

CITY OF PAWTUCKET



CONCEALED PISTOL AND REVOLVER PERMIT PACKAGE

PISTOL PERMIT POLICY

INTRODUCTION

Pursuant to Rhode Island General Laws § 11-47-11, the City of Pawtucket may issue a license or permit to carry a pistol or revolver to any person twenty-one (21) years of age or over upon a proper showing of need. This statute requires the City of Pawtucket to deny a pistol permit to all persons who do not demonstrate a proper showing of need to carry a pistol or revolver on their person. If an individual is able to demonstrate a proper showing of need, the City of Pawtucket then has discretion to issue or deny a pistol permit. No one in the State has a right to obtain a pistol permit. A pistol permit is a privilege.

The City of Pawtucket will exercise its discretion in a manner designed to protect the public at large, as well as the individual applicant for a pistol permit.

Pursuant to R.I. Gen. Laws § 11-47-15, the applicant must also qualify to obtain a permit. The right to carry a loaded, concealed firearm in public is different from the right to purchase or possess a handgun in one's own home or business. The privilege to carry a concealed firearm is limited to those who demonstrate a need for, and an understanding and acceptance of, this responsibility.

The City of Pawtucket does not discriminate in the issuance of a pistol permit on grounds of race, sex, national origin, or any other reason prohibited by law.

PROCEDURE

An applicant for a pistol permit must submit a written application with a recent photograph (3), two (2) types of positive identification, and a full set of fingerprints on an FBI Fingerprint Applicant Card to the Pawtucket Police Department, 121 Roosevelt Avenue, Pawtucket, Rhode Island. The Pawtucket Police Department then checks the applicant's background with state, local and Federal law enforcement databases. The Pawtucket Police Department may also check Court records and other sources for pending criminal cases, restraining orders and/or discrepancies in the applicant's background, including prior history of mental illness.

The City of Pawtucket will not issue a pistol permit to an applicant who is prohibited from possessing or carrying a firearm under any State or Federal law (e.g. 18 U.S.C. § 922(g)) or pursuant to any Court order.

If this initial check does not disqualify the applicant from obtaining a pistol permit, the City of Pawtucket shall review the application on an individual basis to determine whether there has been a proper showing of need, as required by the statute, and whether the applicant is qualified.

PROPER SHOWING OF NEED

In considering each individual application for a pistol permit, the City of Pawtucket 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. Because a loaded, concealed firearm in untrained hands presents danger to public and the applicant, the City of Pawtucket must consider countervailing risks to the public in assessing need.

While there cannot be any set formula or criteria to limit or restrict the City of Pawtucket's discretion to issue or deny a pistol permit, the City of Pawtucket considers the following factors in assessing an applicant's proper showing of need:

1. Has the applicant demonstrated a specific articulable risk to life, limb or property? If so, has the applicant demonstrated how a pistol permit will decrease the risk?
2. 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?
3. 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?
4. Has the applicant demonstrated the skill, training and ability to properly use a firearm in accordance with Rhode Island laws?
5. Has the applicant presented a plan to properly secure the firearm so that it does not fall into unauthorized hands?
6. How greatly will the possession of a loaded firearm by the applicant increase the risk of harm to the applicant or to the public?
7. 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?
8. Does past unlawful, dangerous or violent conduct of the applicant justify denial at the City of Pawtucket's discretion, even if it is not sufficient to disqualify the applicant as a matter of law from possessing a firearm?
9. Has the applicant been issued a protective order pursuant to chapter 15-5, chapter 15-15, or chapter 8-8.1 of the general laws?
10. Any and all other factors deemed lawful and appropriate by the City of Pawtucket to demonstrate that the applicant is or is not a person suitable to possess a loaded firearm in public.

After assessing the above factors, the City of Pawtucket in its sole discretion shall grant or deny the pistol permit. In certain cases, the City of Pawtucket may issue a pistol permit with restrictions in lieu of a denial.

RESPONSIBILITIES

Approved holders must maintain, use, and store their firearm or firearms in a responsible manner. All permit holders are required to inform their respective city or town police departments, within 24 hours of becoming aware of the loss or theft of a weapon or their permit card. If you do not report a loss or theft timely, your permit may be suspended.

CONCLUSION

This policy is meant as a general guideline to aid the public in understanding the City of Pawtucket's authority to carry out the requirements of Rhode Island General Law § 11-47-11, and it shall be followed as a guideline in the assessment of applications for a pistol permit. This policy is not intended to, and does not confer any rights on any person. As required by law, the City of Pawtucket shall retain the right to accept or reject any application for a pistol permit upon its sole determination of "a proper showing of need."

This policy supersedes all prior policies.

