

JOHNSTON POLICE DEPARTMENT

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	04/01/2010	310.07	04/01/2010
SUBJECT TITLE		SUBJECT AREA	
CIVILIAN PERMIT TO CARRY CONCEALED WEAPONS (RIGL, 11-47-11)		WEAPONS PROCEDURES	
CALEA REFERENCE		PREVIOUSLY ISSUED DATES	
		NEW	
DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL	AS NEEDED	5	

PERMIT TO CARRY CONCEALED WEAPONS

I. PURPOSE

Pursuant to Rhode Island General Laws Section 11-47-11, the Johnston Police Department has the authority to issue a license or permit to carry a concealed pistol or revolver to any person 21 years of age or older having a bonafide residence or place of business within the Town of Johnston, upon a proper showing of need, or having good reason to fear an injury to his or her person or property, or has other proper reason for carrying a pistol or revolver, and that he or she is a suitable person to be so licensed. The Johnston Police Department will exercise its discretion consistent with RIGL 11-47-11.

II. POLICY

It shall be the policy of the Johnston Police Department to issue local permits to carry concealed weapons pursuant to Rhode Island General Laws, 11-47-1 to those individuals meeting the criteria as outlined in this policy.

III. DEFINITIONS.

1. Concealed Weapon Permit (full)- A four (4) year permit allowing the bearer to carry a pistol or

revolver concealed on his or her person within the State of Rhode Island.

2. Concealed Weapon Permit (work)- A four (4) year permit allowing the bearer to carry a pistol or revolver concealed on his or her person within the State of Rhode Island while in the actively performing the work functions as described in this application. **Permit is only valid during the hours that the permittee is actively working in the capacity for which it was granted. Upon dismissal, retirement, resignation or completion of employment for which the permit was granted, the work permit will no longer be valid and must be surrendered to the issuing agency.**

All permits will expire **FOUR (4) YEARS** from the date of issue. The renewal of your permit is your obligation. No notification of the expired permit will be sent to you. Allow a maximum of **90 days** for processing of your application.

3. Proper showing of need and suitability- In considering each individual application for a pistol permit the Johnston Police Department must determine whether or not the applicant has demonstrated a proper showing of need to carry a loaded firearm in public, and consider the individual's demonstration of skill and responsibility to safely carry and use a firearm in compliance with all state, Federal and local laws. While there cannot be any set formula or criteria to limit or restrict the Johnston Police Department's discretion to issue or deny a pistol permit, the following factors are considered in assessing an applicant's proper showing of need and suitability:

- i. Has the applicant demonstrated specific articulable risk to life, limb or property? If so, has the applicant demonstrated how a pistol permit will reduce the risk?
- ii. Can the applicant readily alter his or her conduct, or undertake reasonable measures other than carrying a loaded firearm to decrease the danger to life, limb or property?
- iii. Are there means of protection available to the applicant other than the possession of a loaded firearm that will alleviate the risk to his or her person or property?
- iv. Has the applicant demonstrated the skill, training, ability and intelligence to properly use a firearm in accordance with Rhode Island laws?
- v. Has the applicant presented a plan to properly secure the firearm so that it does not fall into unauthorized hands?
- vi. How greatly will the possession of a loaded firearm by the applicant increase the risk of harm to the applicant or to the public?
- vii. Has the applicant demonstrated that he or she will not use the firearm for an unlawful or improper purpose, and that he or she has not used a firearm for an unlawful or improper purpose in the past?
- viii. Does past unlawful, dangerous or violent conduct of the applicant justify the denial at the Johnston Police Department's discretion even if it is not sufficient to disqualify the applicant as a matter of law from possessing a firearm?
- ix. Has the applicant been issued a protective order?
- x. Any and all other factors deemed lawful and appropriate by the Johnston Police Department to demonstrate that the applicant is or is not suitable to possess a loaded firearm in public.
- xi. The results of the applicants' psychological exam.

4. Revocation- The issuing Department may at any time with just cause revoke a firearm permit upon notice and fact finding. Permittee shall be notified of revocation by mail demanding the immediate surrender of permit. Notice shall be given to the RI Attorney General's office of revocation.

