

THE CITY OF WARWICK
STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

CHAPTER 6
BOARDS AND COMMISSIONS

ARTICLE IV:
BOARD OF PUBLIC SAFETY

No..... Date.....

Approved.....Mayor

Be it ordained by the City of Warwick:

Section I. Chapter 6 Article IV of the Code of Ordinances of the City of Warwick is hereby amended to add the following:

Sec. 6-72. Permits: Concealed Carry Weapons.

(a) *Preamble:* R.I.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 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 some inconsistencies in the processing of CCW permits have provided a general impression that the City of Warwick may periodically engage in illegal gun control practices in contradiction to R.I.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 twenty-one (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.
2. Per R.I.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 (4) 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, or
 - b. The applicant has any other proper reason for carrying a pistol or revolver, and
 - c. He or she is a suitable person to be so licensed.
3. An applicant is not required to present a “purpose” or “need” beyond what is called for in R.I.G.L. § 11-47-11. For the purpose of applications to The Board under R.I.G.L. § 11-47-11 “Self defense” shall constitute a proper reason as required by statute. 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/use of a CCW permit.
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. The specific reason(s) for denying a CCW permit must be provided in writing by registered mail within 10 business days of conducting the interview or the permit shall be automatically issued.
5. Legitimate reasons for an applicant to be deemed unsuitable to be licensed are as follows:
 - a. Be ineligible to possess a firearm by virtue of having been convicted of a felony.
 - b. Have been committed, either voluntarily or involuntarily, for the abuse of a controlled dangerous substance, or been found guilty of, or entered a plea of guilty or *nolo contendere* to a misdemeanor under RI 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, or be presently charged under indictment or a bill of information for such an offense.
 - c. Found guilty of, or entered a plea of guilty or *nolo contendere* to operating a vehicle while intoxicated, or has been admitted, either voluntarily or involuntarily, for

1 treatment as an alcoholic, within the five-year period immediately preceding the date
2 on which the application is submitted, or at any time after the application has been
3 submitted.
4

- 5 d. Entered a plea of guilty or *nolo contendere* to or been found guilty of a crime of
6 violence, including domestic abuse, at the misdemeanor level, unless five years have
7 elapsed since completion of sentence or any other conditions set by the court have
8 been fulfilled, or unless the conviction was set aside and the prosecution dismissed,
9 prior to the date on which the application is submitted.
- 10 e. Been convicted of, have entered a plea of guilty or *nolo contendere* to, or be charged
11 under indictment or a bill of information for any crime of violence or any crime
12 punishable by imprisonment for a term of one year or greater.
13
- 14 f. Is a fugitive from justice.
15
- 16 g. Released from active or reserve duty from the Armed Forces of the United States
17 with a discharge characterized as “Bad Conduct Discharge”, or a “Dishonorable
18 Discharge”. In the case of Commissioned Officers and Warrant Officers of the
19 United States Armed Forces, the punishment of “Dismissal” rendered subject to a
20 verdict of “guilty” at a trial by military court-martial is deemed to be disqualifying
21 under this paragraph. For the purposes of this Paragraph, the United States Coast
22 Guard is considered an Armed Force.
23
- 24 i. Be ineligible to possess or receive a firearm under 18 U.S.C. 922(g).
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- 26 j. Had a permit revoked by The Board within four years prior to the most recent
27 application.
- 28 6. Notwithstanding any other chapter or section of the general laws of the state of Rhode Island,
29 The Board shall not provide or release to any individual, firm, association or corporation the
30 name, address, or date of birth of any person who has held or currently holds a license or
31 permit to carry a concealed pistol or revolver. This section shall not be construed to prohibit
32 the release of any statistical data of a general nature relative to age, gender and racial or
33 ethnic background nor shall it be construed to prevent the release of information to parties
34 involved in any prosecution of § 11-47-8 or in response to a lawful subpoena in any criminal
35 or civil action which the person is a party to that action.
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- 37 7. Warwick ordinance § 40-1(19) *Disorderly Conduct* is the prevailing law for those
38 individuals issued a CCW permit unless circumstances necessitates the gun owner to no
39 longer keep his or her weapon concealed.
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42 Section II. This Ordinance shall take effect upon passage and publication as prescribed by law

SPONSORED BY: COUNCILWOMAN VELLA-WILKINSON

COMMITTEE: PUBLIC SAFETY