

**Testimony
of
Michael Edward Charles**

**Member,
Philadelphia Democratic Executive Committee
54th Ward, 16th Division**

**PUBLIC HEARING
BEFORE THE
PENNSYLVANIA HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
ON
HOUSE BILL 2536**

**Township Building
100 Garrett Road
Upper Darby, Pennsylvania**

Tuesday, 10 August 2010

Testimony of Michael Edward Charles on House Bill 2536

Good morning Mr. Chairman and Members of the Committee. I want to thank you for giving me this opportunity to testify before you today to express my thoughts regarding the piece of legislation known as House Bill 2536.

My name is Michael Charles and I am the elected Democratic Committeeman representing the 16th Division of the 54th Ward, encompassing part of the Oxford Circle section of Northeast Philadelphia. I have served the Party in this position for the last seven years and was reelected this past Primary for another four year term. However, I am here today, not as a spokesman for the Philadelphia Democratic Party, but rather as a lifelong resident of Philadelphia *and* a firm supporter of a citizen's right to keep and *bear* arms.

Just as I came before this Committee in Harrisburg last November, expressing my wholehearted support for House Bill 40, I come before you today to express my complete and absolute disagreement with and total *lack of support* for what House Bill 2536 is attempting to do. I cannot state my disapproval strongly enough.

Whereas HB 40 addresses needed reforms in the law to protect law abiding citizens of the Commonwealth from becoming criminals, or, at least being treated as such, after exercising their innate, inalienable right to defend themselves, their family members and their home from unlawful attacks or invasions, HB 2536 is a solution in search of a problem. It is simply not needed.

Rather than repeat much of Mr. Stolfer's thoroughly researched and well presented testimony, I intend to build upon it and I incorporate his testimony into my own by reference, as I completely agree with all of the points Mr. Stolfer made.

If the existing laws of the Commonwealth were administered and enforced in a consistent, uniform and non-discriminatory manner, I believe that many of the Pennsylvanians who opt to apply for a Florida *Concealed Weapon or Firearm License* (CWFL) would probably not bother. But, contrary to the picture that Rep. Lentz paints, that of a state that hands out firearm licenses with complete disregard to the legal suitability of the applicant, in reality, Florida's requirements are actually MORE stringent than those of the Commonwealth's! Here are some specific examples:

1. The State of Florida *requires* proof of firearms training for an individual's initial application; the Commonwealth does not.
2. The State of Florida, as indicated by the license's very name, *requires* a license for the concealed carrying of *any* weapon, not just a firearm; Pennsylvania is far less restrictive, requiring a license *only* for concealed carrying of a firearm on one's person or in a motor vehicle.
3. The State of Florida completely prohibits the open carrying of a firearm, even *with* a license. With the exception of Philadelphia, open carry is perfectly legal within the Commonwealth and a license is *not even required*.
4. For a new application, the State of Florida's required fee is \$117.00, more *than 4½ times the approved* Pennsylvania fee. For a renewal, Florida charges only \$10.00 less.

The ability of a Pennsylvanian to obtain an out-of-state license *and* be allowed to use it to carry a concealed firearm within the Commonwealth is a necessary safety valve against the arbitrary and abusive way in which some counties use the discretion clause of Commonwealth law that Mr. Stolfer referred to previously [18 Pa.C.S. §6109 (e)(1)(i)].

For example, the Pennsylvania Uniform Firearms Code (UFC) clearly assigns the responsibility and authority *solely* to the State Police to develop and enforce the use of a standard application form [SP 4-127] for those wishing to obtain a License To Carry Firearms (LTCF) from the Commonwealth.

However, some counties go out of their way to make it as difficult as possible for an otherwise qualified individual to obtain a PA LTCF.

Example 1

The County and City of Philadelphia, not believing that the UFC applies to it (a city of the first class with a home rule charter), has added to the required application their own *Reference Questionnaire* [Form GPM5], that both personal references of the applicant must fill out. The completion of these forms requires the applicant to do some of the investigative legwork that the detectives of the Gun Permits Unit of the Philadelphia Police Department (PPD) should rightly be doing.

In addition, while instruction no.4 of the application package states, in part, “. . . Enclosed are two references information sheets that your references *may* use for their convenience. References should include name, address, date of birth and *PA State ID or drivers license number* at the top of the form.”. This wording gives one the impression that the use of these *unapproved* forms is an option. But, the reality is, without them, an individual’s application will be rejected, potentially with the loss of the application fee. Furthermore, by it’s wording, there is the implication that out-of-state references are unacceptable. I’m not certain, but I don’t believe that this restriction is part of Commonwealth law.

And, if that doesn’t make it difficult enough for a law abiding Philadelphian to obtain a PA LTCF, the PPD’s Gun Permits Unit’s hours are only 8:30 AM to 2:00 PM, Monday through Friday, excluding legal holidays and with a winter closing from 20 December to 03 January. Furthermore, it is not an unusual occurrence for the PPD to take an inordinate amount of time processing these applications, pushing the issuance of a license or notification of denial well beyond the statutory 45 day limit.

