

## Torrington Police Department - Roll Call Training (09/2011)

### Connecticut Pistol Permit Clarification

Some questions have recently arisen in regards to the right of an individual who possesses a valid state pistol permit to carry his/her firearm in plain view. (Open carry verses Concealed carry.)

None of the Connecticut State Statues indicate that a person who possesses a valid state permit must conceal the firearm they are carrying. Connecticut is not a traditional open carry state. Outside of your own residence or place of business, a permit is required to carry. The permit that Connecticut issues is a carry permit, not a concealed carry permit, so open carry **IS** legal with a permit.

The large majority of permit holders carry firearms in a concealed manner, as not to bring attention to themselves or alarm those not aware of the law.

Many State and Local Police Officers are not well versed on the law in this area.

People have been arrested for Breach of Peace or Disorderly Conduct in the past for open carry of their firearm because doing so created "alarm ,annoyance or inconvenience", as quoted from the state statutes.

However, one must reason that:

If the open carry of a firearm by a valid permit holder is legal; and another person or persons are alarmed, annoyed or inconvenienced because they are unaware that the permit holder is exercising his legal right to carry his weapon unconcealed; this in itself would **NOT** constitute a crime on the part of the permit holder.

The permit does not infringe upon public or private entities from banning firearms from certain areas. The banning of firearms (Concealed or Open View) can and is banned in many public buildings, sports stadiums, school grounds, etc.

If valid permit holder has a firearm on his person (Concealed or not) and is in a public or private place that prohibits firearms; that person should be made aware of the prohibition and asked to leave. They may secure their weapon and return. If the person refuses to leave and still has the weapon on their person this would be a criminal trespass violation.

**\*\* Note:** The vast majority of permit holders carry firearms daily without any problems or interaction with law enforcement. There may be some individuals out in public at this time purposely carrying their weapons in an open fashion to test or bait police officers who are unfamiliar with the law into arresting them, so they may bring civil action against the officers and state or municipality.

**\*\*Officer and Public Safety always comes first.\*\*** Having a good knowledge of the laws will help in this situation. Officers may still detain a person carrying a firearm to ascertain if that person has a valid permit. If this is the case and there is no other violation, the person is free to leave. If that person is acting in a manner that violates any other laws or ordinances, appropriate action should be taken. A professional response without overreaction will go a long way in these situations.

Captain Francis T. Balzano #302