

Sheriffs' Association of the Commonwealth of Pennsylvania

Remarks by Sheriff Richard P. Keuerleber – York County Sheriff

PA Senate Judiciary Committee

Public Hearing – Wednesday, September 25, 2019

1. Introduction, welcome and thanks

Chairman Baker, Chairman Farnese and members of the committee. I am Sheriff Richard P. Keuerleber. I've have been a member of the law enforcement community for over 30 years and I'm proud to have served as the Sheriff of York County since 2008. I am also an active member of the Pennsylvania Sheriffs' Association. I very much appreciate the invitation to present remarks today relating to a PA sheriffs office's role with both the issuance of a Pennsylvania License to Carry Firearms and the changes to the Pennsylvania Uniform Firearms Act (18 PA C.S.) that have gone into effect with Act 79 of 2018.

2. History of Sheriffs and License to Carry Firearms in PA

As I am sure you are all aware that the respective Sheriffs Offices within the Commonwealth have been charged with the issuance of licenses to carry firearms (in Philadelphia County, these are issued by the Philadelphia Police Department). Here is an overview of how this process works:

- Individuals who are 21 years of age or older may apply for a license to carry firearms by submitting a completed application for a PA License to Carry Firearms to the sheriff of the county in which they reside or in Philadelphia County, to the Philadelphia Police Department.
- A sheriff has 45 days to conduct an investigation to determine an individual's eligibility to be issued a license.
- A License to Carry Firearms application requires an individual to include two references who are not family members.
- Included in the investigation is a background check conducted on the individual through the PA Instant Check System (PICS) to determine if the records indicate the individual is prohibited by law from carrying a firearm.
- In accordance with 18 PA C.S. 6109, a sheriff may deny an individual the right to a PA License to Carry Firearms if there is reason to believe that the character and reputation of the individual are such that they would be likely to act in a manner dangerous to public safety.
 - Please see the attached copy of an application for a PA License to Carry Firearms to read through the criteria under 18 PA C.S. 6109 that would prohibit an individual from possessing a firearm and or being issued a license to carry firearms.
- If the PICS check is approved and the subject is believed to be of good character, the sheriff may issue a License to Carry Firearms.
- A License to Carry Firearms allows an individual to carry a firearm concealed on or about their person, or in a vehicle throughout the Commonwealth.
- A License to Carry Firearms is valid for a period of five years, unless sooner revoked.

3. History of Sheriffs and the PA Protection from Abuse Act

In October 2018, Governor Tom Wolf signed into law Act 79 of 2018, which made changes to the PA Uniform Firearms Act and the PA Protection from Abuse Act. The Act went into effect on April 10, 2019 and modifies the procedures regarding the relinquishments of firearms, ammunition and other weapons by the defendant named in a Protection from Abuse Order (PFA), or an individual who is convicted of a Misdemeanor Crime of Domestic Violence. Here is an overview of the major changes implemented by Act 79 of 2018:

- Required changes to forms commonly used by PA Federal Firearms Dealers
- Firearms, ammunition and other weapons can no longer be given to friends or family for PFA third-party safekeeping
 - Firearms, ammunition and other weapons can be relinquished to sheriff's office, law enforcement agency, a Federal Firearms Dealer, or a licensed Commercial Armory
- Firearms, ammunition and other weapons must be relinquished within 24 hours of the issuance of a final PFA or the service of a temporary PFA, unless court orders otherwise.

Referenced Commonwealth of PA Form SP 4-127 (10-2012) Application for a PA License to Carry Firearms; and PA State Police advisory to Federal Firearms Licensed Dealer/Commercial Armory in response to the passage of Act 79 of 2019.