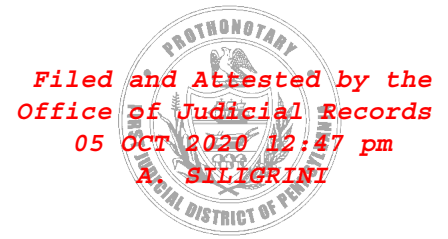


**Andrew B. Austin, Esq.**  
Pennsylvania Bar # 323768  
*Attorney for Plaintiffs*

P.O. Box # 54628  
Philadelphia, Pennsylvania, 19148  
+1 (610) 656-1956  
austin@stackhousegroup.com



**Gun Owners of America Inc., Mark F. Cardish, John Chattley, Jacquelyn Fletcher, Shawn Gilbert, Jason Gregory, Gerald Karasinski, Vernon Lei, John C. Morrison, Denis Rimbaut, and Joshua A. Weston, Plaintiff(s);**

*vs.*

City of **Philadelphia, and**  
Commissioner Danielle M. **Outlaw,**  
*Defendant(s).*

COURT OF COMMON PLEAS  
PHILADELPHIA COUNTY

October Term, 2020  
*No.* \_\_\_\_\_

JURY TRIAL DEMANDED

**COMPLAINT IN MANDAMUS &  
DECLARATORY JUDGMENT**

**Andrew B. Austin, Esq.**  
Pennsylvania Bar # 323768  
*Attorney for Plaintiffs*  
  
P.O. Box # 54628  
Philadelphia, Pennsylvania, 19148  
+1 (610) 656-1956  
austin@stackhousegroup.com

## NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after the complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET LEGAL HELP.

### **PHILADELPHIA BAR ASSOCIATION**

Lawyer Referral and Information Service  
1101 Market Street, 11th Floor  
Philadelphia, Pennsylvania 19107  
(215) 238-1701

## AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las páginas siguientes, usted tiene veinte (20) días de plazo al partir de la fecha de la demanda y la notificación. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomará medidas y puede continuar la demanda en contra suya sin previo aviso o notificación. Además, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL.

### **ASOCIACIÓN DE LICENCIADOS DE FILADELFIA**

Servicio De Referencia E Información Legal  
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## PARTIES

1. Plaintiff **Gun Owners of America, Inc.** (“GOA”) is a California non-stock corporation with its principal place of business at 8001 Forbes Pl., Springfield, Virginia. GOA is organized and operated as a non-profit membership organization exempt from federal income taxes under the 26 U.S.C. § 501 (c) (4). GOA was incorporated in 1976 to preserve, protect, and defend the Second Amendment rights of gun owners. GOA has thousands of members and supporters, including residents of the City of Philadelphia, who wish to make their application for a Pennsylvania License to Carry Firearms but currently cannot due to the actions of Commissioner Danielle Outlaw and the City of Philadelphia.
2. Plaintiff **Mark F. Cardish** is an adult individual residing at 3570 Indian Queen Ln. Fl. 3, Philadelphia, Pennsylvania, who contacted Philadelphia Police Department (“PPD”) Gun Permit Unit on or about August 18<sup>th</sup> 2020 after repeated attempts over roughly two hours; at that time, Mr. Cardish was scheduled for the earliest available appointment to make his application, on **June 22<sup>nd</sup> 2021**.
3. Plaintiff **John Chattley** is an adult individual residing at 3417 Fitler St., Philadelphia, Pennsylvania, who has attempted to call PPD Gun Permit Unit for an appointment after multiple attempts without success. He **has not been able** to schedule an appointment to make his application. Mr. Chattley currently has a License to Carry Firearms, which expired on September 9<sup>th</sup> 2020.
4. Plaintiff **Jacquelyn Fletcher** is an adult individual residing at 1402 S. 6<sup>th</sup> St. # 2, Philadelphia, Pennsylvania, who attempted to call the PPD Gun Permit Unit for an appointment over multiple days and hours; she was finally able to get an appointment on October 1<sup>st</sup> 2020, the earliest available was for **January 10<sup>th</sup> 2022**.
5. Plaintiff **Shawn Gilbert** is an adult individual residing at 2838 Narcissus Rd., Philadelphia, Pennsylvania, who contacted PPD Gun Permit Unit on or about September 4<sup>th</sup> 2020 after three days of regular attempts; at that time, Mr. Gilbert was scheduled for the earliest available appointment to make his application, on **October 5<sup>th</sup> 2021**. Mr. Gilbert currently possesses a Pennsylvania License to Carry Firearms, which expires in March of 2021, six months before his appointment to renew.

