



# CHARLESTOWN POLICE DEPARTMENT

4901 Old Post Road, Charlestown, Rhode Island 02813

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	SEPTEMBER 15, 2014	520.03	SEPTEMBER 5, 2014
SUBJECT TITLE		SUBJECT AREA	
CONCEALED WEAPON CARRY PERMITS		COMMUNITY RELATIONS AND SERVICES	
RIPAC REFERENCE		PREVIOUSLY ISSUED DATES	
		DECEMBER 10, 2012	
DISTRIBUTION	REVIEW DATE		PAGES
ALL	APRIL 25, 2016		5

## I. PURPOSE

The purpose of this policy is to comply with Rhode Island General Law Section 11-47-15 and to provide a mechanism for the implementation of this statute.

## II. POLICY

Pursuant to Rhode Island General Law Section 11-47-11, the Charlestown Police Department has the statutory authority to issue a license or permit to carry a concealed pistol or revolver to any person twenty-one (21) years of age or over upon a proper showing of need or has good reason for carrying a pistol or revolver and that he or she is a suitable person to be so licensed. The Charlestown Police Department will exercise its discretion consistent with Section 11-14-11 regarding the issuance of permits.

Pursuant to Rhode Island General Law Section 11-47-15, the applicant must qualify to obtain a concealed carry 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 Charlestown Police Department does not discriminate in the issuance of a concealed weapon carry permit on the grounds of race, sex, national origin or any other reason prohibited by law.

### **III. PROCEDURE**

The Charlestown Police Department will provide a letter of explanation and an application package to any Charlestown resident or business owner; its shall be available in the lobby of the station. Upon completion and receipt of the application, the police secretary will complete and attach all background records as prescribed in the policy to the application package and forward it to the Office of the Chief of Police for processing.

An applicant for a concealed weapon carry permit must submit the written application with two types of positive identification, and a full set of fingerprints on the FBI applicant card to the Charlestown Police Department, 4901 Old Post Road, Charlestown, RI 02813. The Charlestown Police Department then checks the applicant's background / criminal history with state, local and federal law enforcement databases. The Charlestown 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 and treatment.

The Charlestown Police Department will not issue a concealed weapon carry permit to any applicant who is prohibited from possessing or carrying a firearm under any state or federal law (e.g. 18 U.S.C. Section 922(g)) or pursuant to any court order.

If this initial check does not disqualify the applicant from obtaining a concealed weapon carry permit, the Charlestown Police Department may conduct a personal interview to clarify information provided on the application.

#### **A. CRITERIA FOR ISSUING A CONCEALED PISTOL OR REVOLVER PERMIT**

Rhode Island General Law Section 11-47-11(a) establishes the following criteria for the issuance of a permit to carry a concealed pistol or revolver upon his/her person:

1. A person must have a bona fide residence or place of business within the town and be twenty-one (21) years of age or over;
2. Or, Any person twenty-one (21) years of age or over, having a bona fide residence within the United States, and license or permit to carry a pistol or revolver concealed upon his or her person issued by the authorities of any other state or subdivision of the United States;

\*\*If the person meets the criteria of paragraph 1 and 2 above, he or she must then meet the additional criteria set forth below.

3. Or, If it appears that the applicant who meets criteria in #1 above, has good reason to fear an injury to his person or property;
4. Or, Having met the criteria in #1 above, has any other proper reason to be so

licensed.

5. A person prohibited from having a firearm by any state or federal law, or court order is not eligible to obtain a permit to carry a concealed weapon.

## **B. PROPER SHOWING OF NEED**

In considering each individual application for a concealed weapon carry permit, the Charlestown 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 Charlestown Police Department's discretion to issue or deny a concealed weapon carry permit, the Charlestown Police Department considers the following factors in assessing an applicant's proper showing of need.

1. Has the applicant demonstrated a specific risk to life, limb or property?
2. Has the applicant demonstrated the skill, training and ability to properly use a handgun / firearm in accordance with Rhode Island laws?
3. Does past unlawful, dangerous or violent conduct of the applicant justify denial at the Charlestown Police Department's discretion even if it is not sufficient to disqualify the applicant as a matter of law from possessing a firearm?
4. Has the applicant been issued a protective order pursuant to Chapter 15-5, Chapter 15-15, or Chapter 8-8.1 of the Rhode Island General Laws?

After reviewing the application, the Charlestown Police Department shall grant or deny the concealed weapon carry permit, and if denied, shall state the reason(s).

## **IV. RESPONSIBILITIES**

Approved holders should maintain, use and store their firearms in a responsible manner. All permit holders are required to inform the Charlestown Police Department, as well as the police department where the theft or loss occurred, within twenty-four (24) hours of becoming aware of the loss or theft of a weapon. If the permit holder does not report the loss or theft in a timely manner, their permit will be suspended.

### **A. INSTRUCTIONS FOR LICENSE TO CARRY A CONCEALABLE WEAPON**

**NO APPLICATIONS WILL BE CONSIDERED UNLESS ALL OF THE FOLLOWING INFORMATION AND DOCUMENTS HAVE BEEN PROVIDED.**

1. The official application form must be filled out completely by the applicant. Please

**PRINT OR TYPE** the application or **IT WILL BE RETURNED** to the applicant.

2. The completed application must be properly **NOTARIZED (applicant's signature)**.
3. Proof of qualification, consistent with Rhode Island General Law requirements, before a certified weapons instructor, (NRA instructor or police range instructor), must be supplied along with a copy of the firearms instructor's certification. Additional training in the proper use of a handgun and/or concealed carry is strongly encouraged.
4. Two types of positive identification (ID) must be submitted; photocopied, signed, and dated by a notary public attesting to be true copies.
5. A concealed weapon carry permit issued from this department must have a full set of applicant's fingerprints submitted on a **FBI FINGERPRINT APPLICANT CARD** (FD-258 (Rev 12-29-82) included with the application. Applicant must sign fingerprint card. This is not necessary for a renewal application. Arrangements for fingerprinting by the Charlestown Police Department can be made by calling (401) 213-6939.
6. If the concealed weapon carry 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.
7. If the concealed weapon carry 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 and notarized. We will not accept a photocopy of any letter or signature.
8. Retired police officers applying under Rhode Island General Laws Section 11-47- 18, must submit a letter of verification from the Chief of Police of the department in which they retired from, stating that they have completed twenty years (20) years of good service.
9. **A FORTY DOLLAR (\$40.00) CHECK OR MONEY ORDER** must be submitted with your application. Made payable to: **Town of Charlestown.**
10. Applicant will be notified by mail of approval or denial of permit. Telephone inquiries will not be accepted. If approved, applicant must appear in person to pick up the permit. The completed application, fingerprint card, signature card, and any photographs taken for the permit become part of the records of the Charlestown Police Department and will **NOT** be returned.
11. All permits will expire **FOUR (4) YEARS** from the date of issue. The renewal of your permit is your obligation, you will not be notified when the permit is about to expire. The date of issue and expiration date will be on the permit. No notification of expiration of the permit will be sent to you. Allow a maximum of ninety (90) days for

processing of your application.

All photographs intended to be used on the concealed weapon permit do not have to be provided by the applicant; they will be provided by the Charlestown Police Department and taken at the time of the permit interview if approved.

**By Order of:**

A handwritten signature in cursive script that reads "Jeffrey S. Allen".

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Jeffrey S. Allen  
Chief of Police