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President
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The Carrying of Unconcealed Firearms in Connecticut

Connecticut Carry is aware that citizens have been informed that Connecticut law 'intends' for their firearm to remain concealed and that officers are free to make arrests for breach of peace or disorderly conduct.

The Connecticut General Statutes do not prescribe any method of carry, either concealed or otherwise.

The relevant statute on that matter is CGS 29-35. Please note that it does not mention concealment or any manner of carry anywhere inside of it.

Sec. 29-35. Carrying of pistol or revolver without permit prohibited. Exceptions.

(a) No person shall carry any pistol or revolver upon his or her person, except when such person is within the dwelling house or place of business of such person, without a permit to carry the same issued as provided in section 29-28. The provisions of this subsection shall not apply to the carrying of any pistol or revolver by any parole officer or peace officer of this state, or parole officer or peace officer of any other state while engaged in the pursuit of official duties, or federal marshal or federal law enforcement agent, or to any member of the armed forces of the United States, as defined in section 27-103, or of this state, as defined in section 27-2, when on duty or going to or from duty, or to any member of any military organization when on parade or when going to or from any place of assembly, or to the transportation of pistols or revolvers as merchandise, or to any person transporting any pistol or revolver while contained in the package in which it was originally wrapped at the time of sale and while transporting the same from the place of sale to the purchaser's residence or place of business, or to any person removing such person's household goods or effects from one place to another, or to any person while transporting any such pistol or revolver from such person's place of residence or business to a place or individual where or by whom such pistol or revolver is to be repaired or while returning to such person's place of residence or business after the same has been repaired, or to any person transporting a pistol or revolver in or through the state for the purpose of taking part in competitions, taking part in formal pistol or revolver training, repairing such pistol or revolver or attending any meeting or exhibition of an organized collectors' group if such person is a bona fide resident of the United States and is permitted to possess and carry a pistol or revolver in the state or subdivision of the United States in which such person resides, or to any person transporting a pistol or revolver to and from a testing range at the request of the issuing authority, or to any person transporting an antique pistol or revolver, as defined in section 29-33. For the purposes of this subsection, "formal pistol or revolver training" means pistol or revolver training at a locally approved or permitted firing range or training facility, and "transporting a pistol or revolver" means transporting a pistol or revolver that is unloaded and, if such pistol or revolver is being transported in a motor vehicle, is not readily accessible or directly accessible from the passenger compartment of the vehicle or, if such pistol or revolver is being transported in a motor vehicle that does not have a compartment separate from the passenger compartment, such pistol or revolver shall be contained in a locked container other than the glove compartment or console. Nothing in this section shall be construed to prohibit the carrying of a pistol or revolver during formal pistol or revolver training or repair.

Many citizens are told by confused law enforcement officials that they could be charged if they 'cause alarm'. Please stop and think for a moment what you might charge a citizen lawfully carrying a firearm unconcealed with.

I will assume for the sake of the argument that you would try to justify a charge of breach of peace.

Here is the statute for breach of peace:

Sec. 53a-181. Breach of the peace in the second degree: Class B misdemeanor.

(a) A person is guilty of breach of the peace in the second degree when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: (1) Engages in fighting or in violent, tumultuous or threatening behavior in a public place; or (2) assaults or strikes another; or (3) threatens to commit any crime against another person or such other person's property; or (4) publicly exhibits, distributes, posts up or advertises any offensive, indecent or abusive matter concerning any person; or (5) in a public place, uses abusive or obscene language or makes an obscene gesture; or (6) creates a public and hazardous or physically offensive condition by any act which such person is not licensed or privileged to do. For purposes of this section, "public place" means any area that is used or held out for use by the public whether owned or operated by public or private interests.

When we break this down, we have (a) which says a breach of the peace occurs when you *intend* to create annoyance or alarm **by** one of the following:

Fighting or being violent or threatening. (Obviously does not apply)
Assaults or strikes another. (Same)
Threatens to commit any crime (Same)
Uses abusive or obscene language (Same)

And then there is the last clause which I would argue also does not apply, but even if one argues that it does apply (a serious stretch), a Connecticut pistol permit holder is clearly 'licensed and privileged' to carry their firearm and the law is silent on how it must be carried. Both clauses have to be proven, neither would hold up in court. Neither ever have.

I don't expect you to just take our word for it.

You should review the opinion of the DPS in a memo sent to the State Police. The memo is pretty clear on how they expect an officer to act around a citizen carrying a firearm unconcealed.
<http://ctcarry.com/Document/Details/7fd5472e-3f90-4b4a-84c7-ea345e5bb3a0>

You should also review the opinion in the Torrington Police Department's review of the applicable laws after their interaction with a person carrying unconcealed.
<http://ctcarry.com/Document/Details/43e7d924-8fda-40a7-abc6-f5351641c7a8>

You should also review the opinion in the Wethersfield Police Department's review of the applicable laws following their receipt and review of the Torrington memo.
<http://ctcarry.com/Document/Details/25f781f1-6ff0-40a2-a1db-2911f4abb7d0>

The Bridgeport PD is also aware, although I have not yet received their memo yet. I am working on this however. In the meantime, you may contact Sgt. Nikola of the Bridgeport Police Department for clarification of their stance on open carry.

The Old Saybrook PD is aware as well of the legality of not concealing a firearm. They have not been helpful in producing a memo on the issue, but I was told it would be communicated verbally to the officers. You may contact Chief Spera to confirm this. He knows my name and should be able to tell you exactly what he told me he would inform his officers: A person carrying a firearm unconcealed should be expected to be treated like any other citizen.

I am attaching audio of a BFPE hearing where BFPE states in no uncertain terms that open carry is legal and goes further to admonish an officer out of Fairfield for arresting someone for open carry (skip ahead to 28:00 if you are in a hurry). The permit was returned to the permittee by a unanimous vote. Joseph Corradino is the chairman of that board and has mentioned several times that prosecutors all around the state have been informed of the legality of open carry and the futility in trying to prosecute for breach of peace for nothing but not concealing your firearm. Go ahead and call him, I am sure he would love to explain this further.
<http://ctcarry.com/Document/Details/f57c5315-1035-49da-b097-5e751e033459>

I hope you will take the time and read what I have written, review what is linked to from this document and rethink your policies (or lack thereof) regarding arresting people who do not conceal their firearms. If there is no current policy in your department, I invite you to use the Torrington or Wethersfield memos as a basis for yours. I happen to think the State Police Memo is the best reference for your officers, but this is your choice. Connecticut Carry would be happy to act in an advisory capacity in any manner that would assist you.

It is clearly not prudent to continue to tell citizens or your officers that they may arrest a person with an unconcealed firearm for no other unlawful act other than not concealing their firearm. Not training your officers on the correct application of the laws opens your officers, yourself, your department and your town up to civil liabilities.

Connecticut Carry is dedicated to advancing and protecting the fundamental civil rights of the men and women of Connecticut to keep and bear arms for defense of themselves and the state as guaranteed by the United States Constitution and the Constitution of Connecticut.

Respectfully,



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