6. Plaintiff **Jason Gregory** is an adult individual residing at 1616 S. 18<sup>th</sup> St., Philadelphia, Pennsylvania, who has been regularly and repeatedly calling the PPD Gun Permit Unit for an appointment for some time without success. He **has not been able** to schedule an appointment to make his application.
7. Plaintiff **Gerald Karasinski** is an adult individual residing at 5459 Houghton Pl. # 2, Philadelphia, Pennsylvania, who contacted the PPD Gun Permit Unit on September 30<sup>th</sup> 2020 after approximately thirty attempts. At that time, Mr. Karasinski was scheduled for the earliest available appointment to make his application, on **January 6<sup>th</sup> 2022**.
8. Plaintiff **Vernon Lei** is an adult individual residing at 1324 S. Howard St., Philadelphia, Pennsylvania, who has attempted to call PPD Gun Permit Unit for an appointment, making multiple attempts on multiple days since the office reopened without success. He **has not been able** to schedule an appointment to make his application.
9. Plaintiff **John C. Morrison** is an adult individual residing at 1840 S. Mole St., Philadelphia, Pennsylvania, who has been regularly and repeatedly calling the PPD Gun Permit Unit for an appointment since approximately September 23<sup>rd</sup> 2020 without success. He **has not been able** to schedule an appointment to make his application.
10. Plaintiff **Denis Rimbaut** is an adult individual residing at 15063 London Rd., Philadelphia, Pennsylvania, who called in July 2020 shortly after the PPD Gun Permit Unit began accepting appointments after its voluntary six-month COVID-19 shutdown. At that time, Mr. Rimbaut was scheduled for the earliest available appointment to make his application, on **December 1<sup>st</sup> 2020**refuses to ac.
11. Plaintiff **Joshua A. Weston** is an adult individual residing at 2162 E. Norris St., Philadelphia, Pennsylvania, who has been regularly and repeatedly calling the PPD Gun Permit Unit for an appointment repeatedly during September 2020 without success. He **has not been able** to schedule an appointment to make his application. Mr. Weston previously held a Pennsylvania License to Carry Firearms (“LTCF”) for approximately ten years, but his most recent LTCF expired in October 2019.

12. Defendant **City of Philadelphia**, is a Municipal Corporation of the First Class of the Commonwealth of Pennsylvania under the First Class City Home Rule Act of April 21<sup>st</sup>, 1949, P.L. 665, § 1 *et seq.*
13. Defendant **Danielle M. Outlaw**, named in her official capacity as the Commissioner of the Philadelphia Police Department (“PPD”), is Chief of Police for the City of Philadelphia, responsible for the issuance of License to Carry Firearms for residents of this city. 18 Pa. C.S. § 6109. Commissioner Outlaw’s principal office is Police Headquarters, located at 750 Race St., Philadelphia, Pennsylvania.

## OTHER ENTITIES

14. The **PPD Gun Permit Unit**, located at 660 E. Erie Av., Philadelphia, Pennsylvania, is the PPD office designated by Commissioner Outlaw to receive applications for– and issue– License to Carry Firearms within the City of Philadelphia.

## ALLEGATIONS

### *Pennsylvania License to Carry Firearms*

15. Pennsylvania has a state-wide License to Carry Firearms (“LTCF”) allowing for individuals to “carry[] a firearm concealed on or about one’s person or in a vehicle throughout this Commonwealth.” 18 Pa. C.S. § 6109 (a).
16. Further, no person is permitted to carry any “firearm, rifle or shotgun **at any time** upon the public streets or upon any public property in [Philadelphia]” unless they possess a LTCF. 18 Pa. C.S. § 6108 (emphasis added).
17. Pennsylvania has a uniform application for the issuance of a Pennsylvania License to Carry Firearms (“LTCF”), prescribed by the Pennsylvania State Police (“PSP”). § 6109 (c).
18. Pennsylvanians are required to submit this application “with the sheriff of the county in which he resides or, if a resident of a city of the first class, with the chief of police of that city.” § 6109 (b).

19. Upon receipt of that application, the Sheriff or Chief of Police is required to conduct an investigation into the applicant but must issue a permit unless “good cause” exists to deny the applicant their LTCF. § 6109 (e).
20. The Sheriff or Chief of Police “**shall**, within 45 days, issue or refuse to issue a license on the basis of the investigation under subsection (d) and the accuracy of the information contained in the application.” § 6109 (g) (emphasis added).
21. The clear legislative intent of § 6109 is for individuals to be able to make application and receive their permit within 45 days and the refusal of any Sheriff or Chief of Police to accept LTCF applications to delay an LTCF application is unlawful.

#### *Gun Permits in Philadelphia*

22. In Philadelphia, the role of Chief of Police is synonymous with that of Police Commissioner.
23. Historically, the Philadelphia Police Commissioner has delegated their LTCF duties to the PPD Gun Permit Unit, which Commissioner Danielle Outlaw has continued to do.
24. The process to apply for (and receive) a License to Carry Firearms in Philadelphia is well-known to be long and onerous, requiring residents to appear before the Gun Permit Unit on two occasions during limited hours.
25. The PPD Gun Permit Unit requires applicants to appear in their office on two separate days during between 8:30 AM and 1:00 PM, and is closed between December 20<sup>th</sup> and January 3<sup>rd</sup> of each year.
26. In order to “make an application” the PPD Gun Permit Unit required individuals to sign-in to the unit on a first-come first-served basis, where they would wait until a Philadelphia Police Detective was ready to accept their LTCF application.

