

Survey to Chief APOs

Issue: Concealed Carry Permit

Question (from Monroe County):

Our Sheriff recently advised our PJ that we have not been in compliance with 18 Pa CS §6109 (i1)(1). The section reads.....

(i.1) Notice to sheriff.--Notwithstanding any statute to the contrary:

(1) Upon conviction of a person for a crime specified in section 6105(a) or (b) or upon conviction of a person for a crime punishable by imprisonment exceeding one year or upon a determination that the conduct of a person meets the criteria specified in section 6105(c)(1), (2), (3), (5), (6) or (9), the court shall determine if the defendant has a license to carry firearms issued pursuant to this section. If the defendant has such a license, the court shall notify the sheriff of the county in which that person resides, on a form developed by the Pennsylvania State Police, of the identity of the person and the nature of the crime or conduct which resulted in the notification. The notification shall be transmitted by the judge within seven days of the conviction or determination.

My PJ and I both read this law to apply to any offense punishable by 1 year or more when the defendant has a Concealed Carry Permit. This has the potential to be a large number of cases.

Does anyone have a procedure for complying with this section that they would be willing to share? No one in Monroe County claims to have any knowledge of the “form developed by PSP.” If anyone has that form could you please share that as well?

This issue was recently brought up with all County Sheriffs, so I assume that most of us will hear something about it soon if you haven't already.

Lancaster County

I checked with our Sheriff here in Lancaster County. He advised me that they (Sheriff's office) place all individuals to whom they issue a license to carry on a JNET watchlist. When someone is charged with a crime, Sheriff's office staff get the notification through JNET and can then take appropriate action.

I asked him if this system is working well. His response: Yes, we are way ahead of the game – we are evaluating and revoking when the defendant is charged versus waiting until conviction.

Snyder County

what we use here in Snyder County... It gets submitted with all PSI's (appendix)

COMMONWEALTH OF PENNSYLVANIA

COURT NOTIFICATION OF PROHIBITING OFFENSE

In accordance with 18 Pa.C.S. section 6109(i.1)(1), Upon conviction of a person for a crime specified in 18 Pa.C.S. section 6105(a) or (b) or upon conviction of a person for a crime punishable by imprisonment exceeding one year or upon a determination that the conduct of a person meets the criteria specified in section 6105(c)(1), (2), (3), (5), (6) or (9), the court shall determine if the defendant has a license to carry firearms issued pursuant to this section.

If the defendant has such a license, the court shall notify the sheriff of the county in which that person resides. Notification shall be transmitted by the judge within seven days of the conviction or determination.

(Please type or print clearly with a black or blue ballpoint ink pen.)

DEFENDANT INFORMATION

| | | | | |
|------------------------|------------------|---------------|---|----------|
| Name (Last, First, MI) | | Date of Birth | SSN (Optional, but will help prevent misidentification) | |
| Street Address | City | | State | Zip Code |
| SID No. | Court Docket No. | | | |

CONVICTION INFORMATION

| Title/Section Subsection | Description | Grade | Disposition | Date of Conviction |
|--------------------------|-------------|-------|-------------|--------------------|
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LICENSE TO CARRY (LTC) INFORMATION

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|-------------------------|----------------------------------|-----------------------|--|
| Date LTC Issued | County License Issued | | |
| County Sheriff Notified | Date of Notification | Means of Notification | |
| Submitted by (court) | Name of Responsible Judge/Person | | |

FOR SHERIFF'S USE ONLY

| | | | |
|-------------|-----------------|--------------------|-------------------|
| License No. | Revocation Date | Receipt of License | Date PSP Notified |
| Comments | | | |

PRIVACY ACT NOTICE: Solicitation of this information is authorized under Title 18 Pa.C.S. § 6109. 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.