



# MARION COUNTY SHERIFF'S OFFICE

JOE KAST, SHERIFF

## CONCEALED HANDGUN LICENSE PACKET

**READ THIS INFORMATION CAREFULLY.**

**YOUR APPLICATION WILL NOT BE ACCEPTED IF IT IS INCOMPLETE, NOT LEGIBLE OR INCORRECT.**

**INSTRUCTIONS:** Please read the enclosed information thoroughly. If you believe you qualify, complete the application on both sides by typing or legibly printing. If your application is incomplete and/or completed incorrectly, we may request that you reschedule your appointment.

When you have completed the application, please schedule your appointment online at any time at <https://tinyurl.com/2abdruar> or call Marion County Sheriff's Office at (503) 588-5094 during regular business hours. Appointments are available **Monday through Friday** and you will be fingerprinted during your appointment. Please arrive promptly to your scheduled appointment at the Courthouse located at 100 High Street, Salem, Oregon and bring the following items with you. *Please check the following boxes before you come to your appointment to make sure you have everything you need.*

- Completed application form.**
- Proof of handgun training.** (See Proof of Competency section on the application packet.)
- Fees - \$115** (\$100 for the Sheriff's office and \$15 for fingerprinting) to be paid in the form of cash, check or money order made out to Marion County Sheriff's Office. **CREDIT AND DEBIT CARDS ARE ACCEPTED WITH A FEE.**
- Two pieces of identification.** One with your picture, name, and signature (e.g. driver's license or ID card), and another piece of identification that includes your signature and name, (e.g., credit/debit card/passport).
- A self-addressed stamped envelope.**

Enclosures

## CONCEALED HANDGUN LICENSE PACKET

**READ THIS INFORMATION CAREFULLY. YOUR APPLICATION WILL NOT BE ACCEPTED IF IT IS INCOMPLETE, NOT LEGIBLE, OR INCORRECT.**

**INSTRUCTIONS:** Complete the application on both sides by printing or writing legibly. If your application is not complete and correct, we may request that you reschedule your appointment.

When you have completed your application schedule your appointment anytime online at <https://tinyurl.com/2abdruar> or call the Marion County Sheriff's Office at (503) 588-5094 during regular business hours where you will also be fingerprinted. You will need to bring the following items with you to your scheduled appointment at the Marion County Sheriff's Office located in the Courthouse at 100 High Street, Salem, Oregon:

1. Completed application form.
2. Proof of handgun training. (See Proof of Competency section in the application packet.)
3. **Fees:** \$100 for the Sheriff's office and \$15 for fingerprinting in the total amount of \$115 may be paid in the form of Cash/Check or Money order made out to Marion County Sheriff's Office. **Debit and credit cards are accepted with a fee.**
4. Two pieces of identification; one with both your picture and signature, i.e. driver's license, and another piece of identification that bears your signature and name, i.e. a bankcard.
5. Self-addressed stamped envelope.

**Appointments** are available scheduling on-line at anytime at <https://tinyurl.com/2abdruar> or by calling our office at (503) 588-5094 during regular business hours. Appointments are available Monday through Friday.

### **TO BE ELIGIBLE FOR A CONCEALED HANDGUN LICENSE, YOU MUST:**

- A. Be a U.S. citizen. You may apply if you are not a U.S. citizen provided that you have lived in Marion County for at least six months and have written proof that you have declared your intent to become a citizen with the U.S. Immigration and Naturalization Service.
- B. Be at least 21 years of age.
- C. Proof of residency in Marion County such as: Oregon driver's license, voter registration card, recent Oregon tax return, current rent or lease agreement, or own real property in Marion County (address or Tax Lot #.)
- D. Not have any outstanding warrants for your arrest.
- E. Not be awaiting trial in a criminal matter or currently completing a diversion agreement.