27. The PPD Gun Permit Unit demands compliance with numerous other requirements before accepting a uniform PSP application: a police interview *under penalty of arrest*, fingerprinting, multiple proofs of residency (*in addition to* a driver's license or state identification card), any current or expired permits, and proof of citizenship/permanent residency for foreign-born applicants. *See Exhibit B* at 1–2.
28. 18 Pa. C.S. § 6109 requires that the Sheriff or Chief of Police conduct a “criminal background, juvenile delinquency, and mental health check following the procedures set forth in section 6111 (relating to sale or transfer of firearms) receive a unique approval number for that inquiry and record the date and number on the application.” § 6109 (d) (5). None of the supplemental documentation required by the PPD Gun Permit identified in ¶ 27 is required under 18 Pa. C.S. § 6111.
29. However, absent compliance with the PPD Gun Permit Unit's supplemental requirements to the uniform PSP application, the PPD Gun Permit Unit **refuses to accept** an individuals application, which would start the 45 days before they would be required to issue a permit. § 6109 (g).
30. As a result of the supplemental LTCF application requirements created by the PPD Gun Permit Unit, each individual application can take over an hour, as the applicant is interviewed by a Detective, reviews the required supplemental documents with the Detective, signs their interview statement under threat of prosecution. After this process is complete, the applicant is directed to return to the waiting room until they are called to be fingerprinted.
31. Prior to COVID-19, there can be twenty or more individuals waiting in line prior to the opening of the PPD Gun Permit Unit to sign in for applications. It is well-known in Philadelphia that the supplemental application process including interview could take several hours and therefore it is best to be 'first in line.' There were rarely more than two or three Detectives processing applications, so it was not infrequent that a 'late-arriver' at opening could be waiting until lunch-time or later to make their application.



32. After the application process is complete, the PPD Gun Permit Unit notifies the applicant they will be notified by mail of their issuance or refusal of a permit, at which time they need to return to the PPD Gun Permit Unit to pick up their application (and if they fail to return within 30 days, their approval would be invalidated.)
33. The pick-up process was slightly more efficient, as the PPD Gun Permit Unit had a second sign-in for 'pick-ups'. However, it was still frequently a multi-hour ordeal, as each applicant (who had been notified they were being issued a permit) was subject to a supplemental interview and photograph before waiting for their permit to actually print.

#### *COVID-19 Shutdown and Reopening*

34. The Philadelphia Police Department voluntarily closed the PPD Gun Permit Unit on or about March 17<sup>th</sup> 2020, and stopped accepting LTCF applications entirely.
35. There is no provision in the law for any sheriff or chief of police to simply stop accepting LTCF applications; in fact, in March 2020, Governor Wolf recognized gun businesses as essential after an initial closure, allowing them to reopen.
36. On July 8<sup>th</sup> 2020, the PPD Gun Permit Unit quietly changed their web-site to provide information on their reopening, noting they would begin accepting application on July 20<sup>th</sup> 2020.
37. As part of its reopening, the PPD Gun Permit Unit accepts applications *by appointment only* on Monday, Tuesday, and Wednesday, excluding "federal, state, and local holidays." and *closing entirely* between December 20<sup>th</sup> 2020 and January 3<sup>rd</sup> 2021. *Exhibit A.*
38. Upon information and belief, PPD Gun Permit Unit is accepting appointments for approximately 100 applications per week during this 'staged reopening'.
39. Upon information and belief, PPD Gun Permit Unit is accepting such a limited number of appointments due to COVID-19 concerns about their supplemental interview process that is **neither required nor authorized by law.**

40. Applicants can make appointments via phone only between the hours of 8:30 am and 2:00pm during days the PPD Gun Permit Unit is open. Two phone numbers are provided, however there is no voicemail or call-waiting.
41. Upon information and belief there is only one person answering the two phone lines, as one number is almost always busy and the second number is seldom answered.
42. Applicants wishing to make an appointment are forced to repeatedly redial the PPD Gun Permit Unit until the phone is answered. Some applicants have called hundreds of times using auto-dialers in order to get through to make an appointment. Individuals have been forced to call multiple times over multiple days to make an appointment—if they are able to get through to make an appointment at all.
43. If an applicant is able to persevere and reach an individual at the PPD Gun Permit Unit, they are frequently scheduled for an appointment **more than a year** in the future: at the time of filing appointments were being made for **January 2022**.
44. In comparison, counties surrounding Philadelphia (such as Bucks) are currently able to process all LTCF applications for their residents *on the same-day* while undertaking appropriate precautions for COVID-19. There is no justification for more than a year's delay to accommodate the PPD Gun Permit Unit's unnecessary and unauthorized supplemental application process.

## COUNTS

Count # 1

### Writ of Mandamus

Pa. R.C.P. 1091 *et seq.*

45. Plaintiffs incorporates by reference ¶¶ 15–44 above as if fully set forth herein.
46. “Upon the receipt of an application for a license to carry a firearm, the sheriff [or chief of police] shall, within 45 days, issue or refuse to issue a license on the basis of the investigation under subsection (d) and the accuracy of the information contained in the application.” 18 Pa. C.S. § 6109 (g).
47. Commissioner Outlaw, as chief of police for Philadelphia, a city of the first class, is required under the law to accept applications for Pennsylvania License to Carry Firearms. § 6109 (b).
48. Commissioner Outlaw is then required to “issue or refuse a license” within forty-five (45) days of receipt of a LTCF application. § 6109 (g).
49. Commissioner Outlaw, via her designee the PPD Gun Permit Unit, is refusing to timely accept applications for LTCFs by requiring individuals make appointments more than forty-five days in the future to even make their application. Appointments are currently scheduled fifteen months out.
50. Commissioner Outlaw’s acceptance of these uniform LTCF applications is a ministerial act required by law, and Commissioner Outlaw has no discretion to refuse or delay these duties.
51. Commissioner Outlaw’s refusal to accept applications interferes with Plaintiffs’ statutory rights under Pennsylvania laws. *See* 18 Pa. C.S. § 6109.
52. Plaintiffs are damaged by this interference with their statutory rights, their need to seek counsel to represent them, and the costs of this action.
53. Plaintiffs have no other adequate remedy at law to address this infringement of their statutory rights.

