City of Warwick, Rhode Island

Board of Public Safety

99 Veterans Memorial Drive
Warwick RI 02886
(401) 468-4200

Weapons Carry Permit Packet

- Policy -
- Laws -
- Application -

April 2019
Dear Applicant:

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

It is important to remember that a permit to carry a pistol or revolver does not authorize you to use the firearm. Other provisions of RI Law regulate such usage of a handgun. 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 Warwick Board of Public Safety 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 provision of the Act.

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, Firearms, and Explosives.

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 Warwick Board of Public Safety 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. The completed application will be reviewed by the Board of Public Safety at a regularly scheduled meeting. You may contact the Warwick Police License Unit at (401)468-4340 to determine the meeting date.

A successful applicant for a permit to carry a pistol or revolver will be notified by mail to respond personally to the Warwick Police Department’s Licensing Unit to obtain the approved permit. Please exercise your privilege to carry a pistol or revolver in the State of Rhode Island responsibly, properly, and safely.
Pistol Permit Policy

Introduction

The City of Warwick Board of Public Safety is the licensing authority for the issuance of any license or permit to carry a concealed pistol or revolver in accordance with the provisions of Rhode Island General Law 11-47-11. The Providence Journal Company v. Pine, No. C.A. 96-6274, (R.I. Superior Court, June 24, 1998). No one in the State has the right to obtain a pistol permit. A pistol permit is a privilege left to the sound discretion of the City of Warwick Board of Public Safety.

RIGL 11-47-11 further requires that all applicants must be:

a) Twenty-one (21) years of age or over, having a bona fide residence or place of business within the City of Warwick or,

b) Twenty-one (21) years of age or over having a bona fide residence within the United States and a 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.

c) Able to show good reason(s) to carry a pistol or revolver on their person.

Pursuant to Rhode Island General Laws 11-47-18, an eligible person may make application with the Attorney General for a license or permit to carry a pistol or revolver.

Rhode Island General Law 11-47-13 provides for the revocation of any such license or permit for just cause at any time by the granting authority.

Pursuant to R.I. General 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 good reason(s) for, and an understanding and acceptance of, this responsibility.

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

The City of Warwick Board of Public Safety 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 the completed application (refer to pages 5-10) to the Warwick Police License Unit. Applicants must contact (401)468-4318 to make an appointment to have their photograph and prints taken. The Professional Standards Division will complete the required background that 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 or mental illness.

The City of Warwick Board of Public Safety will not issue a pistol permit to any applicant who is prohibited from possessing or carrying a firearm under any State or Federal law (e.g. 18 U.S. 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 Warwick Board of Public Safety shall review the application on an individual basis to determine whether there has been a proper showing of good reason(s), as required by the statute, and whether the applicant is qualified.

**Proper Showing of Good Reasons**

In considering each individual application for a pistol permit, the City of Warwick Board of Public Safety must determine whether or not the applicant has demonstrated good reason(s) 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 the public and the applicant, the City of Warwick Board of Public Safety must consider countervailing risks to the public in assessing the reason(s).

While there cannot be any set formula or criteria to limit or restrict the City of Warwick Board of Public Safety’s discretion to issue or deny a pistol permit, the City of Warwick Board considers the following factors in assessing an applicant’s showing of good reason(s).

1. Has the applicant demonstrated a specific articulable risk which provides a good reason to fear injury to his/her person or property? If so, has the applicant demonstrated how a pistol permit will decrease the risk?

2. Has the applicant demonstrated the skill, training and ability to properly use a firearm in accordance with Rhode Island laws?

3. Has the applicant presented a plan to properly secure the firearm so that it does not fall into unauthorized hands?

4. How greatly will the possession of a loaded firearm by the applicant increase the risk of harm to the applicant or to the public?

5. 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?

6. Does past unlawful, dangerous or violent conduct of the applicant justify denial at the City of Warwick Board of Public Safety’s discretion even if it is not sufficient to disqualify the applicant as a matter of law from possessing a firearm?

7. 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?

8. Any other proper reason(s) and all other factors deemed lawful and appropriate by the City of Warwick Board of Public Safety 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 Warwick Board of Public Safety in its sole discretion shall grant or deny the pistol permit. In certain cases, the City of Warwick Board of Public Safety may issue a pistol permit with restrictions in lieu of a denial.