Example 2

The Delaware County Sheriff (the county in which we happen to be at the moment and which Rep. Lentz’s district is in), does not do much better. Delaware County residents are required to pay a license fee that is \$20.00 higher than the amount I believe the Commonwealth has approved. In addition, the Sheriff’s hours for accepting “permit” applications (their words) are between 9:00 AM and 3:00 PM, not much better than Philadelphia.

Is it any wonder that many law abiding Pennsylvanians choose to pay the higher fee, get the training and apply for a FL CWFL? Should they be required to take time off from work and possibly sit for hours, waiting to go through the unnecessarily protracted process? I doubt that the overwhelming majority of these applicants are looking to circumvent Commonwealth laws because they wouldn't qualify for a license under them.

In addition to this, many people apply for a Florida license because it's recognized in many more states than Pennsylvania's. Of particular note is that the state of Delaware recognizes a license from Florida, but not from its neighbor to the north. Many Pennsylvanians travel to Delaware every day to work, shop, visit family and friends and vacation. Why should they become potential unarmed victims (or, worse, felons) just because they cross a border into another state that our Attorney General has not yet seen fit to enter into a reciprocity agreement with but are barred from obtaining an out-of-state license that's acceptable?

I, too, challenge the "statistics" that Rep. Lentz has cited to justify this unmistakable erosion of one of the most fundamental, constitutionally protected civil liberties of all Pennsylvanians. This bill would not only preclude those that have ostensibly been either denied a PA LTCF or had it revoked for cause (situations I believe are a relative rare occurrence), but also those that wish to obtain a Florida license in addition to one from Pennsylvania or instead of (to save some money in tough economic times), even though they would qualify under our laws, if they chose to apply.

I encourage the members of this committee, as well as Rep. Lentz, to review Florida Statutes, Chapter 776 (on the Justifiable Use of Force) as well as Chapter 790 (on Weapons and Firearms) before declaring that the combination of:

1. Florida's willingness to issue a firearms license to any qualified, lawful resident of the United States,
2. Pennsylvania's recognition of any firearms license issued by any other State or Commonwealth with which we have a reciprocity or mutual recognition agreement,
3. Pennsylvania's lack of discrimination between "resident" and "non-resident" licenses, and
4. Pennsylvania not requiring a resident to have a PA LTCF (which is the crux of this bill)

constitutes the true "loophole" there seems to be so much misplaced concern over.

Criminals, by definition, ignore the law. Erode Pennsylvanian's constitutionally protected rights with a piece of legislation like HB 2536 and you give criminals one more law to ignore. At the same time, you make it harder for the law abiding citizens you took an oath to faithfully represent to defend themselves.

I urge the members of this Committee to put this unnecessary piece of legislation where it belongs . . . in the shredder.

Notwithstanding my disdain for this bill, I do want to thank this Committee, once again, for giving me the opportunity to testify before it today. I, also want to give a special thank you to Rep. Caltagirone and his staff for fitting me in to the schedule, as I was only notified, indirectly, of this hearing a little over a week ago.

I welcome questions from any member of this Committee.

This concludes my prepared testimony.

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CITY OF PHILADELPHIA POLICE DEPARTMENT

990 Spring Garden Street, 2nd Floor, Philadelphia, PA 19123

Phone: (215) 685-3656, 3657 Fax: (215) 685-3673



INSTRUCTIONS FOR COMPLETION OF AN APPLICATION FOR A PENNSYLVANIA LICENSE TO CARRY FIREARM

Only applicants 21 years of age or older, residing in the county of Philadelphia, may apply for a Pennsylvania license to carry a firearm through the Philadelphia Police Department.

Out of county residents must apply in their county of residence.

Out of state applications will only be considered if the applicant currently has a similar license from their home state.

1. Applications may be picked up at the Gun Permits Unit, 990 Spring Garden Street, 2nd Floor, Monday through Friday, 8:30 AM to 2:00 PM. This Unit is Closed on Saturdays, Sundays and Holidays, and from December 20th to January 3rd. Only 1 application per person. This Information can also be found at the following website: www.ppdonline.org/hq_gunpermit.php
(If downloaded from internet applicant must bring all paperwork, including this instruction sheet.)
2. Applicants must have an **APPLICATION AND TWO (2) REFERENCE SHEETS FILLED OUT COMPLETELY** and **APPLICABLE ITEMS LISTED BELOW** or they will not be accepted. (Do not use pencil)
3. When completed, the entire application must be returned **IN PERSON BY THE APPLICANT** to the above location, Monday through Friday, 8:30 AM to 2:00 PM. *(New applications and renewals will only be handled during this time.)*

Also needed at this time of **RENEWAL OR NEW APPLICATION**:

- a. One (1) 2" x 2" (inch) Passport Type color photo of the applicant's head and shoulders, (**NO SUNGLASSES, HATS, VEILS, BANDANNAS, ETC.**).
- b. A \$25.00 money order (**no other amount will be accepted**) payable to "City of Philadelphia". (**NO CASH OR CHECKS WILL BE ACCEPTED.**)
- c. A **VALID** Pennsylvania Drivers License or Non-Drivers ID, along with two (2) acceptable forms of proof of residence, all addresses must match. **NO PO BOXES WILL BE ACCEPTED**, *(see back of this sheet for examples)*.
- d. **ALL APPLICANTS WILL BE FINGERPRINTED.**
- e. If you were previously a member of the Armed Forces, a copy of your discharge papers (DD-214) must accompany the application.
- f. **Foreign born applicants who are presently American citizens must bring their naturalization papers, passports are not acceptable**
- g. Registered aliens must have their current alien registration identification card, i.e., **GREEN CARD** and last 3 **monthly utility bills**, i.e., gas bill, PECO bill, water bill, etc. for proof of residency. **THESE 3 BILLS MUST BE THE SAME BILL AND IN CONSECUTIVE MONTHLY ORDER OF THE MOST RECENT MONTH.**
- h. Must show current or expired permits at time of application. Expired permits to carry will be retained by the Gun Permits Unit.

4. **NOTE:** Failure to provide (2) references (**NOT FAMILY MEMBERS**), as required on your application, will result in your application being denied, and forfeiture of your application fee. Enclosed are two references information sheets that your references may use for their convenience. References should include name, address, date of birth and PA State ID or drivers license number at the top of the form.
5. If all paperwork is in order, the applicant will then be interviewed by Gun Permits Unit personnel. When the interview is completed, a state and local background investigation will be conducted to ascertain if the applicant is acceptable under law, to be issued a "Pennsylvania license to carry a firearm"
6. All applicants will receive written notice by U.S. mail of either approval or disapproval of their application for a Pennsylvania license to carry a firearm. Upon approval the applicant has thirty (30) days to pick-up their License to Carry.

ALL APPLICANTS SHOULD BE AWARE THAT FALSE STATEMENTS (WHETHER ORAL OR WRITTEN) WILL BE CAUSE FOR DENIAL AND MAY RESULT IN ARREST.

PLEASE NOTE THAT THE SAME PROCEDURES ARE APPLICABLE FOR RENEWALS.

Below are examples of, but not limited to, acceptable forms for proof of your residency:

- Current Utility Bills: (within the last three months)
 - Phone Bill – Home/Cellular
 - Electric Bill
 - Gas Bill
 - Water Bill
 - Cable/Satellite Bill
- Current Credit Card Statements
- Current Bank/Student Loan Statements
- Valid Vehicle Registration
- Valid Vehicle Insurance Card
- Voters Registration Card
- **JUNK MAIL IS NOT ACCEPTABLE**

RENEWAL

COUNTY OF PHILADELPHIA

APPLICATION FOR A PENNSYLVANIA LICENSE TO CARRY FIREARMS

PHOTOGRAPH
IF
REQUIRED

FOR USE BY ISSUING AUTHORITY

SIGNATURE _____ LICENSE NUMBER _____
 DATE APPLIED ____/____/____ DATE APPROVED ____/____/____ PICS APPROVAL NUMBER _____
 DATE REJECTED ____/____/____ REASON FOR REJECTION _____

APPLICANT INFORMATION - TYPE/PRINT IN BLUE OR BLACK INK

1. LAST NAME		2. JR., ETC.		3. FIRST NAME		4. MIDDLE NAME		5. PHOTO ID/DRIVER LICENSE NO.		6. STATE	
7. DATE OF BIRTH		8. SOCIAL SECURITY NUMBER (Optional, but will help prevent misidentification)		9. AGE		10. SEX		11. RACE		12. HEIGHT	
13. WEIGHT		14. HAIR COLOR		15. EYE COLOR		16. STREET ADDRESS		17. CITY		18. STATE	
19. ZIP CODE		20. HOME TELEPHONE NO.		21. EMPLOYER/BUSINESS NAME		22. WORK TELEPHONE NO.		23. OCCUPATION		24. ADDRESS	
25. CITY		26. STATE		27. ZIP CODE		28. REASON FOR A LICENSE TO CARRY FIREARMS: <input type="checkbox"/> SELF-DEFENSE <input type="checkbox"/> EMPLOYMENT <input type="checkbox"/> HUNTING & FISHING <input type="checkbox"/> TARGET SHOOTING <input type="checkbox"/> GUN COLLECTING <input type="checkbox"/> OTHER _____		29. PLACE OF BIRTH			
30. TWO REFERENCES - NOT FAMILY MEMBERS											
NAME			ADDRESS			TELEPHONE NO.					
NAME			ADDRESS			TELEPHONE NO.					

APPLICANTS ARE DETERMINED TO BE ELIGIBLE FOR LICENSURE BASED UPON CRITERIA SET FORTH WITHIN THE PENNSYLVANIA UNIFORM FIREARMS ACT (18 P.A.C.S. CHAPTER 61) SECTIONS 6105 DEALING WITH INDIVIDUALS NOT TO POSSESS FIREARMS AND SECTION 6109 DEALING WITH THE ISSUANCE OF A LICENSE TO CARRY FIREARMS. REFERENCE THE REVERSE SIDE OF THIS FORM WHERE INDICATED.

