



**PENNSYLVANIA STATE POLICE
Bureau of Records & Identification
RIGHT-TO-KNOW OFFICE
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17110**

Mailing Date: October 27, 2010

David R. Green
8852 Claussville Road
Fogelsville, Pennsylvania 18051

PSP/RTK Request N° 2010 – 0401

Dear Mister Green:

On September 2, 2010, the Pennsylvania State Police (PSP) received your request for information pursuant to the Pennsylvania Right-to-Know Law (RTKL), 65 P.S. §§ 67.101-67.3104, wherein you asked for:

- 1) "any and all records and documents maintained by, generated by, sent from, or received by the Pennsylvania State Police describing the form and/or forms of a license to carry a firearm prescribed by the Pennsylvania State Police under the duty imposed on the agency by 18 Pa. C.S. § 6109(c)(3)."
- 2) "any and all records and documents of correspondence between offices of the Pennsylvania State Police and offices of the Pennsylvania Commission on Crime and Delinquency, the PA Sheriffs' Association, the offices of the sixty-six (66) county Sheriffs, and the offices of the Philadelphia Chief of Police and/or the offices of the Philadelphia Department of Licenses and Inspections describing the form and/or forms of such licenses prescribed by the Pennsylvania State Police."

A copy of your request is enclosed. In accordance with RTKL section 67.902 (b)(2) and 1 Pa. C.S. § 1908, you were notified by letter dated September 9, 2010, that PSP required an additional thirty days to evaluate your request and prepare this final response. From our communication on October 12, 2010, you provided the PSP with clarification of your request and graciously agreed to an additional extension of time, until October 27, 2010.

The PSP determined from your clarification that access to records reflecting descriptions of firearms licenses as they appeared *before* the current uniform laminated card, is granted. Accordingly, a true and correct copy of the public records, sequentially marked PSP/RTKI.000001 - PSP/RTKI.000008, are enclosed. See the enclosed supporting verification.

As to the portion of your request seeking "any and all records and documents . . . ", your request is denied, on its face, as insufficiently specific. The PSP is not required under RTKL to accommodate discovery-like requests for broad categories of information. Alternatively, RTKL requests should identify or describe the records sought with sufficient specificity to enable the agency to ascertain which records are being requested. 65 P.S. § 67.703; *Kantrowitz v. Great Valley School District*, OOR Dkt N° AP 2009-0646; and *Mollick v. Methacton School District*, OOR Dkt N° AP 2009-0180. See also, *Pennsylvania State Police v. Office of Open Records*, N° 1610 C.D. 2009 (Pa. Commw. Ct. May 26, 2010) (holding that the portion of a request seeking "any and all records, files and correspondence," is insufficiently specific under RTKL).

To the extent that this request seeks or may be construed to seek Pennsylvania State Police records involving covert law enforcement investigations, including, intelligence gathering and analysis, the Department can neither confirm, nor deny the existence of such records without risk of compromising investigations and imperiling individuals. UNDER NO CIRCUMSTANCES, therefore, should the Department's response to this request be interpreted as indicating otherwise. In all events, should such records exist, they are entirely exempt from public disclosure under the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104, and the Criminal History Record Information Act, 18 Pa. C.S. §§ 9101-9183.

You have a right to appeal this response in writing to Terry Mutchler, Executive Director, Office of Open Records, Commonwealth Keystone Building, 400 North Street, 4th Floor, Harrisburg, PA 17120. An appeal form is available on the OOR website at: <https://www.dced.state.pa.us/public/oor/appealformgeneral.pdf>. If you choose to file an appeal, then you must do so within 15 business days of the mailing date of this response and send to OOR:

- 1) this response;
- 2) your request; and
- 3) the reason(s) why you think the request is not insufficiently specific as determined by the agency (*a statement addressing any grounds provided by the agency for the denial*).