54. Commissioner Outlaw should be commanded to perform her ministerial duty to accept LTCF applications from Philadelphia residents immediately and without delay.

Count # 2

**Declaratory Judgment**

42 Pa. C.S. § 7531 *et seq.*

55. Plaintiffs incorporates by reference ¶¶ 15–44 above as if fully set forth herein.
56. Commissioner Outlaw, as chief of police for Philadelphia, a city of the first class, is required under the law to accept applications for LTCFs. 18 Pa. C.S. § 6109 (b).
57. Commissioner Outlaw delegates her authority to accept applications, make investigations, and issue permits to the PPD Gun Permit Unit.
58. Under Pennsylvania law, the PPD Gun Permit Unit is permitted up to forty-five (45) days to perform an investigation into an applicant for LTCF. § 6109 (d)–(e).
59. Notwithstanding that § 6109 provides the process for an LTCF application, the PPD Gun Permit Unit requires applicants to submit to an interview with a Philadelphia Police Detective in order to submit their application.
60. There is no requirement in the law for a LTCF applicant to submit to a police interview; nowhere else in the Commonwealth is an applicant forced to submit to interrogation under threat of prosecution merely to make their application for a LTCF.
61. Specifically: the PPD Gun Permit Unit refuses to accept the prescribed and uniform LTCF application unless supplemented at the time of application by the PPD Gun Permit Unit’s interrogation, despite lacking the statutory basis to do so pursuant to § 6109 (b).
62. Upon information and belief, this unauthorized and unnecessary supplemental application process is the basis for PPD Gun Permit Unit’s current refusal to accept LTCF applications as they are required by law,

63. Plaintiffs seek a declaration that: Commissioner Outlaw and the City of Philadelphia may not refuse to accept any LTCF application that conforms to the requirements of 18 Pa. C.S. § 6109, and must thereafter grant or refuse the applicant their LTCF within the time prescribed by law.

### **JURY DEMAND**

For any issues so triable, Plaintiffs hereby demands a jury trial.

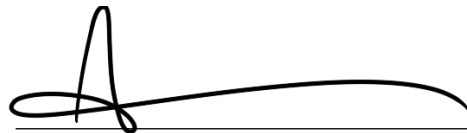
### **RELIEF REQUESTED**

**WHEREFORE**, Plaintiffs prays that judgment be entered in their favor, and Commissioner Outlaw and the City of Philadelphia be **COMMANDED** to immediately accept applications for Pennsylvania License to Carry Firearms as required by 18 Pa. C.S. § 6109 (b)-(c).

Plaintiff further prays that this Court enter Declaratory Judgment that: Commissioner Outlaw and the City of Philadelphia may not refuse to accept uniform LTCF applications conforming to the requirements of 18 Pa. C.S. § 6109 (c), and must grant or refuse the applicant their LTCF within the time prescribed by law.

Finally, Plaintiffs pray that this Court award them damages including attorneys' fees, and costs, as well as any other relief this Court may find is just and proper.

Respectfully Submitted,



**Andrew B. Austin, Esq.**

Pennsylvania Bar # 323768

*Attorney for Plaintiffs*

P.O. Box # 54628

Philadelphia, Pennsylvania, 19148

+1 (610) 656-1956

austin@stackhousegroup.com

## VERIFICATION

I, Andrew B. Austin, Esq., hereby state that I am a attorney for the Plaintiffs in this action and declare as follows: I have reviewed this Complaint, and all statements and information contained within are true and correct to the best of my knowledge, information, and belief. Further, I understand that the statements in this Complaint are subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

Respectfully Submitted,

A handwritten signature in black ink, consisting of a large, stylized capital letter 'A' followed by a long, sweeping horizontal line that curves slightly upwards at the end.

---

**Andrew B. Austin, Esq.**

*Attorney for Plaintiffs*

# EXHIBIT A

PPD Gun Permit Unit — Website

*Retrieved on October 4<sup>th</sup> 2020*

## Gun Permit Unit

### Forms & Reports

- [Submit a Tip](#)
- [File an Official Complaint](#)
- [Feedback from Citizens](#)
- [Commend an Officer](#)
- [Roll Call Complaints](#)
- [Operation ID](#)
- [Speaker Request Form](#)
- [Gun Permit Unit](#)

### Important Notice\*\*

If your permit to carry expired on March 19th, 2020 or anytime thereafter the Governor has extended your expiration date to December 31, 2020.