31. HAVE YOU EVER BEEN CONVICTED OF A CRIME ENUMERATED IN SECTION 6105(b), OR DO ANY OF THE CONDITIONS UNDER 6105(c) APPLY TO YOU? (READ INFORMATION ON BACK PRIOR TO ANSWERING) YES NO

32. ARE YOU NOW CHARGED WITH, OR HAVE YOU EVER BEEN CONVICTED OF A CRIME PUNISHABLE BY IMPRISONMENT FOR A TERM EXCEEDING ONE YEAR? THIS IS THE MAXIMUM SENTENCE THAT YOU "COULD HAVE RECEIVED," NOT THE ACTUAL SENTENCE YOU DID RECEIVE. (THIS DOES NOT INCLUDE FEDERAL OR STATE OFFENSES PERTAINING TO ANTITRUST, UNFAIR TRADE PRACTICES, RESTRAINTS OF TRADE, OR REGULATION OF BUSINESS; OR STATE OFFENSES CLASSIFIED AS MISDEMEANORS AND PUNISHABLE BY A TERM OF IMPRISONMENT NOT TO EXCEED TWO YEARS.) (READ INFORMATION ON BACK PRIOR TO ANSWERING) YES NO

33. HAVE YOU EVER BEEN ADJUDICATED A DELINQUENT FOR A CRIME ENUMERATED IN SECTION 6105, OR FOR AN OFFENSE UNDER THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT? (READ INFORMATION ON BACK PRIOR TO ANSWERING) YES NO

34. HAVE YOU EVER BEEN CONVICTED OF ANY DRUG OR CONTROLLED SUBSTANCE OFFENSE UNDER THE ACT OF APRIL 14, 1972 (P.L. 233, NO. 64) KNOWN AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT? (ALL DRUG-RELATED CONVICTIONS WILL PROHIBIT LICENSING, UNDER SECTION 6109 RELATING TO LICENSES) YES NO

35. HAVE YOU EVER BEEN INVOLUNTARILY COMMITTED TO A HEALTH CARE FACILITY FOR A MENTAL CONDITION, OR ADJUDICATED INCOMPETENT/INCAPACITATED? YES NO

36. ARE YOU AN INDIVIDUAL WHO IS A HABITUAL DRUNKARD, OR WHO IS ADDICTED TO OR AN UNLAWFUL USER OF MARIJUANA OR A STIMULANT, DEPRESSANT, OR NARCOTIC DRUG? YES NO

37. IS YOUR CHARACTER AND REPUTATION SUCH THAT YOU WOULD BE LIKELY TO ACT IN A MANNER DANGEROUS TO PUBLIC SAFETY? YES NO

38. ARE YOU A UNITED STATES CITIZEN? IF NO, COUNTRY OF BIRTH _____
 COUNTRY OF CITIZENSHIP _____ IMMIGRATION IDENTIFICATION NUMBER _____ YES NO
 (Applications for non-U.S. Citizens must be provided to the Pennsylvania State Police along with a copy of the License to Carry.)

39. HAVE YOU EVER RECEIVED A DISHONORABLE DISCHARGE FROM THE UNITED STATES ARMED FORCES? YES NO

40. OTHER THAN PENNSYLVANIA, DO YOU POSSESS A CURRENT LICENSE, PERMIT, OR SIMILAR DOCUMENT TO CARRY A FIREARM ISSUED FROM ANOTHER STATE? IF YES, ATTACH A PHOTOCOPY OF THE DOCUMENT TO THIS FORM. YES NO

41. I have never been convicted of a crime that prohibits me from possessing or acquiring a firearm under Federal or State law. I am of sound mind and have never been committed to a mental institution or mental health care facility. I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I understand that if I knowingly make any false statements herein, I am subject to penalties prescribed by law. I authorize the sheriff, or his designee, or, in the case of first class cities, the chief or head of the police department, or his designee, to inspect only those records or documents relevant to information required for this application. If I am issued a license and knowingly become ineligible to legally possess or acquire firearms, I will promptly notify the sheriff of the county in which I reside or, if I reside in a city of the first class, the chief of police of that city. This certification is made subject to both the penalties of section 4904 of the Crimes Code (18 Pa.C.S. 4904) relating to unsworn falsifications to authorities and the Uniform Firearms Act.

SIGNATURE - APPLICANT

DATE OF APPLICATION

Section 6105(a):

Effective November 22, 1995, 18 Pa.C.S. § 6105(a) prohibits persons convicted of any of the following offenses under 18 Pa.C.S. from possessing, using, controlling, transferring, manufacturing, or obtaining a license to possess, use, control, transfer, or manufacture a firearm in the Commonwealth of Pennsylvania. A conviction includes a finding of guilty or the entering of a plea of guilty or nolo contendere, whether or not judgement has been imposed, as determined by the law of the jurisdiction in which the prosecution was held. The term does not include a conviction which has been expunged or overturned or for which an individual has been pardoned—unless the pardon expressly provides that the individual may not possess or transport firearms.

