



POLICY AND PROCEDURE

NO.405.2

License to Carry Firearms

Date Issued May 7, 2013	Date Effective May 7, 2013	Revision No. 4	No. of pages 3
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It shall be the purpose of the Worcester Police Department to issue Licenses to Carry Firearms (LTC) or a Firearms Identifications (FID) in such a manner that the safety of the public and the licensees are protected. In order to ensure such safety, the department shall issue said permits in strict accordance with Massachusetts General Laws, (MGL) c. 140, § 131. Per Mass. Gen. Laws c. 140 § 131, the Chief of Police is the licensing authority for the City of Worcester and is granted discretionary authority in the issuance of said licenses in two areas: the first, the determination of a “suitable person,” and second, limitations as to the use or purpose of the license.

When reviewing an application for a LTC, the Chief of Police may issue a license to carry if it appears that the applicant is a suitable person to be issued such license and that the applicant has good reason to fear injury to his person or property, or for any other reason, subject to the restrictions expressed or authorized under Mass. Gen. Laws c. 140, § 131.

A “suitable person” has been defined as an individual who is sufficiently responsible to be entrusted with a license to carry firearms. Under the suitability provision of Massachusetts General Laws c. 140, § 131 (d), the licensing authority is permitted to and may consider all information available from all sources, including but not limited to the following: incident reports, the underlying facts of any incidents, dismissed criminal charges, sealed records, pardoned offenses, evidence of volatile relationships, suppression of evidence in any criminal prosecution, the lack of compliance with firearm laws, any arrest for a misdemeanor punishable by imprisonment for more than two years, any felony arrest and any arrest involving physical violence or threats to commit physical violence, any domestic violence incident, any drug arrest and/or any alcohol or drug related OUI or multiple minor alcohol related arrests or convictions.

With regard to proper use or purpose, Mass. Gen. Laws c. 140, § 131 grants the Chief of Police the statutory authority to place restrictions relative to the possession, use, or carrying of a firearms as it deems proper.

Every license to carry shall specifically state the use or purpose. Applicants may qualify for the following use or purpose:

1. **NONE** - issued for all lawful purposes with no restrictions.
2. **TARGET AND HUNTING** - Restricts possession to the purposes of lawful recreational shooting or competition; for use in the lawful pursuit of games and animals and birds; for personal protection in the home; and for purpose of collecting (other than machine guns). Includes travel to and from activity location.
3. **SPORTING** - Restricts possession to the purposes of lawful recreational shooting or competition; for use in the lawful pursuit of games and animals and birds; for personal protection in the home; and for purpose of collecting (other than machine guns); and for

outdoor recreational activities such as hiking, camping, cross country skiing, or similar activities. Includes travel to and from activity location.

4. **EMPLOYMENT** - Restricts possession to business owner engaged in business activities or to an employee while engaged in work related activities, and maintaining proficiency, where the employer requires carrying of a firearm (i.e. armored car, security guard, etc...). A written verification stating need on official letterhead shall be submitted with the application. Includes travel to and from activity location.
5. **OTHER** - The licensing authority create a restriction it deems proper.

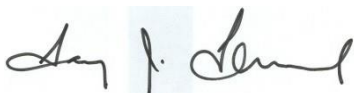
The parameters established in this policy for a “suitable person,” and for the use or purpose shall apply to applicants for a new LTC and for a renewal of a LTC. On all applications the use or purpose shall be stated in the terms discussed in this policy. The limitations shall apply when applicable.

It should be noted that a violation of a restriction of a LTC, whether imposed by operation of statute or under the authority of the licensing authority, shall be cause for suspension or revocation of the license. A suspension is a temporary surrender of a LTC, which should be of a specified duration. While specific duration periods for such suspensions are favored, influences and factors external to and beyond the control of this department may result in suspensions of nonspecific durations. These external factors include, but are not limited to, court dispositions. At the conclusion of the suspension period or the time parameter upon which the suspension was predicated, an investigation shall be conducted upon which a decision will be made to determine whether to revoke the LTC or reinstate that license in full or with increased restrictions. The LTC shall remain under suspension status during the pendency of that investigation. A revocation shall constitute the loss of a license until the date of the expiration as indicated on the revoked LTC.

It is earnestly recognized that it is the responsibility of a Chief of Police and his or her local police department to properly administer the LTC’s. Accordingly, per Massachusetts General Laws c. 140, § 131 (d), the following are eligible to obtain LTC's from the Chief of Police: any person residing or having a place of business within the jurisdiction of the licensing authority or any law enforcement officer employed by the city. It shall be the policy of the department to issue a LTC to all police officers employed by the City of Worcester.

Where there exists a question as to the applicant’s true residency or any other response to the application or its requirements, the applicant, at the discretion of the licensing authority, may be obligated to submit documentation to further assist the processing of said application. Failure to submit the requested documentation may constitute the basis for a denial of an initial or renewal LTC.

Per:



Gary J. Gemme
Chief of Police

GJG/sf Previous policy issued: February 13, 2006

New policy – March 14, 2011

Added “use or purpose” applicants may qualify for on pg. 2 – April 27, 2011

“Permanent” Deleted February 06, 2013
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