### RE-OPENING INFORMATION

July 8th, 2020

In accordance with C.D.C. protocols the Gun Permit Unit will no longer provide walk up service at this time.

The Unit will be open Monday, Tuesday and Wednesday for applications by appointment only, pickups, Lost & Stolen Reports, Status Checks and Other inquires will be processed Thursday and Friday by appointment only.

These changes are to ensure the safety of the public and unit personnel.

The Unit has the following phone numbers designated for making appointments, (215) 685- 3661 and (215) 685-3662.

On July 8th, 2020 the Gun Permit Unit will begin to accept appointments for the Re-opening of the Unit. Phone calls will only be accepted between the hours of 8:30 AM and 2:00 PM.

### THE UNIT WILL BEGIN SERVICE ON THE FOLLOWING DATES:

JULY 16TH & 17TH - PICKUPS

LOST & STOLEN REPORTS

STATUS CHECKS

OTHER INQUIRES

JULY 20TH, 21ST & 22ND - APPLICATIONS (ONLY)

JULY 23RD & 24TH - PICKUPS





LOST & STOLEN REPORTS

STATUS CHECKS

OTHER INQUIRES

THIS WILL BE THE SCHEDULE GOING FURTHER. THE UNIT WILL STILL BE CLOSED ON ALL FEDERAL, STATE AND LOCAL HOLIDAYS.

THE UNIT WILL BE CLOSED DECEMBER 20TH TO JANUARY 3RD EACH YEAR.

A FACE COVERING MUST BE WORN AT ALL TIMES UNLESS DIRECTED TO REMOVE IT BY UNIT PERSONNEL.

YOU MUST BE ON TIME FOR YOUR APPOINTMENT.

IF YOU ARE LATE YOU WILL NOT BE SEEN AND WILL HAVE TO OBTAIN ANOTHER APPOINTMENT DATE.

IF YOU DO NOT HAVE ALL THE ITEMS REQUIRED TO APPLY, YOU WILL NOT BE PERMITTED TO LEAVE AND RE-ENTER, YOU WILL HAVE TO OBTAIN ANOTHER APPOINTMENT DATE.

ONLY THE APPLICANT WILL BE PERMITTED TO ENTER THE BUILDING (IF AN INTERPRETER IS NEEDED THEY CAN ENTER WITH THE APPLICANT). NO ONE UNDER THE AGE OF 21 WILL BE ALLOWED TO ENTER THE BUILDING.

## CONTACT

**Police Headquarters**  
750 Race Street  
Philadelphia, PA 19106

**TIPS**  
DIAL OR TEXT 215.686.TIPS  
(8477)

**EMERGENCY 911**   **NON-EMERGENCY 311**

### FILE A POLICE REPORT

Dial 911 or visit your [district headquarters](#)

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## LATEST NEWS



[Missing Juvenile - Tyshiera Woods - From the 15th District](#)

*5 days ago*

The Philadelphia Police Department

needs the public's assistance in locating

## LATEST TWEETS

Wanted: Suspect for Commercial Burglary in the 25th District...

*3 days ago*

Wanted: Suspects for Shooting Incident in the 3rd District [...]

*3 days ago*

@PhillyPolice has been accepted into the national ABLE Proj...

*4 days ago*

[police.public\\_affairs@phila.gov](mailto:police.public_affairs@phila.gov)

a 16 year old Endangered Missing  
Juvenile Tyshiera  
Woods[<https://pr.phillypolice.com/wp-content/uploads/2020/09/Tyshiera-Woods.jpg>]. She was last seen at 10:50  
P.M., on...

[Read More](#)

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# **EXHIBIT B**

City of Philadelphia Police Department  
LTCF Application and Instructions



## CITY OF PHILADELPHIA POLICE DEPARTMENT

660 East Erie Ave, Philadelphia, PA 19134

Phone: (215) 685-3656, 3657 Fax: (215) 685-3673



### **FIREARMS ARE NOT PERMITTED ON THE PREMISES.**

#### **INSTRUCTIONS FOR COMPLETION OF AN APPLICATION FOR A PENNSYLVANIA LICENSE TO CARRY FIREARM**

Only applicants 21 years of age or older, residing in the county of Philadelphia, may apply for a Pennsylvania license to carry a firearm through the Philadelphia Police Department.

Out of county residents must apply in their county of residence. Out of state applications will only be considered if the applicant currently has a similar license from their home state.

1. Applications may be picked up at the Gun Permit Unit, 660 East Erie Ave, Monday through Friday, **8:30 AM to 1:00 PM**. This Unit is Closed on Saturdays, Sundays and Holidays, and from December 20<sup>th</sup> to January 3<sup>rd</sup>. Only 1 application per person. This Information can also be found at the following website: [www.phillypolice.com/forms](http://www.phillypolice.com/forms) (to the far right you will see Miscellaneous and then click on License to Carry).  
*(If downloaded from internet applicant must bring all paperwork, including this instruction sheet.)*
2. Applicants must have an **APPLICATION FILLED OUT COMPLETELY** and **APPLICABLE ITEMS LISTED BELOW** or they will not be accepted. (Do not use pencil)
3. When completed, the entire application must be returned **IN PERSON BY THE APPLICANT** to the above location, Monday through Friday, 8:30 AM to 1:00 PM. *(New applications and renewals will only be handled during this time.)*