Sincerely yours,



Jonathan W. Leader
Deputy Agency Open Records Officer
Pennsylvania State Police
Bureau of Records & Identification
Right-to-Know Office
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17110
1.877.785.7771 (Main) / 717.525.5795 (Fax)

Enclosures: PSP/RTK Request N° 2010 – 0401
Verification of Trooper Paul K. Anderson
Public Records, PSP/RTKI.000001 - PSP/RTKI.000008



SP 3-228 (6-2010)



PENNSYLVANIA STATE POLICE RIGHT-TO-KNOW LAW REQUEST

WWW.PSP.STATE.PA.US
1-877-RTK-PSP1 (1-877-786-7771)

DATE OF RTKL REQUEST: 9/2/2010

NAME OF REQUESTER (Required): Green David R
(Please Print Legibly) (Last) (First) (MI)

MAILING ADDRESS (Required): 8852 Claustrville Rd
(Street/P.O. Box)

Fogelsville PA 18051
(City) (State) (Zip Code)

TELEPHONE NO. (Optional): (484) 661-6890 FAX (Optional): N/A

EMAIL (Optional): dgreen10@umiami.edu

RECORDS REQUESTED: In the space below, you must identify or describe the requested records with sufficient specificity to enable this agency to ascertain which records are being sought. If necessary, attach additional pages.

Please see the accompanying letter for the specific request. Although this request is being sent via fax, please note that I cannot receive faxes at this time. I look forward to a timely response, thank you.

To the extent that this request seeks or may be construed to seek Pennsylvania State Police records involving covert law enforcement investigations, including intelligence gathering and analysis, the Department can neither confirm, nor deny the existence of such records without risk of compromising investigations and imperiling individuals. UNDER NO CIRCUMSTANCES, therefore, should the Department's response to this request be interpreted as indicating otherwise. In all events, should such records exist, they are entirely exempt from public disclosure under the Right-to-Know Law, 65 P.S. §§ 67.101-67.3104, and the Criminal History Record Information Act, 18 Pa.C.S. §§ 9101-9183.

Production of requested public records is subject to prepayment of all RTKL fees. For security purposes, this agency will only produce public records in paper format, unless the records exclusively exist in another medium.

PLEASE MAIL, DELIVER IN PERSON, FAX, OR EMAIL YOUR REQUEST TO:

Pennsylvania State Police
Bureau of Records & Identification
ATTN: AGENCY OPEN RECORDS OFFICER
1800 Elmerton Avenue
Harrisburg, PA 17110-9758

FAX: 717-625-6795

EMAIL: PSP-Righttoknow@state.pa.us

PSP/RTKL TRACKING NO.: 2010-0401

AORO RECEIPT DATE-STAMP: September 2

FINAL RESPONSE DATE: October 27

CALCULATED RESPONSE DUE DATE: September 9

Assigned AORO: Jonathan Leader

FINAL RESPONSE DUE DATE: Saturday, October 9

Additional Extension Granted: October 12

(Or the following business day)

SEP02'10 PM 3:25

Pennsylvania State Police
Bureau of Records & Identification
1800 Elmerton Avenue
Harrisburg, PA 17110

To Ms. Cynthia L. Fisher, Agency Open Records Officer,

This request is submitted for any and all records and documents maintained by, generated by, sent from, or received by the Pennsylvania State Police describing the form and/or forms of a license to carry a firearm prescribed by the Pennsylvania State Police under the duty imposed on the agency by 18 Pa.C.S. § 6109 (c)(3).

This request includes any and all records and documents of correspondence between offices of the Pennsylvania State Police and offices of the Pennsylvania Commission on Crime and Delinquency, the PA Sheriffs' Association, the offices of the sixty-six (66) county Sheriffs, and the offices of the Philadelphia Chief of Police and/or the offices of the Philadelphia Department of Licenses and Inspections describing the form and/or forms of such licenses prescribed by the Pennsylvania State Police.

This request is not seeking any records specifically referencing only the form prescribed under Title 37 of the PA Code § 33.115, nor is it seeking records specifically referencing only the form of a license to carry a firearm that is to be implemented with the modernization program described in 18 Pa.C.S. § 6109 (h)(2), but is instead requesting records specifically referencing and defining other forms of a license to carry a firearm prescribed by the Pennsylvania State Police for issuance by the various counties across the Commonwealth.

