

Idaho permitless concealed carry bill endangers police, public

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Three Ada County police chiefs hope concerned citizens attend an Idaho Senate hearing Monday in opposition to a bill that would remove concealed carry regulations in Idaho cities.

By Bill Bones, Jeff Lavey and Rick Allen

For nearly a century Idaho has maintained a strong concealed carry permitting system, requiring that anyone carrying a concealed weapon inside city limits possess a valid concealed weapons license. This system was designed to protect the safety of all Idahoans, including the law enforcement officers who serve and protect our communities.

As chiefs of police serving within Ada County, we not only believe in the Second Amendment but we support every element of the U.S. Constitution. We lead law enforcement agencies sworn to protect our communities and citizens, filled with officers who risk their lives to ensure the safety of our citizens.

On Monday the Legislature will be hearing Senate Bill 1389. If passed, SB 1389 would remove Idaho's required permitting system and make it lawful for people to carry concealed loaded handguns in public without a license or background check within the city limits of all Idaho cities.

Without the requirement to possess a concealed weapons license, law enforcement will lack a lawful means of preventing individuals prohibited from lawfully possessing firearms (i.e. convicted felons, prohibited possessors or psychologically impaired). Additionally, SB 1389 does not require individuals carrying a concealed weapon to notify law enforcement of the concealed weapon during a police contact. As a result of these safety concerns we oppose this legislation as currently written.

We believe dismantling the long-standing and effective permitting system without taking additional precautionary steps will weaken public safety in two fundamental ways:

First, under our existing law, sheriffs may require an applicant demonstrate familiarity with a firearm before issuing a concealed carry permit. SB 1389 would strip law enforcement's ability to ensure persons carrying guns in our communities know how to handle firearms safely.

Second, a criminal records check on all permit applicants ensures they are not prohibited from possessing or carrying guns. SB 1389 will allow those who have never passed a check to carry concealed weapons.

Additionally SB 1389 will put law enforcement at risk. When officers lawfully stop a person suspected of committing a crime and discover he is armed, Idaho's current system

allows us to check for a valid permit to carry the gun. Our concealed weapons licensing system is the only way to determine the person is not a felon or dangerous person prohibited from possessing firearms.

As law enforcement professionals who carry firearms every day we know firsthand the responsibility associated with handling and owning firearms. We must ensure changes to Idaho's laws are well-vetted and safeguard the safety of all citizens. The passing of this bill will not make our streets nor our citizens safer. We oppose SB 1389 as drafted and urge the Idaho Legislature to work with all law enforcement to improve the proposed legislation and enhance and protect the safety of all citizens in Idaho.

Bill Bones is Boise chief of police. Jeff Lavey is Meridian chief of police. Rick Allen is Garden City chief of police

Fight brewing over gun legislation

Bonner County Daily Bee

Constitutional carry bill catches momentum in Legislature; concerns linger

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By BRIAN WALKER Hagadone News Network

An Idaho bill to allow concealed carry without a permit is gaining momentum and setting up a metaphorical gunfight between law enforcement groups and officials.

The proposal has gained support from some gun and law enforcement groups, but is raising the eyebrows of some regional law enforcement officials, including Coeur d'Alene Police Chief Lee White and Kootenai County Sheriff Ben Wolfinger.

"Constitutional carry is a legal issue for law enforcement, and the issue is presumptive," White said. "Right now if I see you walking down the street and there is a bulge consistent with an outline of a firearm that appears to be concealed, I can legally stop you for the minimal amount of time it takes for me to validate you are a permit holder.

"Under this (proposal), I cannot do that anymore, which means you can be a felon walking down the street with a gun and I can't detain you."

Idaho has allowed permitless concealed carry outside of city limits for those involved in hunting, fishing and outdoor activities. In 2015, the sporting requirement was dropped as a prerequisite. However, carry inside cities still requires a permit.

Under the proposed legislation in the Senate, carry laws would largely homogenize across the state, allowing those over 21 who are legally able to possess a firearm to carry a concealed handgun statewide without first obtaining a permit, while those between 18 and 20 could still carry them outside of city limits and apply for a permit for carry in those urban areas.

A public hearing on the bill will be held on Monday before the Senate State Affairs Committee.

A similar House bill stalled in committee since it was introduced in January.

Currently, Idaho issues a license to carry a concealed weapon on a shall-issue basis, and open carry is legal without a permit.

The Senate bill (1389) sponsored by Curt McKenzie, R-Nampa, has the support of the Idaho Sheriff's Association, Idaho Freedom Foundation, National Rifle Association and Citizens Committee for the Right to Keep and Bear Arms. Among the co-sponsors of the bill are Sen. Steve Vick, R-Dalton Gardens, and Rep. Don Cheatham, R-Post Falls.

Supporters of the Constitutional carry bill believe it would align Idaho law with the true meaning of the Second Amendment without changing law enforcement tactics. They also say it is well-known that most people who commit criminal acts don't follow permitting rules anyway.

Alaska, Arizona, Arkansas, Kansas, Maine, Vermont, West Virginia (takes effect May 26) and Wyoming are considered Constitutional carry states. In Wyoming's case, permitless carry is for residents only. Non-residents must have a permit to carry a concealed handgun.

In many states in which Constitutional carry has not been approved, opposition from law enforcement lobby groups due to safety concerns were a factor.

Wolfinger said the Senate bill is poorly written and confusing.

"I have always stated that I am opposed to not being able to screen people at the onset," Wolfinger said. "As the bill is now written, if we find someone carrying concealed in the field, then we must research if they are a convicted felon or adjudicated as mentally ill. This takes time. That is why the initial screening process is important. On the other hand, a requirement for a permit does not stop the convicted felons and those who have been adjudicated mentally ill from carrying without a permit.

"The current law also allows the sheriff to require some demonstration of some firearms safety training (such as military experience or hunter's education). The proposed bill takes that away."

White said he is concerned the bill would create another barrier for police. He believes it would be better to work on a compromise proposal after the Legislature adjourns because it would have major impacts for law enforcement.

"I'm a huge supporter of the Second Amendment, but I don't want to take away a good tool of law enforcement," White said. "I make my arguments with the understanding that most people don't want convicted felons to have firearms.

"With the existing law, when the bad guys have the guns, we can take them to jail. Under the proposal, you lose that presumptive piece and there's far less people going to jail."

A bill was also introduced in the Legislature in 2011 to allow Constitutional carry. The bill would have altered the existing law by requiring intent to use the weapon unlawfully, and would have prohibited the state from inferring intent merely by the fact that a person possessed a loaded weapon.