



Written by [Bob Adelman](#) on January 31, 2012

## Tennessee Lawmaker Writes a Law, Then Breaks It

Todd, a former Memphis police officer, is a member of the Tennessee House of Representatives and was, until a few days after his arrest, the state chairman of the influential State and Local Government Committee. His arrest warrant [stated](#) that at about 10:50 p.m. on the evening of October 11 he was pulled over by Officer Knaggs: "Upon exit from the vehicle, the subject was extremely unsteady on his feet.... The subject demonstrated numerous indicators of his impairment ... (almost falling down at times). His speech was slurred, his eyes were red, watery and bloodshot and he had an obvious odor of alcohol about his person and on his breath as he spoke, all indicative of his intoxicated state." The warrant continued:



In addition it was learned that this subject was in possession of a loaded Smith & Wesson 38 Special that was discovered in a holster stuffed in between the driver seat and the center console. The subject was obviously very impaired and not in any condition to be carrying a loaded handgun.

When it was also discovered that Curry was the sponsor of a bill in 2009 that eventually became law allowing persons with concealed weapons permits to bring their weapons into bars and restaurants that serve alcohol provided that they themselves don't drink, the roof fell in.

First, Tennessee Democratic Party Chairman Chip Forrester said Curry's actions were "embarrassing to himself and the state of Tennessee. House Speaker Beth Harwell would do the entire state a great service by asking Todd to resign or [to] explain why she condones this unacceptable behavior from Republican leadership."

Then the Brady Campaign piled on:

Apart from the irony, the legislator's arrest demonstrates the folly of making it easier for individuals to carry loaded and concealed weapons in public. It is simply too difficult to ensure that those who get these licenses are, in fact, responsible law-abiding citizens.

Ironically, anti-gunners, such as the Brady Campaign, wish to disarm citizens, while arming police so that government has a monopoly of force. Curry's position as a legislator and former police officer shows a bit of the folly of that line of reasoning.

Next came this post on the website of the Tennessee Firearms Association, which had backed Curry and his bill: "Thanks, Curry, for the bad publicity."

Curry issued a statement that he was "deeply sorry for the events of last evening. On the advice of legal counsel, I have decided not to make any public comments about the situation at this time." A few days



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later, following a conversation with House Speaker Harwell, Todd resigned as chair of the State and Local Government Committee.

The consequences continued to pile up. Under Tennessee's DUI law a conviction carries penalties of up to a year in jail, while possession of a weapon while under the influence carries a similar sentence plus a \$2,500 fine. And a conviction removes his concealed weapons permit for three years.

House Majority Leader Gerald McCormick's plans to push a bill that would [further expand](#) Tennessee's handgun carry permit laws remain in place but, according to McCormick, "it's not going to be a top legislative priority by any means."

The biggest challenge resulting from Curry's arrest was the response from responsible gun owners horrified by one of their own publicly stumbling so obviously over a law that he himself wrote and worked to get passed. Mark Walters, an NRA-certified instructor and co-author of *Lessons From Armed America*, wrote a difficult but thoughtful response to Curry's arrest:

Without a doubt, this is one of the hardest Ordinary Guy columns I have ever written. I like Curry Todd and applaud him for the gains he has made in Tennessee fighting for the rights of all law-abiding gun owners. He has been a guest on [my] Armed American Radio show and I stand by all of his efforts and his years of fighting for our rights....

Let's set the record straight. Rep. Todd has been charged, not convicted. Rep. Todd was accused of driving drunk. Rep. Todd is charged with being in possession of a handgun while intoxicated. Rep. Todd refused a breathalyzer test. Rep. Todd never had a hand on his gun, wasn't waving it around and shooting at street signs while hootin' and hollerin' and weaving down the road. Rep. Todd is innocent until proven guilty.

All of that is true, but none of it matters. Here's why. As law-abiding gun owners, we are and should be held to a higher standard. We have chosen to arm ourselves with deadly force and as a result we have a responsibility to behave accordingly. As not only a CCW [Carrying a Concealed Weapon] holder in Tennessee, but also the man who championed the right to carry in restaurants and bars by reminding the media of our law-abiding statistics, Mr. Todd must be held to an even stricter standard. Put mildly, Mr. Todd isn't allowed to make those human mistakes. Period....

Mr. Todd's alleged actions cannot be swept away by trying to understand what may have caused his misstep. There is absolutely no excuse that can be conjured up that will justify the actions that lead to his arrest, no personal matter great enough, no medical issue, nothing; nor would I even attempt such a defense of his alleged actions. The fact of the matter is pretty simple. Mr. Todd has every right to go out and get hammered. He has every right to drink himself silly, and have a great time in the process, but in so doing he must follow the law....

Mr. Todd's alleged actions, whether we like it or not, reflect on all of us. As a result, it is up to each and every one of us to confront the issue, admit his failings, remind detractors that his actions, while reprehensible, are no more representative of our actions as a whole any more than the actions of a single rogue, corrupt cop are to the entire force.

Mr. Todd's inability that night to choose wisely will now cost him dearly and place him in that "less than one percent" of all permit holders who violate the law. Our job is to hold our heads up, remind others of the truth, and not let the anti-gun media have the last word when it comes to their lies, but instead rebut them with the facts: That we as a group are the most law-abiding of all American citizens!



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