Sincerely,



David R Green

8852 Claussville Rd
Fogelsville, PA 18051
(484) 661-6890
d.green10@umiatni.edu



PETER R. DEFAZIO
SHERIFF

SHERIFF'S OFFICE

County of Allegheny

111 COURTHOUSE ♦ 436 GRANT STREET
PITTSBURGH, PENNSYLVANIA 15219-2496
PHONE (412) 350-4700 ♦ FAX (412) 350-5854

MEMBER



WILLIAM P. MULLEN
CHIEF DEPUTY

June 29, 2006

Pennsylvania State Police
Records and Identification
Firearms Division
Attention: Trooper Anderson
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17100

Dear Trooper Anderson:

The Allegheny County Sheriff's Office, Pittsburgh, Pennsylvania, recently updated our Firearms Permit computer system. With the change in technology, we are now able to print the Sheriff's Office emblem on each of the cards. However, prior to implementing this change, we are requesting your approval.

Please review the attached card and inform our Office as to whether or not it has met the qualifications of the Pennsylvania State Police. In the interim, our Office will continue to issue the Firearms Licenses without the emblem as a watermark.

Should you have any questions or concerns, please do not hesitate to contact me at (412) 350-4719.

Very Truly Yours,

WILLIAM P. MULLEN, CHIEF DEPUTY
Allegheny County Sheriff's Office

Enclosure

07 Stats

PSP/RTKL 2010-0401

Page 6

2010-10-25

PSP/RTKL.000001

DUPL. CORRECTION			
1. NAME (LAST)		(FIRST)	(MIDDLE)
(J.R. ETC.)			
2. ADDRESS			
3. POINT OF CONTACT PHONE NUMBER 1-877-866-8882 (FOR LAW ENFORCEMENT USE ONLY)		4. DATE ISSUED 12/12/2000	5. DATE EXPIRE 12/12/200
6. REASON TO CARRY Protection	7. DOB	8. HGT 5'10	9. WGT 235
10. EYE	BR		
11. HAIR BRO	12. SEX M	13. RACE W	14. US CITIZEN <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
16. IMMIGRATION ID		16. CITIZENSHIP USA	
18. SIGNATURE OF ISS. AUTHORITY <i>[Signature]</i>		17. SHERIFF OR CHIEF OF POLICE OF: ALLEGHENY COUNTY	

PSP/RTKL 2010-0401

2010-10-25

PSP/RTKL.000002



PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
1800 ELMERTON AVENUE
HARRISBURG, PA 17110

July 7, 2006

Chief Deputy Sheriff William P. Mullen
Allegheny County Sheriff's Office
111 Court House, 436 Grant Street
Pittsburgh, PA 15219-2496

Dear Chief Deputy Sheriff Mullen,

We are in receipt of your correspondence requesting that we review the prototype of your new license to carry firearms. The card itself does meet the requirements provided in 18 Pa.C.S., Chapter 61; the Pennsylvania Uniform Firearms Act. However, the form number printed on the upper left corner of the card (SP4-128) should be (SP4-129).

Please ensure that your office continues to send us a copy of the license as required by the Act, and retains a copy of this correspondence with your records for future reference.

Any questions should be directed to Trooper Paul Anderson, Supervisor, Firearms Administrative Section, at 717-346-3091.

Sincerely,

A handwritten signature in black ink, appearing to read "J. G. Elias".