IV. PROCEDURE

1. Applicant shall submit the completed application package including all of the following:

- i. The official application form. Must be filled out completely by the applicant. Please **PRINT OR TYPE** application or **IT WILL BE RETURNED**. The application **MUST BE SIGNED** and **NOTARIZED**.
- ii. Three (3) (1" x 1") pictures of the applicant taken without headgear or glasses. This photo must be a clear picture of the head and face. Please **PRINT** applicants name on the back of each picture. **NO** laminated photos will be accepted.
- iii. Proof of current qualification before a certified weapons instructor; i.e., N.R.A. Instructor or Police range instructor must be supplied. Along with a copy of the instructors and NRA/FBI firearms instructors certification.
- iv. Proof of residency by way of Rhode Island Driver's License, State of Rhode Island issued Identification card or one (1) utility bill.
- v. A full set of applicant's fingerprints submitted on a **FBI FINGERPRINT APPLICANT CARD** [FD-258 (Rev. 12-28-82)] included with the application. Fingerprint card must be signed by the applicant. This is not necessary for a renewal application. A \$30 fingerprint service fee. Check or money order made payable to Johnston Police Department.
- vi. If the permit is to be used for employment, a **TYPED** letter of explanation must be submitted on your employer's letterhead and included with the application.
- vii. If the permit **IS NOT** for employment, a **TYPED** letter must be submitted by the applicant stating the reasons why a permit is needed on a full time basis. All letters must be dated. We will not accept a photocopy of any signature.
- viii. Retired police officers applying under RIGL Section 11-47-18 must submit a letter of verification from the Chief of Police of the department which they retired from with honorable service.
- ix. Permit fee of forty dollars (\$40) Check or money order made payable to Johnston Police Department.

x. Records check waiver.

xi. Psychological examination fee of \$350. Check or money made payable directly to the University of Rhode Island's Psychological Testing Center.

2. Upon receipt of completed application package and all associated fees, the Chief of Police or his/her designee shall review and determine the need and suitability of applicant as defined in section III of this policy. The Chief of Police or his/her designee shall conduct a pre-screening background check of applicant. The Chief shall access a fee based upon the hourly rate of the personnel assigned to conduct said background investigation. Upon completion, this background report shall be submitted to URI Psychological Testing Services and a psychological exam shall be scheduled for the applicant. Results of said examination shall be submitted to the Chief of Police for review and consideration.

3. Upon receipt of completed application package and psychological examination, the Chief of Police or his/her designee shall review and determine the need and suitability of applicant as defined in section III of this policy. The Chief of Police may conduct any investigation or inquiry as he/she determines appropriate. The Chief of Police shall notify the applicant by mail of approval or denial. Telephone inquiries will not be accepted.

- i. Permit approved- The permit form shall be completed. The applicant shall be issued the permit. The type of permit shall be clearly indicated (work only or full). One copy shall remain on file with the Department and one copy shall be mailed to the RI Attorney General's Office.
- ii. Permit denied- Denial notice shall include reason for denial. Upon notice of denial, the applicant may request a hearing with the Chief of Police or his/her designee and one other Department member as appointed by the Chief.

By Order of:



Richard S. Tamburini
Chief of Police

Have you ever been convicted of a crime? _____ If so, give details:

Have you ever pled NOLO contendere to any charge or violation? _____ If so, give details

Are you under indictment in any court for a crime punishable by imprisonment exceeding one year? _____ If so, give details and dates:

Have you applied for a permit to carry a concealed pistol or revolver from the attorney general or local city or town in Rhode Island? _____ If so, give City or Town _____
If so, is it currently...

Active? _____ Expired? _____ Denied? _____ Revoked? _____

(If you hold an expired permit, enclose photocopy, notary-signed and dated, attesting copies are true)

Have you ever applied for a pistol permit to carry a handgun in another state: Yes _____ No _____

If Yes, State and City: _____ Were you denied? _____

If so, give details: _____

Send photocopy of out-of-state permit license

Have you ever had a legal name change? _____

If yes, please state former name:

Please list nicknames or alias used by you: _____

On a separate sheet of paper or letterhead, TYPE details and specific reason for your need for a Rhode Island Permit. (**Only TYPED letters will be accepted**)

Two (2) types of positive identification must be submitted. Examples: (1) Birth Certificate (2) Rhode Island or State Driver's License (3) Rhode Island Identification Card

A photocopy of any two (2) of the above signed and dated by a Notary Public attesting as being true copies will be accepted. Passport and other positive identification will also be accepted.

Three (3) references are required:

Name	Address/City/State/Zip	Area Code/Tele No#	Years Known
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Note: The RI Combat Course is for Law Enforcement personnel ONLY. All others must qualify in accordance to 11-47-15.

Must Qualify within on (1) year of submitting application

Weapon Qualification Score: Caliber of Weapon: _____

AMY-L _____ Score _____ RI Combat _____ Score _____

Signature of NRA Instructor or Police Range Officer Date

Printed Name & Telephone No# of NRA Instructor or Police Range Officer

NRA Number or Police Department Name

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Affidavit

I certify that I have read and I am familiar with the provisions of 11-47-1 to 11-47-55, inclusive, of the General Laws of Rhode Island, 1956, as amended, and that I am aware of the penalties for violations of the provisions of the cited sections. I further understand that any alteration of this permit is just cause for revocation. The caliber fothe firearm that is carried may not exceed the caliber listed on the gun permit.

Applicant's Signature

Before a Notary Public

Subscribed and sworn to before me in _____, Rhode Island,

this _____ Day of _____, 20____.

Notary Public Signature

Notary Public (Name Printed)

My commission expires on _____
Month Year State