



Cumberland County Sheriff's Office
910-677-5577 or 910-677-5576



NEW CONCEALED HANDGUN PERMIT APPLICATION CHECKLIST

APPLICATIONS WILL BE ACCEPTED 8:00 – 2:00, M-F ONLY

ALL applicants must have the following:

- _____ Completed **NOTARIZED** Application for Concealed Handgun Permit (Form DCI CHPA)
- _____ Completed **NOTARIZED** Release of Physical and Mental Health Records (Form AOC-SP-914M)
(Applicant will be billed \$12.00 directly by Mental Health for record release.)
- _____ Completed Acknowledgement (CCSO Form 400)
- _____ Completed Cumberland County Sheriff's Office Investigative Work Sheet (CCSO Form 399)
- _____ One (1) photograph of applicant-passport type or from the waist up-no hat, no shades
- _____ A copy of applicant's Social Security Card
- _____ A copy of applicant's DD-214 if discharged or retired from military
- _____ **ORIGINAL** certificate of completion of approved firearms safety and training course approved by the North Carolina Criminal Justice Education and Training Standards Commission or certification of qualified law enforcement status
- _____ Ninety dollars (\$90.00) **NON-REFUNDABLE** fee in cash, money order or certified check

Non - Military Cumberland County residents must also have the following:

- _____ Copy of applicant's valid North Carolina Drivers License OR North Carolina DMV Special Identification Card with their current residential address
- _____ Copy of applicant's birth certificate

Active Military Personnel stationed at Fort Bragg and Pope Air Force Base must have the following:

- _____ Copy of their North Carolina Drivers License/ID or their state of residence Drivers License or Identification card
- _____ Copy of applicant's Military ID Card
- _____ Copy of applicant's Permanent Change of Station (PCS) orders with date of assignment at least thirty days prior to date of application

Upon submission of this application packet, two finger print cards will be completed

YOU MUST BE A UNITED STATES CITIZEN IN ORDER TO OBTAIN A CONCEALED HANGUN PERMIT

North Carolina Department of Justice
Criminal Justice Standards Division
Carry Concealed Permit Applicant Instructor Evaluation Form

County of Application for a Concealed Carry Handgun Permit _____

Date, Time, Location of the CCH Class: _____

The instructor's name: _____

What time did the Concealed Carry Handgun Class begin? _____ End? _____

What was the first issue addressed at the beginning of the class? _____

How much time was used in the delivery of this subject? _____ hrs.

Did you receive instruction pertaining to the North Carolina Firearms Law and use of deadly force? _____

How much time was used in the delivery of instruction pertaining to the North Carolina Firearms Law and use of deadly force? _____ hrs.

Did you receive instruction on the safe use and presentation of both the revolver as well as the semi-automatic pistol? _____

How much time was used in the delivery of the subject of firearms safety and presentation? _____ hrs.

Did you qualify with a firearm during the Concealed Carry Handgun Class? _____

How many rounds of ammunition did you use to qualify? _____

What type of target was used for your qualification? _____

At what distance(s) did you fire from for qualification? _____

How much time was used for the qualification process of the training? _____ hrs.

Do you feel that you know and understand the North Carolina Firearms Laws and use of deadly force? _____

Do you feel that you know the proper and safe ways of firearm presentation? _____