- F. Except as provided in ORS 166.291(1)(L), I have **NOT** been convicted of an **offense involving controlled substances or completed a court supervised drug diversion program**. Note: ORS 166.291(1)(L) provides that its terms do not apply to you: if you have been convicted only **once** of a marijuana possession offense constituting a misdemeanor or violation under the law of the jurisdiction of the offense; or if you have only **once** completed a drug diversion program for a marijuana possession offense that constituted a misdemeanor or violation under the law of the jurisdiction of the offense; but not both. If you have been convicted of a marijuana possession offense constituting a misdemeanor or violation, or participated in a drug diversion program for such a charge, and this is the only controlled substance conviction or diversion, then initialing this box would not be unlawful. If you have another controlled substance conviction or have participated in another supervised drug diversion program, then initialing this box would be unlawful.
- G. Never been convicted of a felony.
- H. Not have been convicted of a misdemeanor within the last four years.
- I. Never been convicted of a crime of domestic violence.
- J. Not have been found to be mentally ill under ORS 426.130.
- K. Not be subject to a stalking order or restraining order.
- L. If you were under jurisdiction of the juvenile court for certain offenses, it must be more than four years since discharge.
- M. Have never received a dishonorable discharge (enlisted members) or received a dismissal (commissioned officers) from the Armed Forces of the United States.
- N. Are not required to register as a sex offender in any state.
- O. You must show written proof of competency with a handgun as defined by statutes.
- P. Pass a background check.

**RENEWAL BY MAIL FOR MILITARY PERSONNEL ONLY:**

If you are active military for the United States, you may renew by mail. You may mail a completed application to our office with a check or money order in the amount of \$75. Make check or money order payable to MCSO. If you have any questions, please call our office at 503-588-5094.

**BACKGROUND CHECK:**

During the background check, information you put on your application is verified and your criminal history, contacts with law enforcement, and information from acquaintances are checked. Oregon law allows the Sheriff to deny a concealed handgun license if there are reasonable grounds to believe that you have been or are reasonably likely to be a danger to self or others, or to the community at large, as a result of your mental or psychological state; or as demonstrated by a past pattern of behavior involving violence or the threats of unlawful violence. You may be denied if you have a history that shows an inclination toward confrontation with others, including neighbors

or family members, a history of conflict with law enforcement officers, offenses with firearms, or documented problems with alcohol and/or drug abuse.

Oregon and Federal laws prohibit a person from owning or possessing a gun if they have had a felony conviction that was reduced to a misdemeanor after completion of probation, any convictions of misdemeanor crimes of domestic violence, have been dishonorably discharged from the Armed Forces, have renounced their citizenship, or are subject to a court protective order that was issued after a hearing in which the person had an opportunity to participate and restrains the person from harassing, stalking, or threatening an intimate partner or the child of such intimate partner.

Oregon law prohibits the issuance of a concealed handgun license to anyone with a felony conviction, a misdemeanor conviction within the last four years, anyone on pretrial release, or anyone subject to a Family Abuse Prevention Act restraining order or stalking order.

If any of the above applies to you, do NOT apply. You are not eligible. If you are denied a concealed handgun license, all fees are non-refundable.

### **PROOF OF COMPETENCY**

The following are accepted as proof of competency:

1. Completion of a hunter safety course approved by the Department of Fish and Wildlife.
2. Completion of any N.R.A. firearms safety course.
3. Completion of any firearms safety course given by N.R.A. certified instructors.
4. Completion of any law enforcement firearms safety course.
5. Written evidence of experience with a handgun through participation in organized shooting competition.
6. Written evidence of experience with a handgun through military service.

**NOTE:** Due to differing requirements, an out of state concealed handgun license does not satisfy the competency requirements.

### **FREQUENTLY ASKED QUESTIONS**

#### **IF I AM A VETERAN WITH A DD214, DOES THAT MEET THE COMPETENCY REQUIREMENTS?**

If your DD214 indicates that you are competent with a handgun, sidearm, or pistol it will qualify. If your DD214 does not show this or shows "small arms", we cannot accept it for competency even if you used a handgun while in the service. (Small arms are defined by the Department of Defense as weapons intended for use by individual members of armed

or security forces. The definition includes not only handguns but rifles and carbines, sub-machine guns, assault rifles, and light machine guns.)