Section 6105(b):

908	Prohibited offensive weapons.	§ 3921	Theft by unlawful taking or disposition, upon conviction of the second felony offense.
911	Corrupt organizations.		
912	Possession of weapon on school property.	§ 3923	Theft by extortion, when the offense is accompanied by threats of violence.
2502	Murder.		
2503	Voluntary manslaughter.	§ 3925	Receiving stolen property, upon conviction of the second felony offense.
2504	Involuntary manslaughter, if the offense is based on the reckless use of a firearm.	§ 4912	Impersonating a public servant, if the person is impersonating a law enforcement officer.
2702	Aggravated assault.		
2703	Assault by prisoner.	§ 4952	Intimidation of witnesses or victims.
2704	Assault by life prisoner.	4953	Retaliation against witness or victim.
2709.1	Stalking.	5121	Escape.
2716	Weapons of mass destruction	5122	Weapons or implements for escape.
2901	Kidnapping.	5501(3)	Riot, if the offense relates to a firearm or other deadly weapon.
2902	Unlawful restraint		
2910	Luring a child into a motor vehicle.	5515	Prohibiting of paramilitary training.
3121	Rape.	5516	Facsimile weapons of mass destruction.
3123	Involuntary deviate sexual intercourse.	6110.1	Possession of firearm by minor.
3125	Aggravated indecent assault.	6301	Corruption of minors.
3301	Arson and related offenses.	6302	Sale or lease of weapons and explosives.
3302	Causing or risking catastrophe.		
3502	Burglary.		
3503	Criminal trespass, if the offense is graded a felony of the second degree or higher.		Any offense equivalent to any of the above-enumerated offenses under the prior laws of this Commonwealth, or any offense equivalent to any of the above-enumerated offenses under the statutes of any other state or of the United States.
3701	Robbery.		
3702	Robbery of motor vehicle.		

Section 6105(c):

Effective November 22, 1995, 18 Pa.C.S. § 6105(c) also prohibits the following persons from possessing, using, controlling, transferring, manufacturing, or obtaining a license to possess, use, control, transfer, or manufacture a firearm in the Commonwealth of Pennsylvania.

ARE YOU A PERSON WHO:

- is a fugitive from justice; or
- has been convicted of an offense under the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or any equivalent Federal statute or equivalent statute of any other state, that may be punishable by a term of imprisonment exceeding two years; or
- has been convicted of driving under the influence of alcohol or controlled substance as provided in 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or the former 75 Pa.C.S. § 3731, on three or more separate occasions within a five-year period. For the purposes of this paragraph only, the prohibition of Section 6105(a) shall only apply to transfers or purchases of firearms after the third conviction; or
- has been adjudicated as an incompetent or who has been involuntarily committed to a mental institution for inpatient care and treatment under section 302, 303, or 304 of the provisions of the act of July 9, 1976 (P.L. 817, No. 143), known as the Mental Health Procedures Act; or
- being an alien, is illegally or unlawfully in the United States; or
- is the subject of an active protection from abuse order issued pursuant to 23 Pa.C.S. § 6108 (relating to relief), which order provides for the relinquishment of firearms during the period of time the order is in effect. This prohibition shall terminate upon the expiration or vacation of an active protection from abuse order or portion thereof relating to the relinquishment of firearms; or
- was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 (relating to adjudication) or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense under 18 Pa.C.S. sections 2502, 2503, 2702, 2703, 2704, 2901, 3121, 3123, 3301, 3502, 3701, and 3923; or
- was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense enumerated in 18 Pa.C.S. § 6105(b) with the exception of those crimes set forth in paragraph 7. This prohibition shall terminate 15 years after the last applicable delinquent adjudication or upon the person reaching the age of 30, whichever is earlier.
- is prohibited from possessing or acquiring a firearm under 18 U.S.C. § 922(g)(9) (relating to unlawful acts) who has been convicted in any court of a misdemeanor crime of domestic violence by a person in any of the following relationships: (i) the current or former spouse, parent or guardian of the victim; (ii) a person with whom the victim shares a child in common; (iii) a person who cohabits with or has cohabited with the victim as a spouse, parent or guardian; or (iv) a person similarly situated to a spouse, parent, or guardian of the victim; then the relationship need not be an element of the offense to meet the requirements of this paragraph.

PRIVACY ACT NOTICE

Solicitation of this information is authorized under Title 18 Pa.C.S. §6111. Disclosure of your social security number is voluntary. Your social security number, if provided, may be used to verify your identity and prevent misidentification. All information supplied, including your social security number, is confidential and not subject to public disclosure.



