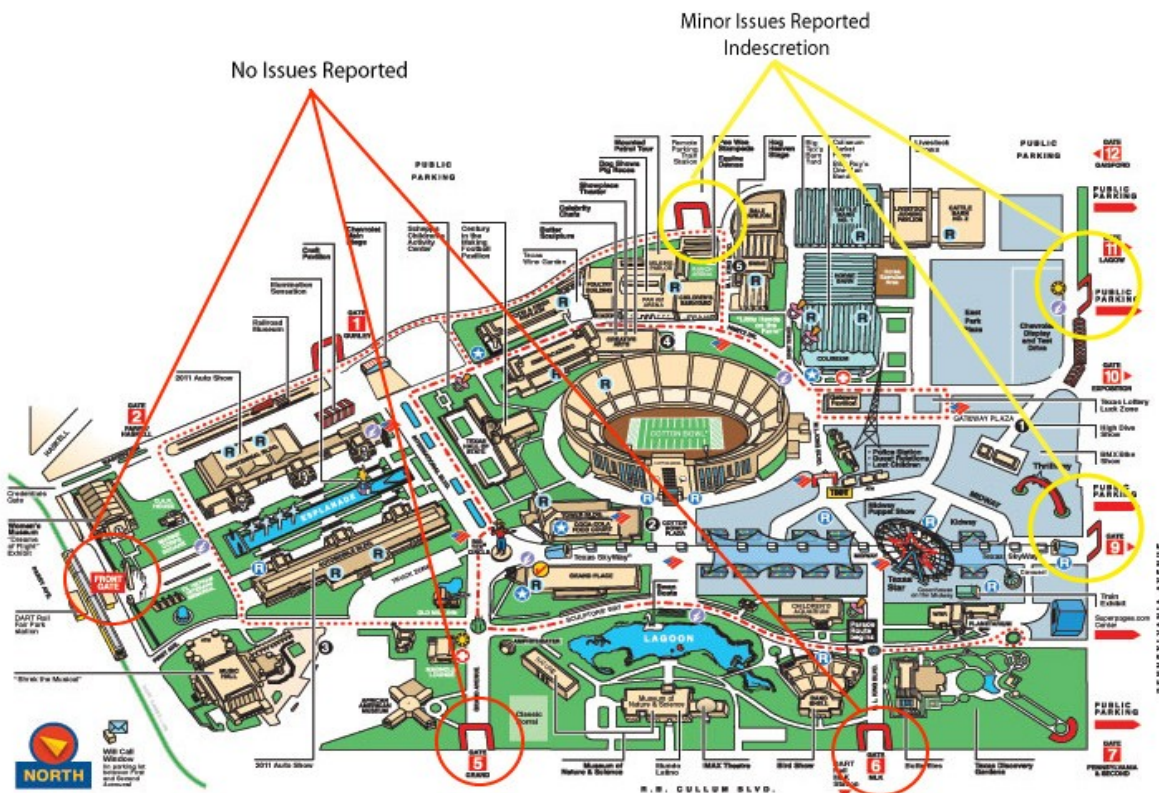
Either due to not fitting the designated descriptions or requiring elaboration, eight voted other. I removed mine as it is a better fit for the DPD column. I have included the the details of the variations to the best of my ability.

Though there was no one reporting more than a slight hiccup, there were some circumstances that need to be mentioned here.

- Most of us reported a supervisor at the gate and an immediate escort to DPD. There was one member who reported a wait (with other CHL holders) for upwards of 25 minutes before the DPD arrived. Especially in contrast to one who was allowed to go on when the security realized no officer was there, this is unacceptable. The time was 10:00 A.M but the gate number was not reported.
- One reported being told to wait for the officer. After they did not show up they went in and didn't even get there ticket torn.
- Indiscretion being a bane to the CHL owner is the, "I have a gun over here" being shouted across the crowd. It has happened to me in previous years and one responder reported it this year.
- There were some other interesting variables but these needed particular mention in my opinion.

## Experience By Gate:

In years past I had noticed that some gates seemed to have the least trained personnel. I have experienced the most problems and hassle at the gates that were on the South/South East end of the park. This year, the trend seems to hold true.



## **Conclusion:**

There are a few take home points I think are worth keeping in mind. Assuming the same procedure will be in place next year:

- Ask for the gate supervisor when you purchase your ticket. Overall this seemed to do the most to streamlining the process and ensure discretion.
- The best gates to go in to are the Front Gate, Gate 5 and Gate 6. These seem to have the best trained personnel.
- Have the CHL and DL out but you do not have to show it to the gate personnel, it simply keeps you from fumbling for it when you go to the DPD officer.
- Go as early in the day as possible. Past experience shows that there is a direct correlation between the surliness and the lateness of the hour.
- If asked to go in on your own and go to the DPD, please do. I think the best thing we can do to further our cause is to demonstrate we are reasonable and willing to comply with “reasonable” procedures.

I hope this digest helps and given the experience this year, procedures may well improve for next year.

