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DISPLAY UNTIL FEBRUARY 6, 2006

CONCEALED CARRY LAWS: State By State

Personal protection activists in Wisconsin are confident that "the third time will be the charm."

The other three states have also been trying. Citizens in Nebraska are guardedly confident that 2006 may be the year when concealed carry becomes a reality in their state. Illinois will probably be the last to succeed, due to an anti-gun governor in the state capitol, and a vehemently anti-gun mayor in the biggest city, Chicago. However, the spring 2005 session saw numerous victories for the pro-gun forces led by the Illinois State Rifle Association under the leadership of Rich Pearson. The anti-gun *Chicago Tribune* spoke of the "stinging" defeat the pro-gun owners' rights forces dealt Mayor Richard Daley and Governor Rod Blagojevich when the legislature failed to pass, by one vote, an Illinois "assault weapons ban" modeled after the discredited and deservedly deceased ban passed through Capitol Hill eleven years ago by Bill Clinton. However, the Illinois legislators just don't seem to be ready for concealed carry.

If you want to carry a gun in Illinois, get elected as Alderman in the city of Chicago. That's right, folks: Under the local law, elected Aldermen may legally carry concealed handguns. I'm sure that many of Mayor Daley's cronies who hold that title are laughing up their sleeves—or, I should say, laughing up their shoulder holsters.

The (Sometimes) Ugly: Discretionary Issue

Jurisdictions that currently have discretionary licensing are California, Delaware, the District of Columbia, Hawaii, Iowa, Maryland, New Jersey, New York and Rhode Island. However, just as "some animals were more equal than others" in George Orwell's famous novel *Animal Farm*, some states—and sometimes, some jurisdictions within some states—are more "discretionary" than others.

Take California. It is notoriously difficult to get a permit in Los Angeles County, but in neighboring San Bernardino County, a permit is more likely to be issued to a decent citizen who doesn't happen to be a movie star or wealthy producer. In the Bay Area, getting a permit is almost impossible. In San Francisco, only a handful of permits are out, primarily to current and former members of the city's Board of Supervisors, including anti-gun Senator Dianne Feinstein. Sacramento County,



This shooter holsters his concealed GLOCK 34 while competing in The Florida Games. Florida led the nation in concealed carry reform legislation.

however, is more amenable to giving permits to decent citizens who need them, and it is reportedly even easier to get a permit up around Bakersfield.

In most parts of Iowa, the issuing authorities are reasonable about granting permits. On the other hand, there's a reason I put an asterisk next to Hawaii two paragraphs ago. While the state's laws technically make it a discretionary state, the fact is that only two permits are known to currently be out in Hawaii: one is reportedly in the hands of the governor, who got it when he was lieutenant governor, and one is issued to the civilian armorer for the City of Honolulu Police Department.

There Are Other Issues

There you have it: the patchwork quilt. And that's just for the residents. The tradition of handgun carry laws being state-by-state goes back to the 19th century. It has long been outmoded by our highly mobile society. It is ironic that while the United States of America is undoubtedly the most mobile society on earth, it is one of the very few remaining ones where a person's concealed carry permit covers one state or province instead of the entire nation. In an effort to keep up with this, there has been more and more emphasis on expanding reciprocity between states insofar as recognizing concealed carry permits.

Reciprocity

It would take a separate article in and of itself to list exactly what states recognize the permits of exactly what other states. For instance, one state

may recognize the Florida permit of a Florida resident, but not the Florida permit of someone who lives somewhere else. Reciprocity agreements are normally done between the attorneys general of the states in question, unless a law is passed in a State House to recognize all permits from all other states. The agreements are constantly changing and being added to. Thus, www.packing.org is a far more reliable resource than any printed publication, including this one, can be on this particular topic.

At this writing (end of May 2005), I can tell you that several states have no reciprocity whatsoever. Obviously, these include Illinois, Kansas, Nebraska and Wisconsin. However, the list of no-reciprocity states also includes California, Hawaii, Iowa, Maine, Maryland, Massachusetts, Minnesota, New Jersey, New York, New Mexico, Nevada, Oregon, Rhode Island and the District of Columbia.

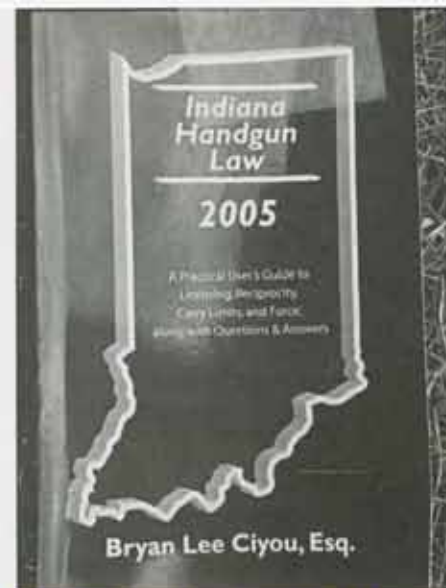
At the opposite end of the spectrum are those enlightened states that have total reciprocity. That is, they will recognize a permit issued anywhere else in the United States. For many years, this practice was limited to only two states, Indiana and Michigan. Michigan today will recognize a permit only if it was issued by the state where the individual in question resides. A number of other states have, thankfully, adopted total reciprocity. They include Idaho, Kentucky, Oklahoma, Tennessee, and, de facto, Alaska and Vermont. In the past, Wyoming has been listed as a total reciprocity state, but currently only recognizes the permits from 23 other states.

If the state you're interested in did not appear in the previous two paragraphs, it is a state with limited reciprocity. This basically means that the attorney general of that state has signed an agreement with the attorney general of the other states that they will recognize one another's permits. States have also been known to pass laws to the effect that their state will recognize a permit issued by any state that recognizes theirs.

Again, we have the "crazy quilt effect." Some limited reciprocity states only recognize a handful of others, while some recognize all but a very few, coming just short of total reciprocity. Also, there are some states—Connecticut, Massachusetts and New Jersey, to name three—which do not recognize any other states' permits, but do have a mechanism in place to issue concealed carry permits to non-residents.

The Bottom Line

In a situation this complicated, the armed citizen has to dot every "i" and



There are many state-specific gun law books. Indiana's has earned rave reviews.

cross every "t." Stay on top of the many rapidly occurring changes through www.packing.org.

In the summer of 2004, President George W. Bush signed into law the Law Enforcement Officers' Protection Act (LEOPA), formerly known as House Bill 218, which authorizes all currently serving sworn police officers to carry nationwide and allows retired officers to do so if properly credentialed and qualified. This has not been as simple as it sounds. Some cities (including Chicago: are you surprised?) have anti-gun mayors who refuse to pay for the ID cards or qualification process necessary to allow their retired cops to take advantage of LEOPA. Yes, anti-gun politicians who despise armed citizens usually don't think much of cops, either.

Before long, field experiences will make it apparent that passing this law was a good thing for the United States Congress to do. It will doubtless prevent a significant number of tragedies that otherwise would have been perpetrated at the hands of criminals.

In so doing, it will show that the Congress' "obvious legislative intent" in passing it—the recognition that when evil people exert deadly force against the innocent, it is a good idea for good people to be present who can stop them with the same level of force, irrespective of whether those good people happen to have arrest power in the specific place where the danger occurs—was sound thinking. It will lay the foundation for something this country hasn't had for a century and a half. Something this country needs back.

Nationwide concealed carry for competent, law-abiding private citizens.