SHERIFF OF DELAWARE COUNTY

MEDIA, PENNSYLVANIA 19063

PHONE 610-651-4286

Joseph F. McGinn
Sheriff

William C. Kelly
Chief Deputy

NEW PERMITS

1. PLEASE FILL OUT THE APPLICATION IN FULL. NO PHOTOGRAPH REQUIRED
 2. PLEASE RETURN THE APPLICATION BETWEEN 9:00 A.M. AND 3:30 P.M.
 3. DO NOT SIGN THE APPLICATION UNTIL YOU ARE IN THE PRESENCE OF A CLERK IN THE SHERIFF'S OFFICE.
 4. YOU MUST BRING THE APPLICATION IN PERSON WITH THE PROPER IDENTIFICATION:
 - * PA DRIVER'S LICENSE OR NON-DRIVER'S LICENSE WHICH MUST HAVE CURRENT ADDRESS.
 - * FOR OUT OF STATE RESIDENTS - YOU MUST HAVE A PERMIT FROM YOUR STATE AND DRIVER'S LICENSE OR NON-DRIVER'S LICENSE WITH CURRENT ADDRESS.
 5. YOU MUST HAVE TWO (2) REFERENCES WITH A DAY AND EVENING PHONE NUMBER. NO MEMBER OF THE SHERIFF'S OFFICE, CHIEF OF POLICE OR JUDGE OF ANY KIND MAY BE A REFERENCE. YOU MAY NOT USE MEMBERS OF THE SAME HOUSEHOLD OR FAMILY AS A REFERENCE.
 - 6A. IF YOU ARE A NATURALIZED CITIZEN OF THE UNITED STATES, YOU MUST BRING IN YOUR NATURALIZATION CERTIFICATE.
 - 6B. IF YOU ARE NOT A UNITED STATES CITIZEN, YOU MUST BRING IN YOUR IMMIGRATION CARD.
 7. PLEASE BRING \$45.00 IN CASH OR MONEY ORDER. SHERIFF'S OFFICE CANNOT ACCEPT CHECKS.
- YOU WILL BE NOTIFIED BY MAIL WITHIN FORTY-FIVE (45) WORKING DAYS AS TO YOUR APPROVAL OR DENIAL.

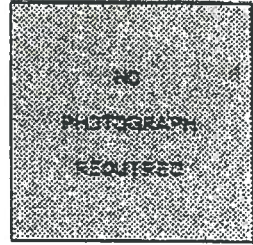
RENEWALS

1. PLEASE FILL OUT THE APPLICATION IN FULL. NO PHOTOGRAPH REQUIRED
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4. YOU MUST BRING THE APPLICATION IN PERSON WITH THE PROPER IDENTIFICATION:
 - * PA DRIVER'S LICENSE OR NON-DRIVER'S LICENSE WHICH MUST HAVE CURRENT ADDRESS.
 - * FOR OUT OF STATE RESIDENTS - YOU MUST HAVE A PERMIT FROM YOUR STATE AND DRIVER'S LICENSE OR NON-DRIVER'S LICENSE WITH CURRENT ADDRESS.
 - * EXISTING (DELAWARE COUNTY ISSUED) PERMIT.
5. YOU MUST HAVE TWO (2) REFERENCES WITH A DAY AND EVENING PHONE NUMBER. NO MEMBER OF THE SHERIFF'S OFFICE, CHIEF OF POLICE OR JUDGE OF ANY KIND MAY BE A REFERENCE. YOU MAY NOT USE MEMBERS OF THE SAME HOUSEHOLD OR FAMILY AS A REFERENCE.
- 6A. IF YOU ARE A NATURALIZED CITIZEN OF THE UNITED STATES, YOU MUST BRING IN YOUR NATURALIZATION CERTIFICATE.
- 6B. IF YOU ARE NOT A UNITED STATES CITIZEN, YOU MUST BRING IN YOUR IMMIGRATION CARD.
7. PLEASE BRING \$45.00 IN CASH OR MONEY ORDER. SHERIFF'S OFFICE CANNOT ACCEPT CHECKS.

YOU WILL BE NOTIFIED BY MAIL AS TO YOUR APPROVAL OR DENIAL.

YOU MAY APPLY UP TO 3 MONTHS BEFORE YOUR EXPIRATION DATE.

APPLICATION FOR A PENNSYLVANIA LICENSE TO CARRY FIREARMS



FOR USE BY ISSUING AUTHORITY ONLY

SIGNATURE _____ LICENSEE _____

DATE APPLIED _____ DATE APPROVED _____ FICS APPROVAL NUMBER _____

DATE REJECTED _____ REASON FOR REJECTION _____

APPLICANT INFORMATION - TYPE/PRINT IN BLUE OR BLACK INK

1. LAST NAME		2. JR. ETC.		3. FIRST NAME		4. MIDDLE NAME		5. PHOTO ID/DRIVER LICENSE NUMBER		6. STATE	
7. DATE OF BIRTH	8. SOCIAL SECURITY NUMBER		9. AGE	10. SEX	11. RACE		12. HEIGHT	13. WEIGHT	14. HAIR COLOR	15. EYE COLOR	
16. STREET ADDRESS				17. CITY		18. STATE	19. ZIP CODE	20. HOME TELEPHONE NO. () - () - ()			
21. EMPLOYER/BUSINESS NAME				22. WORK TELEPHONE NO. () - () - ()		CELL PHONE NO. () - () - ()		23. OCCUPATION			
24. ADDRESS				25. CITY		26. STATE		27. ZIP CODE			
28. REASON FOR A LICENSE TO CARRY FIREARMS:								29. PLACE OF BIRTH (STATE OR COUNTRY)			
<input type="checkbox"/> SELF-DEFENSE <input type="checkbox"/> EMPLOYMENT <input type="checkbox"/> HUNTING & FISHING <input type="checkbox"/> TARGET SHOOTING <input type="checkbox"/> GUN COLLECTING <input type="checkbox"/> OTHER: _____											
30. TWO REFERENCES (NOT FAMILY MEMBERS)											
NAME:			ADDRESS:			CELL NO. / DAY PHONE NO. () - () - ()		EVENING PHONE NO. () - () - ()			
NAME:			ADDRESS:			CELL NO. / DAY PHONE NO. () - () - ()		EVENING PHONE NO. () - () - ()			