In addition to these reasons, the City of Warwick Board of Public Safety will give consideration to those persons who seek renewal of existing permits who have demonstrated through their actions and experience a
level of responsibility commensurate with that expected of one who is privileged to carry a loaded firearm in the public sector.

**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, as well as the Bureau of Criminal Identification of the Department of Attorney General, within 24 hours of becoming aware of the loss or theft of a weapon. If you do not report a lost 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 Warwick Board of Public Safety’s authority to carry out the requirements of the Rhode Island General Laws 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 Warwick Board of Public Safety shall retain the right to accept or reject any application for a pistol permit upon its sole determination that the applicant is a suitable person and has good reason to fear an injury to his/her person or property; or has any other proper reason for carrying a pistol or revolver.

This policy supersedes all prior policies.

Dated: April 2019
City of Warwick Board of Public Safety

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.

3. Proof of qualification before a certified weapons instructor; i.e., N.R.A. Instructor of Police Range Instructor must be supplied along with a copy of the instructor’s NRA/FBI firearms instructor’s certification.

4. Two (2) types of positive identification must be submitted, photocopied, signed and dated by a Notary Public, attesting to be true copies.

5. All Non-resident applicants must include a copy of their home state permit.

6. All new pistol permits issued from this city must include the required fingerprint submittal (refer to page 2). The subsequent check will be forwarded to the Professional Standards Division who will review the application. Applicants may choose to have their photograph taken at the time of fingerprint submittal to expedite the process should their permit be approved.

7. 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.

8. 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.

9. Retired police officers applying under 11-47-18 (b) must submit a letter of verification from the Chief of Police of the department they retired from.

10. A $40.00 fee as provided for in Rhode Island General Law 11-47-12 shall be charged and shall be paid for each license or permit issued. Every license or permit shall be valid for four (4) years from the date when issued unless sooner revoked. A check or money order, payable to the “City of Warwick” must be presented when picking up permit.

11. 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 permit. This application, fingerprint card, and photos become part of the records of the City of Warwick and will not be returned.

12. 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 maximum of 90 days for processing of your application due to the fact that this department is dependant on other agencies for supplying information to complete the application.
APPLICATION FOR LICENSE TO CARRY A CONCEALABLE WEAPON

Date __________________________ Permit Number __________________________

Name ______________________________________________________________

                        First                Middle                Last

Address ____________________________

                        Street Name & Number (No P.O. Boxes accepted) City/Town State & Zip

Telephone number ______________________________________________________

                        Home                Business                Other

Social Security Number _________________ Occupation ______________________

Employed by __________________________________________________________

Employer’s address _____________________________________________________

                        Street Name & Number                    City/Town                    State & Zip

Detail Job Description __________________________________________________

Date of birth __________________________ Place of birth ______________________

Height_____          Weight_____         Color of eyes_________ Color of hair_________

Are you a citizen of the United States? _______ How long? ____________________
(If you are not a citizen of the United States, a copy of both sides of your alien registration card must be included with this application.)

List all addresses for the last three years, including dates and locations.

________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Have you ever been arrested? If yes, give details
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Have you ever been under guardianship or confined or treated for mental illness? If yes, give details
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Have you ever been convicted of a crime? If yes, give details
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

Have you ever pled nolo contendre to any charge or violation? If yes, give details
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

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

Have you applied for a permit to carry a concealed pistol or revolver from the Attorney General or a local city or town in Rhode Island? If yes, what city or town?
________________________________________________________________________
________________________________________________________________________
________________________________________________________________________

If yes, is it currently: Active? Expired? Denied? Revoked?

(If you hold an expired permit, enclose photocopy, dated, and notarized, attesting copies are true)
Have you ever applied for a pistol permit to carry a concealed pistol or revolver from any other state or jurisdiction? _____  If yes, where? ____________________________________________

Were you denied?______________  If yes, give details: __________________________
Send photocopy of out-of-state permit or license.

Have you ever had a legal name change?______________
If yes, state former name. ________________

List nicknames or aliases used by you________________________________________
________________________________________
________________________________________
On a separate sheet of paper or letterhead, type details and specific reasons for your need of a license to carry a concealed weapon permit. (Only typed letters will be accepted.)

Two (2) types of positive identification must be submitted. Examples: (1) Birth certificate, (2) R.I. or state driver’s license; (3) R.I. Identification card.