Lieutenant Joseph G. Elias
Director, Firearms Division

An Internationally Accredited Law Enforcement Agency

PSP/RTKL 2010-0401

2010-10-25

PSP/RTKL.000003



PETER R. DEFAZIO
SHERIFF

SHERIFF'S OFFICE
County of Allegheny

111 COURTHOUSE ♦ 436 GRANT STREET
PITTSBURGH, PENNSYLVANIA 15219-2496
PHONE (412) 350-4700 ♦ FAX (412) 350-5854

MEMBER



WILLIAM P. MULLEN
CHIEF DEPUTY

August 17, 2006

Pennsylvania State Police
Records and Identification
Firearms Division
Attention: Trooper Anderson
1800 Elmerton Avenue
Harrisburg, Pennsylvania 17100

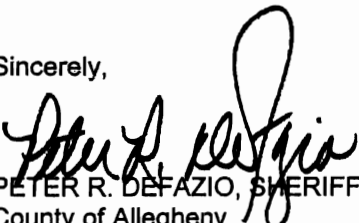
Dear Trooper Anderson:

The Allegheny County Sheriff's Office, Pittsburgh, Pennsylvania, would like to place the caption "Firearms are prohibited at all airports and federal government facilities" on all firearms permits issued by our office. However, prior to implementation, we are requesting your approval.

Please review that attached card and inform our Office as to whether or not it has met the qualifications of the Pennsylvania State Police. In the interim, our office will continue to issue the Firearms Licenses without the caption on the back of the card.

Should you have any questions or concerns, please do not hesitate to contact me at (412) 350-4719.

Sincerely,


PETER R. DEFAZIO, SHERIFF
County of Allegheny

Enclosure

**ALLEGHENY COUNTY SHERIFF'S OFFICE
SHERIFF PETER R. DEFAZIO
436 GRANT STREET
ROOM G8
PITTSBURGH, PA 15219**

**PHONE: 412-350-3044 FAX: 412-350-3021
WWW.SHERIFFALLEGHENYCOUNTY.COM**

**Firearms are prohibited at all airports and
federal government facilities.**



PENNSYLVANIA STATE POLICE
DEPARTMENT HEADQUARTERS
1800 ELMERTON AVENUE
HARRISBURG, PA 17110

August 24, 2006

Sheriff Peter R. DeFazio
Allegheny County Sheriff's Office
111 Court House, 436 Grant Street
Pittsburgh, PA 15219-2496

Dear Sheriff DeFazio,

We are in receipt of your correspondence requesting the possibility of placing the caption "Firearms are prohibited at all airports and federal government facilities" on the back of your license to carry a firearm permit.

The addition of this caption to the back of your permit does not change the requirements for the license provided in 18 Pa.C.S., Chapter 61; the Pennsylvania Uniform Firearms Act. Therefore, the caption is hereby approved.

Any questions should be directed to Trooper Paul K. Anderson, Supervisor, Firearms Administrative Section, at 717-346-3091.

Sincerely,

Lieutenant James M. Lambert
Director, Firearms Division

An Internationally Accredited Law Enforcement Agency

PSP/RTKL 2010-0401

2010-10-25

PSP/RTKL.000006

§ 33.115. Pennsylvania license to carry firearms.

(a) The Pennsylvania license to carry firearms (as defined in section 6102 of the act (relating to definitions)) form, shall be constructed as a three-part form, 3 inches by 5 3/8 inches in dimension, on white paper. The issuing authorities, that is, county sheriff or a chief of police for a city of the first class, shall utilize the form as prescribed by the State Police.

(b) The Pennsylvania license to carry firearms (as defined in section 6102 of the act) shall be typewritten, computer generated or printed in blue or black ink with a ballpoint pen. Copies shall contain legible impressions. A photograph of the applicant may be placed on the license if required by the issuing authority.

(c) The form is designed to be folded in half and may be laminated. At the option of the entity furnishing the form, the paper weight of each part may be a minimum of 14 pounds up to a maximum of 28 pounds, and impressions may be produced by utilizing either carbon inserts or no carbon required (NCR) paper. Forms shall be numbered in numerical sequence and the size of the license numbers shall be at least 3/16 of an inch. The first two numbers shall be the county location code followed by the license number—for example, if the license was issued by Dauphin County, the license number would be 22-0000001, and so on.

