



GUN OWNERS OF AMERICA

800 N. 3rd St., Suite 402 | Harrisburg, PA 17102
(717) 220-3380 | pennsylvania.gunowners.org

Val W. Finnell, MD, MPH
Pennsylvania Director

March 17, 2022

Sheriff Clinton J. Walters
Bradford County Sheriff
301 Main Street
Towanda, Pennsylvania 18848
bcsheriff@bradfordco.org

VIA ELECTRONIC MAIL

Dear Sheriff Walters:

Our members have raised concerns regarding the License to Carry Firearms (LTCF) application process that you have instituted in Bradford County, in particular your reference requirements and selective prohibition on out-of-state applications. *See* Bradford County Instructions, *available at*, <https://bradfordcountypa.org/wp-content/uploads/2017/10/Pistol-Permit-Instructions.pdf>.

First, Bradford County is not permitted to supplement the LTCF application. *See* 18 Pa. C.S. § 6109 (c) (application ``shall be uniform throughout this Commonwealth and shall be on a form prescribed by the Pennsylvania State Police"). The additional instructions you have placed at the top of Form SP 4-127 are unauthorized and illegal. *See* Bradford County Application, *available at*, <https://bradfordcountypa.org/wp-content/uploads/2017/02/Application-for-PA-License-to-Carry-Firearms.pdf>.

Second, it is a violation of the authorizing statute for Bradford County to contact references. *See* 18 Pa. C.S. § 6111 (i) (Confidentiality). Section 6111 prohibits the Sheriff's Office from disclosing any information to any third-party provided by an LTCF applicant including their name or identity. *Id.* Further, any disclosure of this information would subject Bradford County to civil damages of no less than \$1,000 per occurrence, which resulted in the City of Philadelphia paying a settlement of \$1.4 million dollars in 2014. *See Doe v. Philadelphia*, Philadelphia Court of Common Pleas (Feb '12) No. 0375.

Third, Bradford County is not permitted to limit the acceptable references only to Bradford County residents or Law Enforcement, as the authorizing statute does not make any such limitations. *See* generally 18 Pa. C.S. § 6109. This is further a violation of a citizen's equal protection rights under the United States constitution as it unconstitutionally limits those who may apply for a permit based upon

connections to law enforcement or Bradford County. This is particularly troubling for three reasons: (1) it forecloses new residents of Bradford County (and Pennsylvania) from exercising their constitutional rights but do not have law enforcement 'connections' or have yet developed relationship with county residents. (2) out-of-state applicants without law enforcement connections who do not have relationships in the county would similarly be foreclosed. (3) applicants may not wish to disclose their LTCF application to law enforcement officer or their neighbors in Bradford County, and therefore would also be foreclosed from applying.

Finally, Bradford County may not accept applications from some individuals but deny others as a matter of equal protection. You may not accept applications from residents of Chemung County, New York while denying other non-Pennsylvanians the same rights.

It is our members understanding that as Bradford County Sheriff you have worked hard in service of your constituents and been a supporter of the gun rights in the past. Therefore, we hope that your Office's choices here were merely misguided rather than intentional. However, based upon the complaints we've received, we hope that you will modify your policies accordingly to comply with Pennsylvania law and both our state and federal constitutions.

We would be happy to work with you to address these issues, but would request that you make the required changes within 45 days. If not, Gun Owners of America will seek to make the necessary changes via both the legal and electoral processes available to us.

Thank you very much for your time and attention to this matter. We look forward to hearing from you.

Sincerely,



Val W. Finnell, MD, MPH
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