January 2018

INSTRUCTIONS FOR LICENSE TO CARRY A CONCEALABLE WEAPON

NO APPLICATIONS WILL BE CONSIDERED UNLESS THE FOLLOWING HAVE BEEN ACCOMPLISHED:

1. This official application form must be filled out completely by the applicant. Please PRINT or TYPE application or IT WILL BE RETURNED.
2. The application must be NOTARIZED and MUST BE SIGNED. Any attached papers must be signed by the applicant and notarized.
3. Enclose three (3) (1" X 1") pictures of the applicant taken without headgear or glasses. These photos must be a clear picture of the head and face. Please PRINT applicant's name on the back of each picture. NO laminated photos will be accepted.
4. Three (3) References AND reference letters are required for new AND renewal applications and are to be submitted with the application. All three references are to TYPE (not hand write) a letter for the applicant pertaining to the gun permit that is SIGNED, DATED and MUST BE NOTARIZED. Reference letters but be written by the reference, not the applicant, and cannot be identical.
5. Proof of 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 instructor's NRA/FBI firearms instructor's certification.**
6. Two types of positive identification must be submitted, photocopied, signed and dated by a Notary Public, attesting to be true copies.
7. Applicant must prove residency when applying for said permit. Proof of residency can be demonstrated by providing copies of two (2) of the following; utility bill, motor vehicle registration, business or residential tax bill or voter registration card.
8. All **NON-RESIDENT APPLICANTS** must include a copy of their home state permit.
9. 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.
10. 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.
11. All new applicants must provide a full set of fingerprints with their application, which will be submitted to the FBI. These fingerprints must be taken at the Pawtucket Police Department. The applicant must make an appointment with the BCI Office, 401-727-9100 Ext: 884. There is a \$15.00 fee for this service.
12. A forty dollar (\$40.00) CHECK OR MONEY ORDER must be presented when picking up permit. **DO NOT SEND A CHECK OR MONEY ORDER WITH YOUR APPLICATION.**

Once the aforementioned documents and information has been reviewed by the City of Pawtucket, the applicant will be required to submit to a personal interview with members of a 3 member panel chosen by the Chief of Police before any decision is made upon his/her application. Based upon the personal interview, additional testing may be required.

The applicant will be notified by mail of approval or denial of permit. Telephone inquiries will not be accepted. This application, fingerprint card, and photo's become part of the records of the City of Pawtucket and will not be returned.

All permits will expire FOUR (4) YEARS from the date of issue. Also, the renewal of your permit is your obligation. No notification of expiration of the permit will be sent to you. Allow a minimum of 90 DAYS from processing of your renewal application.

FACTS TO DETERMINE FEAR OR INJURY TO PERSON OR PROPERTY

The following factors will be considered when determining an application for a concealed weapon permit.

Injury to Person or Property:

Explain in detail the circumstances and extent of the threat or injury to your person which is the reason for this request to carry a concealed weapon:

Explain in detail the circumstances and extent of the threat of or the extent of damage to your property which would require you to carry a loaded concealed weapon:

Has the applicant filed a report with any Law Enforcement Agency indicating that his/her person or property has been threatened or damaged?

What agency has the report been filed with? _____

What was the result?



Chief Tina Goncalves

Pawtucket Police Department

121 Roosevelt Avenue · Pawtucket, RI 02860
401-727-9100 · Fax 401-727-9133



Mayor Donald Grebien

Dear Applicant:

By applying for a permit to carry a pistol or revolver with the City of Pawtucket, you are exercising your right under Rhode Island General Law § 11-47-11. It is this statute, which gives the City of Pawtucket the right to administer this program in accordance with the law. It is intended as a service to the people of Rhode Island.

It is important to remember that a permit to carry a pistol or revolver does not authorize you to use the firearms. Such usage of a handgun is regulated by other provisions of RI law. Please carefully read the enclosed policy regarding the issuance of the pistol or revolver permit. It is intended to serve as a guideline to aid you in understanding the authority and responsibility of the City of Pawtucket to carry out RI law. Also contained in this application are the RI General Laws relating to weapons, known as the Firearms Act. Before you are granted a permit to carry a pistol or revolver, you must acknowledge that you are familiar with the provisions of the Act.

The State Of Rhode Island General Laws - Title 47 can also be accessed at the following internet site:

<http://www.rilin.state.ri.us/Statutes/Statutes.html>

This application package does not include Federal laws pertaining to firearms. You must observe both Federal and RI laws. Federal law is administered by Federal agencies. For information relative to Federal regulation of firearms, you may contact the Bureau of Alcohol, Tobacco, and Firearms.

The application itself must be filled out completely and truthfully. It is a crime to knowingly give false information to obtain a permit to carry a pistol or revolver. Please read the instructions carefully and note that first time and renewal applicants must supply all information being requested to the City of Pawtucket at the time of application.

The submission of the application for a permit to carry a pistol or revolver is the beginning of a process of review by the Pawtucket Police Department, which culminates in a recommendation of affirmation or denial. Should your application be denied, you will be advised by mail. The applicant may appeal the decision as set forth under Rhode Island Law.

A successful applicant for a permit to carry a pistol or revolver will be notified by mail to respond personally to the Pawtucket Police Department to obtain the permit. Please exercise your privilege to carry a pistol or revolver in the State of Rhode Island responsibly, properly, and safely,

Sincerely,

Tina Goncalves

Chief of Police