Also needed at this time of **RENEWAL OR NEW APPLICATION**:

- a. One (1) 2" x 2" (inch) Passport Type color photo of the applicant's head and shoulders, (**NO SUNGLASSES, HATS, BANDANNAS, ETC.**).
- b. A **recently** purchased **\$20.00** money order that **is valid for at least 1 year or longer is the only form of payment that will be accepted**. (Payable to "City of Philadelphia").  
**FYI** – A Postal money order has no expiration date.
- c. A **VALID** Pennsylvania Drivers License or Non-Drivers ID, along with two (2) acceptable forms of proof of residence, all names and addresses must match. **NO PO BOXES WILL BE ACCEPTED**, *(see back of this sheet for examples)*.
- d. **ALL APPLICANTS WILL BE FINGERPRINTED.**
- e. Applicants, who have had a **NAME CHANGE**, must submit legal documents to show the name change. (i.e., Marriage License, Court Orders)
- f. If you were previously a member of the Armed Forces, a copy of your discharge papers (DD-214) must accompany the application.
- g. **Foreign born applicants** who are presently American citizens **must bring either their naturalization papers or a passport**
- h. Registered aliens must have their current alien registration identification card, i.e., **GREEN CARD**.

Instructions for Application 08-01-17

- i. Must show current or expired permits at time of application. Expired permits to carry will be retained by the Gun Permits Unit.
4. If all paperwork is in order, the applicant will then be interviewed by Gun Permits Unit personnel. When the interview is completed, an investigation will be conducted. All applicants will receive written notice by U.S. mail of either approval or disapproval of their application for a Pennsylvania license to carry a firearm. Upon approval the applicant has thirty (30) days to pick-up their License to Carry.

**ALL APPLICANTS SHOULD BE AWARE THAT FALSE STATEMENTS (WHETHER ORAL OR WRITTEN) WILL BE CAUSE FOR DENIAL AND MAY RESULT IN ARREST.**

**PLEASE NOTE THAT THE SAME PROCEDURES ARE APPLICABLE FOR RENEWALS.**

Below are examples of, but not limited to, acceptable forms for proof of your residency:

- Current Utility Bills: (within the last three months / 90 DAYS)
  - Phone Bill – Home/Cellular
  - Electric Bill
  - Gas Bill
  - Water Bill
  - Cable/Satellite Bill
- Current Credit Card Statements
- Current Bank/Student Loan Statements
- Valid Vehicle Registration
- Valid Vehicle Insurance Card
- Voters Registration Card
- **JUNK MAIL IS NOT ACCEPTABLE**

Instructions for Application 08-01-17

RENEWAL

COUNTY OF \_\_\_\_\_

APPLICATION FOR A PENNSYLVANIA LICENSE TO CARRY FIREARMS

FOR USE BY ISSUING AUTHORITY: PICS Temp App. No. \_\_\_\_\_ PICS Perm. App. No. \_\_\_\_\_ Application Date \_\_\_\_\_
License No. \_\_\_\_\_ Temporary License Approval Date \_\_\_\_\_ Permanent License Approval Date \_\_\_\_\_
Rejection Date \_\_\_\_\_ Reason for Rejection \_\_\_\_\_ Signature \_\_\_\_\_

APPLICANT INFORMATION - TYPE/PRINT IN BLUE OR BLACK INK

1. LAST NAME 2. JR., ETC. 3. FIRST NAME 4. MIDDLE NAME 5. PHOTO ID/DRIVER LICENSE NO. 6. STATE
7a. DATE OF BIRTH 7b. PLACE OF BIRTH 8. SOCIAL SECURITY NUMBER (Optional) 9. AGE 10. SEX 11. RACE 12. HEIGHT 13. WEIGHT 14. HAIR COLOR 15. EYE COLOR
16. STREET ADDRESS 17. CITY 18. STATE 19. ZIP CODE 20. HOME TELEPHONE NO.
21. EMPLOYER/BUSINESS NAME 22. WORK TELEPHONE NO. 23. OCCUPATION
24. ADDRESS 25. CITY 26. STATE 27. ZIP CODE

28. REASON FOR A LICENSE TO CARRY FIREARMS:
 SELF-DEFENSE  EMPLOYMENT  HUNTING/FISHING  TARGET SHOOTING  GUN COLLECTING  OTHER \_\_\_\_\_

29. TWO REFERENCES - NOT FAMILY MEMBERS
NAME ADDRESS TELEPHONE NO.
NAME ADDRESS TELEPHONE NO.

APPLICANTS ARE DETERMINED TO BE ELIGIBLE FOR A LICENSE TO CARRY FIREARMS BASED UPON CRITERIA SET FORTH WITHIN THE PENNSYLVANIA UNIFORM FIREARMS ACT (18 P.A.C.S. CHAPTER 61) § 6105, DEALING WITH INDIVIDUALS NOT TO POSSESS FIREARMS AND § 6109, DEALING WITH THE ISSUANCE OF A LICENSE TO CARRY FIREARMS.