**HOW LONG IS AN OREGON CONCEALED HANDGUN LICENSE VALID FOR?**

Licenses are valid for four years. If you transfer your license from another county, you will keep the same expiration date.

**HOW LONG DOES IT TAKE TO GET A LICENSE?**

New licenses must be issued in 45 days.

**WHAT HAPPENS IF I MOVE?**

If you move, you must file a change of address with our office. If you move out of county, you must apply for a change of address in the county you move to. A new license with your address change will be issued. The cost is \$15.

**HOW WILL I FIND OUT IF MY APPLICATION IS DENIED?**

If your application is denied, you will receive a letter outlining the reasons for the denial. You may petition the Circuit Court for a review of the denial within 30 days of receiving the letter.

**WHY WOULD MY LICENSE BE REVOKED?**

If any act or condition occurs that would prevent a person from receiving a license, it is grounds for revoking the license.

**WHAT WILL DISQUALIFY ME FROM OBTAINING A LICENSE?**

Oregon law prohibits the issuance of a concealed handgun license to anyone with a felony conviction, a misdemeanor conviction within the last four years, anyone on pretrial release, or anyone subject to a Family Abuse Prevention Act restraining order or stalking order. Oregon and Federal laws also prohibit a person from owning or possessing a gun if they have had a felony conviction that was reduced to a misdemeanor after completion of probation, any convictions of misdemeanor crimes of domestic violence, or is subject to a court protective order that was issued after a hearing in which the person had an opportunity to participate which restrains the person from harassing, stalking, or threatening an intimate partner or the child of an intimate partner. Oregon law allows for the denial of a concealed handgun license if you have a history, which shows an inclination toward confrontation with others, including neighbors, family members, etc. You may also be denied a concealed handgun license if you have a history of conflict with law enforcement officers, offenses with firearms, documented problems involving alcohol and/or drug abuse.

**IF I HAVE BEEN DENIED OR REVOKED BEFORE, CAN I EVER REAPPLY?**

You may reapply when the condition that caused you to be denied or revoked is resolved.

**WILL I GET A REMINDER NOTICE WHEN MY LICENSE IS DUE TO EXPIRE?**

Our office sends out renewal notices as a courtesy and will make every effort to mail one no sooner than thirty days prior to your renewal date. If you do not keep your address current with our office, you will not receive a notice.

**WILL THE LICENSE ALLOW ME TO CARRY ANY KIND OF WEAPON?**

No. The license only allows you to carry a handgun concealed. You may not conceal any weapon as defined by ORS 166.240 which includes a knife that has a blade that swings into position by force of a spring or centrifugal force, a dirk, dagger, ice pick, slung shot, metal knuckles, or similar instruments.

**\*\*\*CAUTION\*\*\***

POSSESSION OF A CONCEALED HANDGUN LICENSE DOES NOT AUTHORIZE YOU TO CARRY A FIREARM IN ANY FEDERAL BUILDING, PAST AN AIRPORT'S SECURITY CHECK POINT AREA (CHECK WITH THE APPROPRIATE PORT AUTHORITY TO FIND OUT ABOUT SPECIFIC AREAS TO WHICH YOU MAY BE RESTRICTED), OR IN ANY COURTHOUSE. SEE BELOW FOR A DETAILED LIST OF PLACES WHERE YOU MAY NOT BE ABLE TO CARRY A FIREARM.

IF YOU ARE APPREHENDED WITH A WEAPON ON THESE PREMISES, YOUR CONCEALED HANDGUN LICENSE WILL BE SEIZED AND RETURNED TO THE SHERIFF AND YOUR LICENSE MAY BE REVOKED.