A photocopy of any two 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 to be listed below. References cannot be family members or members of the same household. Each reference listed, must provide a signed and notarized character reference letter to be included with the application. Character reference letters must be addressed to City of Warwick, Licensing Authority and NOT “To Whom it May Concern”. The letters should include information, such as; how long the person has known the applicant, what type of person (character) the applicant is, note any qualifying or disqualifying information known by the reference about the applicant, etc.

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Area code/telephone number  Years known

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Area code/telephone number  Years known
NOTE: The Rhode Island Combat Course is for law enforcement personnel only. All others must qualify in accordance to 11-47-15.

Weapon qualification score_________________________ Caliber of weapon_________________________

Army L____ Score______ RI Combat________ Score__________

____________________________________________________
Signature of N.R.A. Instructor or Police Range Officer Date

____________________________________________________
Printed name and telephone number of N.R.A. Instructor or Police Range Officer

____________________________________________________
N.R.A. number or police department name

AFFIDAVIT

I certify that I have read and I am familiar with the provisions of 11-47-1 to 11-47-62, 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 of revocation.

____________________________________________________
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 (Printed name)

My commission expires on ________________________________

Month Day Year
Sec. 6-72. - Permits: concealed carry weapons.

(a) Preamble: G.L. § 11-47-11 establishes the standards for local municipalities to issue concealed carry weapons (CCW) permits; and as qualified applicants are law-abiding citizens trained and certified in the use of firearms they must be treated with dignity and respect as they engage in the legal right to seek said permit; while the board of public safety has the power to regulate the issuance of CCW permits for the City of Warwick, it is critical to ensure procedures and standards are not imposed in an overly broad, or arbitrary manner. Warwick residents and business owners who meet the criteria set forth by the State of RI must be ensured a timely, fair, predictable and consistent process to apply for a CCW permit through our municipal licensing authority; in an effort to promote transparency in government, avoid any misunderstandings, and protect applicants' right to due process, applicants who are denied a CCW permit must be notified of the reason(s) for disapproval in a timely, written manner; and the Warwick City Council is adamant that CCW permits processed by the board of public safety be issued in strict compliance with G.L. § 11-47-11.

(b) The Warwick Board of Public Safety shall adhere to the following procedures in considering the application and issuance of CCW permits:

1. The Warwick Board of Public Safety (a.k.a. "the board"), as the licensing authority for the City of Warwick is charged with issuing concealed carry weapons (CCW) permits. Individuals must be 21 years of age or older to apply for a CCW permit and meet the following criteria:
   a. Have a bona fide residence or place of business within the City of Warwick verified by either the Warwick Board of Canvassers, Warwick Department of Taxation or the Warwick Chief of Police, or
   b. Have a bona fide residence within the United States and a 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.
   c. The board will consider business, employment and personal factors when reviewing "good reasons" and "proper reasons" to determine if a CCW permit is to be issued.

2. Per G.L. § 11-47-11, the board shall issue a permit to an applicant to carry a pistol or revolver concealed upon his/her person everywhere within this state for four years from date of issue. This permit shall not contain any restrictions, however state and federal law shall still apply. The permit shall be issued to the applicant if:
   a. It appears that the applicant has good reason to fear an injury to his or her person or property;
   b. The applicant has any other proper reason for carrying a pistol or revolver;
   c. He or she is a suitable person to be so licensed;
   d. The applicant must demonstrate competence, familiarity and proficiency with a handgun by completing a certified NRA firearms safety course or its equivalent of at least four hours, which includes classroom and range time.
      (1) The firearms safety course must be completed within three years prior to the initial permit. CCW permit renewals will only require recertification on the range, as indicated by the CCW permit application.
      (2) A list of certified firearms safety courses is included in the CCW permit application.

3. An applicant is not required to present a "purpose" or "need" beyond what is called for in G.L. § 11-47-11. For the purpose of applications to the board under G.L. § 11-47-11 "Self-defense" based upon previous threats/threatening conduct within the prior six months documented by a police report or written complaint is a "good" or "proper reason. No line of questioning by the board during the interview process will call for speculation as to how the applicant may alter his or her actions to negate the request/ need for a CCW permit. The following may be considered when the board determines a "good" or "proper reason.
   a. Conditions of employment or business necessity, whether required or preferred, are considered "proper reason" for issuing a CCW permit. The nature of an applicant's work
may warrant a "good reason" for a CCW permit to be approved. Examples include but are not limited to: amount of money carried, lateness of the hour, past instances of crime, the surrounding neighborhood and other dangerous circumstances.

