

City of Philadelphia



Council of the City of Philadelphia
Office of the Chief Clerk
Room 402, City Hall
Philadelphia

(Resolution No. 180191)

RESOLUTION

Urging the Senate to reject S. 446, entitled “Constitutional Concealed Carry Reciprocity Act of 2017”, which requires states to recognize licenses or permits from other states, no matter how permissive their licensing standards.

WHEREAS, H.R. 38, entitled “Concealed Carry Reciprocity Act of 2017”, and S.446, entitled “Constitutional Concealed Carry Reciprocity Act of 2017”, seek to amend Title 18 of the U.S. Code to require recognition of concealed carry permits across state lines; and

WHEREAS, These bills would eliminate state and local authorities' traditional role in promoting public safety by, for example, setting criteria for granting a concealed carry license or permit that are based upon applicants' potential to threaten public safety and utilizing expert discretion and local knowledge to apply that criteria and make a decision; and

WHEREAS, Pennsylvania is a “limited discretion shall issue” state, meaning that it requires a lawful purpose to issue a concealed carry license and may deny a license based on indicators of dangerousness. Twenty-seven states do not allow this discretion. Moreover, Pennsylvania categorically prohibits concealed carry by individuals under the age of 21; and

WHEREAS, Pennsylvania maintains an automated registry, so that police officers may quickly check if an individual is licensed to carry a firearm legally within the commonwealth, allowing officers to exercise appropriate safety measures when interacting with a person in possession of a gun. Pennsylvania also has a venue through which non-residents with concealed carry licenses or permits issued in other states can apply for one in Pennsylvania, thereby entering the state database. The ability to quickly assess the legitimacy of 50 different permits jeopardizes this system and endangers the safety of citizens and police officers; and

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WHEREAS, West Virginia, a neighboring state, allows permitless concealed carry starting at age 18. Moreover, in 2016, West Virginia was the fourth highest importer of crime guns to Pennsylvania and this legislation would likely increase that amount; and

WHEREAS, In New Hampshire, non-residents can apply for a concealed carry permit through the mail without proof of concealed carry permit from the state of residence. This means a Pennsylvania resident deemed unsafe for concealed carry by Pennsylvania authorities could receive a non-resident permit from New Hampshire that Pennsylvania would then be required to honor. Similar arrangements exist in Florida and Utah, and in Arizona and Virginia after taking a firearm safety course in the resident state; and

WHEREAS, Pennsylvania already maintains reciprocity agreements with other states who satisfy the Commonwealth's public safety standards. The Pennsylvania Attorney General enters these agreements with states after reviewing their permitting standards. Pennsylvania has stronger restrictions than many of the states with which it does not have reciprocity. Pennsylvania prohibits carrying firearms without a Pennsylvania permit or a permit from a state that has reciprocity with Pennsylvania; and

WHEREAS, In 2016, a Northwestern University Feinberg School of Medicine study concluded that more restrictive gun permitting reduced gun-related injuries. Additionally, a 2017 working paper from the National Bureau of Economic Research found "shall issue" laws, which eliminate discretion by requiring issuance of licenses to all eligible persons, are associated with increased violent crime, an effect that grows each year such laws are in place; and

WHEREAS, A 2013 Harvard study found states with stronger restrictions on guns had significantly lower rates of firearm fatalities than those with the weakest restrictions. With concealed carry reciprocity, all states would be vulnerable to these weakest restrictions. Furthermore, a Boston University study found states with "may issue" laws, i.e., those allowing law enforcement discretion in approving permits, had significantly lower handgun homicide rates than "shall issue" states; and

WHEREAS, H.R. 38 passed the House on December 6, 2017. In addition to mandating reciprocity, it also mandates that those with qualifying permits be allowed to carry concealed weapons into federally owned land open to the public. This includes several parks and sites within Philadelphia city limits, such as Independence Hall National Historical Park and Benjamin Franklin National Memorial; and

WHEREAS, Opposition to these bills includes the Fraternal Order of Police, International Association of Chiefs of Police, Police Foundation, Major Cities Chiefs Association, U.S. Conference of Mayors, 17 attorneys general, and 28 city councils; and

WHEREAS, This body recently formed the Special Committee on Gun Violence Prevention, while the Managing Director's Office established the Office of Violence

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Prevention, to systematically coordinate and plan for gun violence prevention and response. This bill will undermine the City of Philadelphia's efforts to reduce gun violence and save the lives of its citizens; now, therefore, be it

RESOLVED, BY THE CITY COUNCIL OF PHILADELPHIA, The City Council urges the U.S. Senate to reject S. 446, the "Constitutional Concealed Carry Reciprocity Act of 2017," as a threat to the safety of its citizens.

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CERTIFICATION: This is a true and correct copy of the original Resolution, Adopted by the Council of the City of Philadelphia on the eighth day of March, 2018.

Darrell L. Clarke
PRESIDENT OF THE COUNCIL

Michael A. Decker
CHIEF CLERK OF THE COUNCIL

Introduced by: Councilmember Johnson

Sponsored by: Councilmembers Johnson, Blackwell, Council President Clarke, Councilmembers Domb, Green, Parker, Bass, Gym, Taubenberger, Greenlee, Squilla, Reynolds Brown, Henon, Quiñones Sánchez, Jones and O'Neill