(d) Under section 6109 of the act (relating to licenses), the original shall be issued to the licensee and be valid for 5 years from date of issue, unless revoked sooner. The first copy shall be transmitted by the issuing authority within 7 business days by first class mail to the State Police, Attention: Firearm Unit, 1800 Elmerton Avenue, Harrisburg, Pennsylvania 17110. The second copy shall be retained by the issuing authority for 6 years.

Source

The provisions of this § 33.115 adopted February 23, 2001, effective February 24, 2001, 31 Pa.B. 1145.

SP 4 -129 (10-2008) Pennsylvania License to Carry Firearms

Special Instructions

- **Effective May 2011**, the Licensee's photograph, in a form compatible with the Commonwealth Photo Imaging Network, must be affixed to the original license.
- The license must have a number with the county location code followed by the license number written in the designated place.
- A license may not be post-dated.
- A license is valid for five (5) years unless revoked sooner.
- The license may be typewritten, computer generated, or **printed legibly** in blue or black ink with a ballpoint pen.
- The original license is delivered to the applicant.
 - *The first copy of the license shall be forwarded to the Pennsylvania State Police **within seven (7) days** of the issue date*
 - *The second copy is retained for seven (7) years.*
- If an error is made, the license is destroyed and a new license is prepared.

SP 4-129 (10-2008) PENNSYLVANIA LICENSE TO CARRY FIREARMS Original - applicant 1 st copy - PSP 2 nd copy - issuing authority		<input type="checkbox"/> NEW <input type="checkbox"/> RENEW <input type="checkbox"/> DUPL./CORRECTION		NO.00-0000000 (County location - sequence #)				
1. NAME (LAST)		(FIRST)		(MIDDLE)		(SUFFIX, (Jr.))		
2. ADDRESS								
PHOTO IF REQUIRED	[REDACTED]			4. DATE ISSUED (MM/DD/YYYY)		5. DATE EXPIRES (MM/DD/YYYY) (5 yrs from issue date)		
	6. REASON TO CARRY (Line 28 of Application)			7. DOB (MM/DD/YYYY)		8. HGT	9. WGT	10. EYES
	11. HAIR		12. SEX	13. RACE		14. U.S. CITIZEN <input type="checkbox"/> YES <input type="checkbox"/> NO		15. COUNTRY OF CITIZENSHIP
	16. IMMIGRATION ID NUMBER (IF APP) (ID# or N/A)				17. SIGNATURE OF LICENSEE			
	18. SIGNATURE OF ISSUING AUTHORITY				19. SHERIFF (County) OR CHIEF (City) OF POLICE OF:			

APPENDIX B-1

Pennsylvania State Police, Firearms Division

PENNSYLVANIA STATE POLICE
BUREAU OF RECORDS & IDENTIFICATION
RIGHT-TO-KNOW OFFICE

VERIFICATION OF
TROOPER PAUL K. ANDERSON
RECORDS & IDENTIFICATION, ADMINISTRATION SECTION

I, Trooper Paul K. Anderson, Supervisor of the Pennsylvania State Police (PSP) Records & Identification (R&I) Firearm Administrative Section, am authorized to prepare this verification on behalf of the PSP, in response to this Right-to-Know Law (RTKL) request for records. Accordingly, on this 27th day of October 2010, I verify the following facts are true and correct, to the best of my knowledge or information and belief:

- 1) I am familiar with PSP/RTKL Request N° 2010-0401, a copy of which accompanies this verification.
- 2) From the information provided, I am unable to determine which records are being requested.
- 3) However, from the clarification provided on October 12, 2010, I have located eight pages of PSP records that reflect the PSP description for the appearance of a License to Carry (LTC) firearm card.
- 4) Furthermore, the PSP mandates only that a LTC card comply with the requirements provided in 18 Pa. C.S. Chapter 61; the Pennsylvania Uniform Firearms Act.

I understand false statements made in this verification are subject to penalties of 18 Pa. C.S. § 4904, relating to unsworn falsification to authorities.



Trooper Paul K. Anderson
Supervisor,
Firearm Administrative Section
PSP Bureau of Records & Identification