Requesting a reciprocal CCW permit by the City of Warwick when a CCW permit has been issued by the Rhode Island Attorney General is a "proper reason." Possession of a current federal firearms license is a factor in consideration of the application for the CCW permit.

c. Suitability of the applicant may also be a consideration when issuing a permit. Decisions must be based on evidence provided by the application process and not merely conjecture. The board must articulate a specific and justifiable reason to find someone unsuitable.

4. The board will review the completed application along with three letters of reference and a background criminal investigation (BCI) within 60 calendar days of receipt. Letters of reference shall only be required for new, not renewal, permit applications. Applicants are required to appear before the board for a personal interview. A hearing with written or recorded minutes must be held for the applicant. The specific reason(s) for denying a CCW permit must be provided in writing by registered mail within ten business days of conducting the interview or the permit shall be automatically issued.

a. Applicants may request reconsideration in the case of a CCW permit denial by the board. Furthermore, said applicants have the right to judicial review under G.L. § 42-35-15, RI Administrative Procedures.

5. Legitimate reasons for an applicant to be deemed unsuitable to be licensed include:

a. Be ineligible to possess a firearm by virtue of having been convicted of a felony.

b. Have been found guilty of, or entered a plea of guilty or nolo contendere to a misdemeanor under Rhode Island General Laws or similar laws of any other state relating to a controlled dangerous substance within a five-year period immediately preceding the date on which the application is submitted.

c. Found guilty of, or entered a plea of guilty or nolo contendere to operating a vehicle while intoxicated within the five-year period immediately preceding the date on which the application is submitted, or at any time after the application has been submitted.

d. Entered a plea of guilty or nolo contendere to or been found guilty of a crime of violence, as defined by G.L. §§ 11-47-2(2), 11-47-5(a), including domestic abuse, at the misdemeanor level, unless five years have elapsed since completion of sentence or any other conditions set by the court have been fulfilled, or unless the conviction was set aside and the prosecution dismissed, prior to the date on which the application is submitted.

(1) Prohibition also applies to any person sentenced to community confinement or electronic surveillance in accordance with G.L. § 11-47-5(c).

e. Been convicted of, have entered a plea of guilty or nolo contendere to, or be charged under indictment or a bill of information for any crime of violence or any crime punishable by imprisonment for a term of one year or greater.

f. Is a fugitive from justice.

g. Released from active or reserve duty from the Armed Forces of the United States with a discharge characterized as "bad conduct discharge", or a "dishonorable discharge". In the case of Commissioned Officers and Warrant Officers of the United States Armed Forces, the punishment of "dismissal" rendered subject to a verdict of "guilty" at a trial by military court-martial is deemed to be disqualifying under this paragraph. For the purposes of this paragraph, the United States Coast Guard is considered an Armed Force.

i. Be ineligible to possess or receive a firearm under 18 U.S.C. 922(g).

j. Had a permit revoked by the board within four years prior to the most recent application.

k. Been denied a pistol permit in a jurisdiction other than the City of Warwick based on suitability grounds within four years prior to the most recent application.
I. Adjudged mentally incompetent at the time of application or for five years prior to application as defined in G.L. § 40.1-5.3-3 or a comparable procedure located in another state following a hearing at which the applicant/defendant was represented by counsel or a representative.

6. Notwithstanding any other chapter or section of the general laws of the state of Rhode Island, the board shall not provide or release to any individual, firm, association or corporation the name, address, or date of birth of any person who has held or currently holds a license or permit to carry a concealed pistol or revolver. This section shall not be construed to prohibit the release of any statistical data of a general nature relative to age, gender and racial or ethnic background nor shall it be construed to prevent the release of information to parties involved in any prosecution of § 11-47-8 or in response to a lawful subpoena in any criminal or civil action which the person is a party to that action.

   a. While completing their duties and responsibilities in exercising their authority to issue or deny CCW permits in compliance with federal, state and local law, the board of public safety is acting under sovereign immunity.

7. Warwick Ordinance § 40-1(19) disorderly conduct is the prevailing law for those individuals issued a CCW permit unless circumstances necessitates the gun owner to no longer keep his or her weapon concealed. Brandishing, improper exhibition or unlawful display is not permissible. Unintended viewing of the weapon as a nondeliberate act is not actionable.