30. DO YOU MEET ANY OF THE FOLLOWING PROHIBITING CRITERIA UNDER 18 P.A.C.S. § 6109(e)(1)? CHECK YES OR NO IN THE BOX BY EACH QUESTION:
A. IS YOUR CHARACTER AND REPUTATION SUCH THAT YOU WOULD BE LIKELY TO ACT IN A MANNER DANGEROUS TO PUBLIC SAFETY?  YES  NO
B. HAVE YOU EVER BEEN CONVICTED OF AN OFFENSE UNDER THE ACT OF APRIL 14, 1972 (P.L. 233, NO. 64) KNOWN AS THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT (CSDDCA)? (AS PROVIDED IN 18 P.A.C.S. § 6109(e)(1)(II), ANY PENNSYLVANIA DRUG CONVICTION UNDER THE CSDDCA IS PROHIBITING FOR A LICENSE TO CARRY.)  YES  NO
C. HAVE YOU EVER BEEN CONVICTED OF A CRIME ENUMERATED IN § 6105(b), OR DO ANY OF THE CONDITIONS UNDER § 6105(c) APPLY TO YOU? (READ INFORMATION ON BACK PRIOR TO ANSWERING)  YES  NO
D. HAVE YOU EVER BEEN ADJUDICATED DELINQUENT FOR A CRIME ENUMERATED IN § 6105 OR FOR AN OFFENSE UNDER THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT?  YES  NO
E. HAVE YOU EVER BEEN INVOLUNTARILY COMMITTED TO A HOSPITAL/HEALTH CARE FACILITY FOR A MENTAL HEALTH CONDITION OR OTHER TREATMENT, OR ADJUDICATED INCOMPETENT/INCAPACITATED?  YES  NO
F. ARE YOU AN INDIVIDUAL WHO IS A HABITUAL DRUNKARD, OR WHO IS ADDICTED TO OR AN UNLAWFUL USER OF MARIJUANA OR A STIMULANT, DEPRESSANT, OR NARCOTIC DRUG?  YES  NO
G. ARE YOU NOW CHARGED WITH, OR HAVE YOU EVER BEEN CONVICTED OF A CRIME PUNISHABLE BY IMPRISONMENT FOR A TERM EXCEEDING ONE YEAR? THIS IS THE MAXIMUM SENTENCE YOU COULD HAVE RECEIVED, NOT THE ACTUAL SENTENCE YOU DID RECEIVE. (IT DOES NOT INCLUDE FEDERAL OR STATE OFFENSES PERTAINING TO ANTITRUST, UNFAIR TRADE PRACTICES, RESTRAINTS OF TRADE, OR REGULATION OF BUSINESS; OR STATE OFFENSES CLASSIFIED AS MISDEMEANORS AND PUNISHABLE BY A TERM OF IMPRISONMENT NOT EXCEEDING TWO YEARS.)  YES  NO
H. HAVE YOU EVER RECEIVED A DISHONORABLE DISCHARGE FROM THE UNITED STATES ARMED FORCES?  YES  NO
I. ARE YOU A FUGITIVE FROM JUSTICE? THIS DOES NOT APPLY TO MOVING OR NONMOVING SUMMARY OFFENSES UNDER TITLE 75 (RELATING TO MOTOR VEHICLES).  YES  NO
J. ARE YOU PROHIBITED FROM POSSESSING OR ACQUIRING A FIREARM UNDER THE STATUTES OF THE UNITED STATES?  YES  NO
31. ARE YOU A UNITED STATES CITIZEN? IF NO, COUNTRY OF BIRTH \_\_\_\_\_ COUNTRY OF CITIZENSHIP \_\_\_\_\_ ALIEN REGISTRATION # OR I-94# \_\_\_\_\_  YES  NO
32. IF YOU ARE A RESIDENT OF ANOTHER STATE, DO YOU POSSESS A CURRENT LICENSE, PERMIT, OR SIMILAR DOCUMENT TO CARRY A FIREARM ISSUED BY THAT STATE? IF YES, ATTACH A PHOTOCOPY OF THE DOCUMENT TO THIS FORM.  YES  NO
33. I have never been convicted of a crime that prohibits me from possessing or acquiring a firearm under Federal or State law. I am of sound mind and have never been committed to a mental institution or mental health care facility. I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I understand that if I knowingly make any false statements herein, I am subject to penalties prescribed by law. I authorize the sheriff, or his designee, or, in the case of first class cities, the chief or head of the police department, or his designee, to inspect only those records or documents relevant to information required for this application. If I am issued a license and knowingly become ineligible to legally possess or acquire firearms, I will promptly notify the sheriff of the county in which I reside or, if I reside in a city of the first class, the chief of police of that city. This certification is made subject to both the penalties of § 4904 of the Crimes Code, 18 Pa.C.S., relating to unsworn falsifications to authorities and the Uniform Firearms Act.

SIGNATURE - APPLICANT \_\_\_\_\_ DATE OF APPLICATION \_\_\_\_\_

**Section 6105(a):**

Effective November 22, 1995, 18 Pa.C.S. § 6105(a) prohibits persons convicted of any of the following offenses under 18 Pa.C.S. from possessing, using, controlling, transferring, manufacturing, or obtaining a license to possess, use, control, transfer, or manufacture a firearm in the Commonwealth of Pennsylvania. A conviction includes a finding of guilty or the entering of a plea of guilty or nolo contendere, whether or not judgment has been imposed, as determined by the law of the jurisdiction in which the prosecution was held. The term does not include a conviction which has been expunged or overturned or for which an individual has been pardoned unless the pardon expressly provides that the individual may not possess or transport firearms.

