

County of Butler, Pennsylvania

Office of County Sheriff

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Mr. Andy Walz,

Here is a synopsis of what I would like to talk about regarding PICS/NICS.

Shortly after taking office in January 2010, a gentleman came into my office asking me about a license to carry issue that he has. He had a DUI (M-2) in 1991, a DUI (M-2) in May/1995, and another DUI (M-2) in September/1995. He received a LTC in October 2003 and when he went to renew in 2008, he was denied by the PICS. This gentleman's wife spoke on his behalf and she is also worried about his safety due to the nature of his job. He has not had any other criminal convictions since that time, some 15 years ago. Is he a danger to society in 2010?

A few months ago, a gentleman who I know personally and is currently employed by numerous municipalities as an Animal Control Officer has been denied a LTC because 14 years ago he plead guilty to a M-1 count for Homicide by Vehicle after he ran a red light and someone died as a result of injuries received in the crash. He has not had any criminal convictions before or after that incident. Is he a danger to society in 2010?

About 2 weeks ago, another gentleman I know and who works for a governmental agency was denied a renewal of his LTC by the PICS. He has been issued a LTC for years and the last one was issued in 2005. He went to renew and was denied because of the 3 DUI rule. In this instance, his first 2 DUIs were in 1979 and his third was in 1981. Once again, this was 32 years ago. He has a clean record as is active in the community, helping to raise money for children. Is he a danger to society in 2010?

Last week, a gentleman came in to the office. He was previously denied a LTC due to a DUI in 1967. He received disability relief from the Court of Common Pleas. He did finally receive his LTC that day after I intervened on his behalf. But he had

to pay a lawyer several hundred dollars to get the motion filed. Is he a danger to society in 2010?

This should not even be an issue and I believe the law(s) need changed. I further believe that the Sheriff should be able to conduct his/her investigation and be able to make a determination regarding a "crime" committed 14-30 plus years ago. These are good people who made a mistake in their time. I understand that as a Sheriff, I can not immediately (with one swift key stroke) check the applicants Mental Health record, Juvenile record, PFA record, but we can check their criminal history and speak with their references to see if they are of good character. I believe that the totality of the circumstances should play a part in the decision making model for a good person to receive a LTC.

Some of these people are denied by the PICS due to having an undetermined status; they have to "defend" themselves by going through a challenge process. The law should also allow applicants to go through an easier process to get relief, whether it is for a Governor's pardon or to get their record expunged for certain offenses.

Those I represent in this County are learning more about the Constitution and feel that "government" keeps infringing on their rights to bear and keep arms. I understand the need for laws. I have been enforcing them for over 20 years. So, how about making gun laws that actually make sense and which do not cater to special interest groups, while keeping true to the Constitution of the United States and to the Constitution of Pennsylvania.

I appreciate the time you have given to me to present some issues that I have experienced. I hope there may be some resolution to help the citizens who elected us to do our jobs.

Respectfully,

Michael T. Slupe
Sheriff