APPLICANTS ARE DETERMINED TO BE ELIGIBLE FOR LICENSURE BASED UPON CRITERIA SET FORTH WITHIN THE PENNSYLVANIA UNIFORM FIREARMS AND ITS PA.C.S. CHAPTER 21, SECTIONS 102 DEALING WITH INDIVIDUALS NOT TO POSSESS FIREARMS AND SECTION 1109 DEALING WITH THE ISSUANCE OF A LICENSE TO CARRY FIREARMS. REFERENCE THE REVERSE SIDE OF THIS FORM WHERE INDICATED.

31. HAVE YOU EVER BEEN CONVICTED OF A CRIME ENUMERATED IN SECTION 8105 (b), OR DO ANY OF THE CONDITIONS UNDER 8105 (c) APPLY TO YOU? (READ INFORMATION ON BACK PRIOR TO ANSWERING) YES NO

32. ARE YOU NOW CHARGED WITH, OR HAVE YOU EVER BEEN CONVICTED OF A CRIME PUNISHABLE BY IMPRISONMENT FOR A TERM EXCEEDING ONE YEAR? THIS IS THE MAXIMUM SENTENCE THAT YOU COULD HAVE RECEIVED, NOT THE ACTUAL SENTENCE YOU DID RECEIVE. (THIS DOES NOT INCLUDE FEDERAL OR STATE OFFENSES PERTAINING TO ANTITRUST, UNFAIR TRADE PRACTICES, RESTRAINTS OF TRADE, OR REGULATION OF BUSINESS; OR STATE OFFENSES CLASSIFIED AS MISDEMEANORS AND PUNISHABLE BY A TERM OF IMPRISONMENT NOT TO EXCEED TWO YEARS.) (READ INFORMATION ON BACK PRIOR TO ANSWERING) YES NO

33. HAVE YOU EVER BEEN ADJUDICATED A DELINQUENT FOR A CRIME ENUMERATED IN SECTION 6109, OR FOR AN OFFENSE UNDER THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT? (READ INFORMATION ON BACK PRIOR TO ANSWERING) YES NO

34. HAVE YOU EVER BEEN CONVICTED OF ANY DRUG OR CONTROLLED SUBSTANCE OFFENSE UNDER THE ACT OF APRIL 14, 1972 (P.L. 233, NO. 64) KNOWN AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT? (ALL DRUG RELATED CONVICTIONS WILL PROHIBIT LICENSING, UNDER SECTION 6109 RELATING TO LICENSES) YES NO

35. HAVE YOU EVER BEEN INVOLUNTARILY COMMITTED TO A HEALTH CARE FACILITY FOR A MENTAL CONDITION, OR ADJUDICATED INCOMPETENT/INCAPACITATED? YES NO

36. ARE YOU AN INDIVIDUAL WHO IS A HABITUAL DRUNKARD, OR WHO IS ADDICTED TO OR AN UNLAWFUL USER OF MARIJUANA OR A STIMULANT, DEPRESSANT OR NARCOTIC DRUG? YES NO

37. IS YOUR CHARACTER AND REPUTATION SUCH THAT YOU WOULD BE LIKELY TO ACT IN A MANNER DANGEROUS TO PUBLIC SAFETY? YES NO

38. ARE YOU A UNITED STATES CITIZEN? IF NO, COUNTRY OF BIRTH _____
COUNTRY OF CITIZENSHIP _____ IMMIGRATION IDENTIFICATION NUMBER _____
(Applications for non-U.S. Citizens must be provided to the Pennsylvania State Police along with a copy of the License to Carry.) YES NO

39. HAVE YOU EVER RECEIVED A DISHONORABLE DISCHARGE FROM THE UNITED STATES ARMED FORCES? YES NO

40. OTHER THAN PENNSYLVANIA, DO YOU POSSESS A CURRENT LICENSE, PERMIT OR SIMILAR DOCUMENT TO CARRY A FIREARM ISSUED FROM ANOTHER STATE? IF YES, ATTACH A PHOTOCOPY OF THE DOCUMENT TO THIS FORM. YES NO

41. I have never been convicted of a crime that prohibits me from possessing or acquiring a firearm under Federal or State law. I am of sound mind and have never been committed to a mental institution or mental health care facility. I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I understand that if I knowingly make any false statements herein, I am subject to penalties prescribed by law. I authorize the sheriff, or his designee, or, in the case of first class cities, the chief or head of the police department, or his designee, to inspect only those records or documents relevant to information required for this application.

This certification is made subject to both the penalties of section 4904 of the Crimes Code 18 Pa.C.S. § 4504 relating to unsworn statements to authorities and the Uniform Firearms Act.