**Section 6105(b)**

§ 908 Prohibited offensive weapons	§ 3921 Theft by unlawful taking or disposition, upon conviction of the second felony offense
§ 911 Corrupt organizations	§ 3923 Theft by extortion, when the offense is accompanied by threats of violence
§ 912 Possession of weapon on school property	§ 3925 Receiving stolen property, upon conviction of the second felony offense
§ 2502 Murder	§ 4906 False reports to law enforcement authorities, if the fictitious report involved the theft of a firearm as provided in 4906(c)(2)
§ 2503 Voluntary manslaughter	§ 4912 Impersonating a public servant if the person is impersonating a law enforcement officer
§ 2504 Involuntary manslaughter, if the offense is based on the reckless use of a firearm	§ 4952 Intimidation of witnesses or victims
§ 2702 Aggravated assault	§ 4953 Retaliation against witness, victim or party
§ 2703 Assault by prisoner	§ 5121 Escape
§ 2704 Assault by life prisoner	§ 5122 Weapons or implements for escape
§ 2709.1 Stalking	§ 5501(3) Riot
§ 2716 Weapons of mass destruction	§ 5515 Prohibiting of paramilitary training
§ 2901 Kidnapping	§ 5516 Facsimile weapons of mass destruction
§ 2902 Unlawful restraint	§ 6110.1 Possession of firearm by minor
§ 2910 Luring a child into a motor vehicle or structure	§ 6301 Corruption of minors
§ 3121 Rape	§ 6302 Sale or lease of weapons and explosives
§ 3123 Involuntary deviate sexual intercourse	
§ 3125 Aggravated indecent assault	Any offense equivalent to any of the above-enumerated offenses under the prior laws of this Commonwealth or any offense equivalent to any of the above-enumerated offenses under the statutes of any other state or of the United States.
§ 3301 Arson and related offenses	
§ 3302 Causing or risking catastrophe	
§ 3502 Burglary	
§ 3503 Criminal trespass, if the offense is graded a felony of the second degree or higher	
§ 3701 Robbery	
§ 3702 Robbery of motor vehicle	

**Section 6105(c):**

Effective November 22, 1995, 18 Pa.C.S. § 6105(c) also prohibits the following persons from possessing, using, controlling, transferring, manufacturing, or obtaining a license to possess, use, control, transfer, or manufacture a firearm in the Commonwealth of Pennsylvania.

**ARE YOU A PERSON WHO:**

1. is a fugitive from justice; or
2. has been convicted of an offense under the act of April 14, 1972 (P.L. 233, No. 64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or any equivalent Federal statute or equivalent statute of any other state, that may be punishable by a term of imprisonment exceeding two years; or
3. has been convicted of driving under the influence of alcohol or controlled substance as provided in 75 Pa.C.S. § 3802 (relating to driving under influence of alcohol or controlled substance) or the former 75 Pa.C.S. § 3731, on three or more separate occasions within a five-year period. For the purposes of this paragraph only, the prohibition of subsection 6105(a) shall only apply to transfers or purchases of firearms after the third conviction; or
4. has been adjudicated as an incompetent or who has been involuntarily committed to a mental institution for inpatient care and treatment under section 302, 303, or 304 of the provisions of the act of July 9, 1976 (P.L. 817, No. 143), known as the Mental Health Procedures Act; or
5. being an alien, is illegally or unlawfully in the United States; or
6. is the subject of an active protection from abuse order issued pursuant to 23 Pa.C.S. § 6108 (relating to relief), which order provided for the relinquishment of firearms during the period of time the order is in effect. This prohibition shall terminate upon the expiration or vacation of an active protection from abuse order or portion thereof relating to the relinquishment of firearms; or
7. was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 (relating to adjudication) or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense under 18 Pa.C.S. § 2502, 2503, 2702, 2703, 2704, 2901, 3121, 3123, 3301, 3502, 3701, and 3923; or
8. was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense enumerated in 18 Pa.C.S. § 6105(b) with the exception of those crimes set forth in paragraph 7. This prohibition shall terminate 15 years after the last applicable delinquent adjudication or upon the person reaching the age of 30, whichever is earlier.
9. is prohibited from possessing or acquiring a firearm under 18 U.S.C. § 922(g)(9) (relating to unlawful acts) who has been convicted in any court of a misdemeanor crime of domestic violence by a person in any of the following relationships: (i) the current or former spouse, parent or guardian of the victim; (ii) a person with whom the victim shares a child in common; (iii) a person who cohabits with or has cohabited with the victim as a spouse, parent or guardian; or (iv) a person similarly situated to a spouse, parent, or guardian of the victim; then the relationship need not be an element of the offense to meet the requirements of this paragraph.

**PRIVACY ACT NOTICE**

***Solicitation of this information is authorized under Title 18 Pa.C.S. § 6111. 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.***