**ALSO, IF YOU ARE STOPPED BY A LAW ENFORCEMENT OFFICER WHEN CARRYING A HANDGUN IN YOUR VEHICLE, IT IS HIGHLY RECOMMENDED THAT YOU NOTIFY HIM OR HER THAT YOU HAVE A WEAPON IN YOUR POSSESSION, THE LOCATION OF THE HANDGUN IN YOUR VEHICLE, AND THAT YOU HAVE A CONCEALED HANDGUN LICENSE.**

**Federal Facilities:** You cannot possess a firearm in a Federal Facility, except for hunting or other lawful purpose. The term "Federal Facility" means a building or part thereof owned or leased by the Federal Government or where Federal employees are regularly present for the purpose of performing their official duties. These areas include Federal Courthouses, the Post Office, Social Security Offices, and Recruiting Offices to name a few (18 USC 930). You may not take a firearm into a military post without the authorization of the post commander.

**Airports:** You cannot possess weapons in the passenger terminal of a commercial service airport with over one million passenger boardings per year. If you have questions regarding transporting firearms in luggage, you should check with the Transportation Security Administration or the airline with which you will be flying. A CHL does not permit you to carry your firearm in an airport.

**National Forests or Wilderness areas:** Persons who have obtained a valid concealed handgun license may carry their weapon onto National Forest Service or Bureau of Land Management lands unless there is a specific order issued by the local administrator or forest ranger to the contrary. Firearms are prohibited in any National Forest designated a

game refuge or wildlife preserve except where authorized by the Forest Service. It is your responsibility to check on restrictions where you plan to visit. Restrictions are generally put into effect during festivals or large gatherings, or at popular recreation areas where there are safety concerns. Be aware that any Ranger Station or Visitors Center in any National Forest is considered a Federal Building and it is illegal to carry there.

**National Parks:** Refer to Federal Law 50 CFR Section 27.42-Firearms states “The previous regulation prohibited visitors from possessing an operable and loaded firearm in a national wildlife refuge unless the firearm is used for lawful hunting activities. Under the final rule, an individual may possess, carry, and transport concealed, loaded, and operable firearms within a national wildlife refuge in the same manner, and to the same extent, that a person may lawfully possess, carry, and transport concealed, loaded and operable firearms in the state in which the national wildlife refuge, or that portion thereof, is located. Possession of concealed firearms in national wildlife refuges as authorized by this section must also conform to applicable Federal laws. Accordingly, nothing in this regulation shall be construed to authorize concealed carry of firearms in any Federal facility or Federal court facility as defined in 18 U.S.C. 930.

**Indian Reservations and Tribal Property:** Because each tribal council makes the rules that apply on its reservation, the firearms rules on Indian reservations vary greatly. For the most part, non-Indians are prohibited from carrying guns on reservations, except with the permission of the tribal council. Therefore, your concealed handgun license probably has no meaning on most Indian reservations. This also applies to certain casinos operated by tribes.

**Court Facilities:** You may not carry any weapon into a court facility. A court facility is defined as a courthouse or that portion of any other building occupied by the Circuit Court, the Court of Appeals, the Supreme Court, the Oregon Tax Court, occupied by personnel related to the operations of those courts, or in which activities related to the operations of those courts takes place. This prohibition applies to the entire courthouse, not just the areas adjacent to the courtrooms. Violation of this law is a Class A Felony. (ORS 166.370(2)(a)).

**Regulations of Firearms in Schools and Private/Private Buildings:** Persons who possess a valid concealed handgun licenses are not prohibited from carrying their weapons on school grounds. However the governing board of a public university listed in ORS 352.002, the Oregon Health and Science University Board of Directors, the governing board of a community college or a district school board as defined in ORS 332.002 may adopt a policy providing that the affirmative defense described in ORS 166.370 (3)(g), concerning persons licensed to carry a concealed handgun under ORS 166.291 and 166.292 does not apply to the possession of firearms on the grounds of the schools controlled by the board. A board that adopts a policy under this section shall: (a) post a clearly visible sign, at all normal points of entry to the school grounds subject to the policy described in subsection (a) of this section, indicating that the affirmation defense

described in ORS 166.370 (3)(g) does not apply. (b) post a notice on the board's website identifying all school grounds subject to the policy described in subsection (1) of this section. Contact the school or university directly for their policy.