Section 6105(a):

Effective, November 22, 1995, 18 Pa. C.S. Subsection 6105 (a) prohibits persons convicted of any of the following offenses under 18 Pa. C.S. from possessing, using, controlling, transferring, manufacturing, or obtaining a license to possess, use, control, transfer, or manufacture a firearm in the Commonwealth of Pennsylvania. A conviction includes a finding of guilty or the entering of a plea of guilty or nolo contendere, whether or not judgement has been imposed, as determined by the law of the jurisdiction in which the prosecution was held. The term does not include a conviction which has been expunged or overturned or for which an individual has been pardoned unless the pardon expressly provides that the individual may not possess or transport firearms.

SECTION 6105(b):

908	Prohibited offensive weapons.	3921	Theft by unlawful taking or disposition, upon conviction of the second felony offense.
911	Corrupt organizations.	3923	Theft by extortion, when the offense is accompanied by threats of violence.
912	Possession of weapon on school property.	3925	Receiving stolen property, upon conviction of the second felony offense.
2502	Murder.	4912	Impersonating a public servant, if the person is impersonating a law enforcement officer.
2503	Voluntary manslaughter.	4952	Intimidation of witnesses or victims.
2504	Involuntary manslaughter, if the offense is based on the reckless use of a firearm.	4953	Retaliation against witness or victim.
2702	Aggravated assault.	5121	Escape.
2703	Assault by prisoner.	5122	Weapons or implements for escape.
2704	Assault by life prisoner.	5501(3)	Riot, if the offense relates to a firearm or other deadly weapon.
2709.1	Stalking.	5515	Prohibiting of paramilitary training.
2716	Weapons of mass destruction.	5516	Facsimile weapons of mass destruction.
2901	Kidnapping.	6110.1	Possession of firearm by minor.
2902	Unlawful restraint.	6301	Corruption of minors.
2910	Luring a child into a motor vehicle.	6302	Sale or lease of weapons and explosives.
3121	Rape.		
3123	Involuntary deviate sexual intercourse.		
3125	Aggravated indecent assault.		
3301	Arson and related offenses.		
3302	Causing or risking catastrophe.		
3502	Burglary.		
3503	Criminal trespass, if the offense is graded a felony of the second degree or higher.		
3701	Robbery.		
3702	Robbery of motor vehicle.		

Any offense equivalent to any of the above-enumerated offenses under the prior laws of this Commonwealth, or any offense equivalent to any of the above-enumerated offenses under the statutes of any other state or of the United States.

SECTION 6105(c):

Effective November 22, 1995, 18 Pa. C.S. Subsection 6105 (c) also prohibits the following persons from possessing, using, controlling, transferring, manufacturing, or obtaining a license to possess, use, control, transfer, or manufacture a firearm in the Commonwealth of Pennsylvania.

ARE YOU A PERSON WHO:

1. is a fugitive from justice; or
2. has been convicted of an offense under the act of April 14, 1972 (P.L.233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or any equivalent Federal statute or equivalent statute of any other state, that may be punishable by a term of imprisonment exceeding two years; or
3. has been convicted of driving under the influence of alcohol or controlled substance as provided in 75 Pa. C.S. Subsection 3802 (relating to driving under influence of alcohol or controlled substance) or the former 75 Pa.C.S. Subsection 3731, on three or more separate occasions within a five-year period. For the purposes of this paragraph only, the prohibition of Section 6105 (a) shall only apply to transfers or purchases of firearms after the third conviction; or
4. has been adjudicated as an incompetent or who has been involuntarily committed to a mental institution for inpatient care and treatment under Section 302, 303, or 304 of the provisions of the act of July 9, 1976 (P.L.817, No. 143), known as the Mental Health Procedures Act; or
5. being an alien, is illegally or unlawfully in the United States; or
6. is the subject of an active protection from abuse order issued pursuant to 23 Pa. C.S. Subsection 6108 (relating to relief), which order provides for the relinquishment of firearms during the period of time the order is in effect. This prohibition shall terminate upon the expiration or vacation of an active protection from abuse order or portion thereof relating to the relinquishment of firearms; or
7. was adjudicated delinquent by a court pursuant to 42 Pa. C.S. Subsection 6341 (relating to adjudication) or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense under 18 Pa.C.S. sections 2502, 2503, 2702, 2703, 2704, 2901, 3121, 3123, 3301, 3502, 3701 and 3923; or
8. was adjudicated delinquent by a court pursuant to 42 Pa. C.S. Subsection 6341 or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense enumerated in 18 Pa. C.S. Subsection 6105 (b) with the exception of those crimes set forth in paragraph 7. This prohibition shall terminate 15 years after the last applicable delinquent adjudication or upon the person reaching the age of 30, whichever is earlier.
9. is prohibited from possessing or acquiring a firearm under 18 U.S.C. Subsection 922(g)(9) (relating to unlawful acts) who has been convicted in any court of a misdemeanor crime of domestic violence by a person in any of the following relationships: (i) the current or former spouse, parent or guardian of the victim; (ii) a person with whom the victim shares a child in common; (iii) a person who cohabits with or has cohabited with the victim as a spouse, parent or guardian; or (iv) a person who is a co-owner or co-tenant of the residence of the victim; or the relationship need not be a present