How would rate the instruction given by your instructor? _____

Your Name _____ Address _____

City _____ State N.C. Zip Code _____

| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--|---|--|-----|------------------------------|-----------------------------|-----|------------------------------|-----------------------------|-----|------------------------------|-----------------------------|-----|------------------------------|-----------------------------|-----|------------------------------|-----------------------------|-----|------------------------------|-----------------------------|-----|------------------------------|-----------------------------|-----|------------------------------|-----------------------------|-----|------------------------------|-----------------------------|------|------------------------------|-----------------------------|------|------------------------------|-----------------------------|------|------------------------------|-----------------------------|
| <h1 style="margin: 0;">STATE OF NORTH CAROLINA</h1> | | <h2 style="margin: 0;">APPLICATION FOR CONCEALED HANDGUN PERMIT</h2> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Name of Applicant (Last, First, Middle, Maiden) (Attach listing of all previous addresses and all name changes including location and court file number, if applicable) | | <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> NEW PERMIT <input type="checkbox"/> DUPLICATE <input type="checkbox"/> RENEWAL PERMIT </div> <div> <input type="checkbox"/> EMERGENCY TEMPORARY PERMIT </div> </div> <div style="text-align: right;">G.S. 14-415.10 et seq.</div> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Street Address | | Date of Birth | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| City State Zip | | Social Security No. (see notification on back of form) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mailing Address | | State Driver's License No. (State Identification No. If No Drivers License) State | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Telephone No. County of Residence | | Military Status <input type="checkbox"/> Active <input type="checkbox"/> Reserve <input type="checkbox"/> Discharged <input type="checkbox"/> I/A | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| | | Race Sex Hair Eyes Height Weight Other Physical Description | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <h3 style="margin: 0;">APPLICATION</h3> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>I, the undersigned applicant, being duly sworn, hereby make application for a concealed handgun permit and state that the following information is correct to the best of my knowledge.</p> <p>I am a citizen of the United States and have been a resident of North Carolina 30 days or longer immediately preceding the filing of this Application. I am 21 years of age or older. I do not suffer from a physical or mental infirmity that prevents the safe handling of a handgun.</p> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <div style="display: flex; justify-content: space-between;"> <div> <ol style="list-style-type: none"> 1. Have you successfully completed an approved firearms safety and training course which involved the actual firing of handguns and instruction in the laws of North Carolina governing the carrying of a concealed handgun and the use of deadly force? (If yes, attach certificate of completion.) 2. Are you ineligible to own, possess, or receive a firearm under the provisions of state or federal law? 3. Are you under indictment or has a finding of probable cause been entered for a pending felony charge? 4. Have you been adjudicated guilty in any court of a felony? 5. Are you a fugitive from justice? 6. Are you an unlawful user of, or addicted to marijuana, alcohol, or any depressant, stimulant, or narcotic drug, or any other controlled substance as defined in 21 U.S.C. § 802? 7. Are you currently, or have you been previously adjudicated or administratively determined to be lacking mental capacity or mentally ill? 8. Have you been discharged from the armed forces under conditions other than honorable? 9. Have you been adjudicated guilty of or received a prayer for judgement continued or suspended sentence for one or more crimes of violence constituting a misdemeanor, including, but not limited to, a violation of the disqualifying criminal offenses listed on the reverse side of this form? (see reverse side) 10. Have you had an entry of prayer for judgement continued for a criminal offense which would disqualify you from obtaining a concealed handgun permit? 11. Are you free on bond or personal recognizance pending trial, appeal, or sentencing for a crime which would disqualify you from obtaining a concealed handgun permit? 12. Have you been convicted of an impaired driving offense under G.S. 20-138.1, 20-138.2, or 20-138.3 within three years prior to the date of this Application? </div> <div style="text-align: right;"> <i>(check applicable boxes)</i> <table style="margin-left: auto;"> <tr><td>(1)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(2)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(3)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(4)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(5)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(6)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(7)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(8)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(9)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(10)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(11)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> <tr><td>(12)</td><td><input type="checkbox"/> Yes</td><td><input type="checkbox"/> No</td></tr> </table> </div> </div> | | | | (1) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (2) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (3) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (4) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (5) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (6) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (7) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (8) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (9) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (10) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (11) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | (12) | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| (1) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (2) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (3) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (4) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (5) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (6) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (7) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (8) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (9) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (10) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (11) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| (12) | <input type="checkbox"/> Yes | <input type="checkbox"/> No | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input type="checkbox"/> I hereby apply for temporary emergency permit for a nonrenewable period of up to 90 days based upon the information set forth below. I reasonably believe that an emergency situation exists which may constitute a risk of safety to me, my family or my property. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| State Grounds for Temporary Emergency Permit (use attachment if necessary) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SWORN AND SUBSCRIBED TO BEFORE ME | | Date | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Date | Signature of Person Authorized to Administer Oaths | Signature of Applicant | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Title | | CAUTION: Federal law and State law on the possession of handguns and firearms differ. If you are prohibited by federal law from possessing a handgun or a firearm, you may be prosecuted in federal court. A State permit is not a defense to a federal prosecution. | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Date Commission Expires | | SEAL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SHERIFF USE ONLY | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <i>(check list - check applicable boxes)</i> <div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> 1. Nonrefundable permit fee paid </div> <div style="width: 50%;"> <input type="checkbox"/> 2. One full set of fingerprints administered by the Sheriff's Department. </div> <div style="width: 50%;"> <input type="checkbox"/> 3. Original certificate of completion of approval firearms safety and training course. </div> <div style="width: 50%;"> <input type="checkbox"/> 4. Renewal - Waiver of Application Firearm Safety and Training Course </div> <div style="width: 50%;"> <input type="checkbox"/> 5. Attachment(s) (specify) _____ </div> <div style="width: 50%;"> <input type="checkbox"/> 6. Temporary documentation </div> <div style="width: 50%;"> <input type="checkbox"/> 7. Other _____ </div> <div style="width: 50%;"> <input type="checkbox"/> 8. Date temporary permit issued _____ </div> <div style="width: 50%;"> <input type="checkbox"/> 9. Date temporary permit denied _____ </div> <div style="width: 50%;"> <input type="checkbox"/> 10. Date permit issued _____ </div> <div style="width: 50%;"> <input type="checkbox"/> Permit No. _____ </div> <div style="width: 50%;"> <input type="checkbox"/> 11. Date permit denied _____ </div> <div style="width: 50%;"> <input type="checkbox"/> 12. Date submitted to SBI _____ </div> <div style="width: 50%;"> <input type="checkbox"/> 13. NICS Transaction Number (NTN) _____ </div> </div> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Signature of Sheriff _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Original - Sheriff Copy - SBI Copy Applicant | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| DCI CHPA, Rev. 6/06 (Over) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

LIST OF DISQUALIFYING CRIMINAL OFFENSES

1. Harassment of and communication with jurors [G.S. 14-225.2]
2. Violating orders of court [14-226.1]
3. Furnishing poison, controlled substances, dangerous weapons, cartridges, ammunition or alcoholic beverages to inmates of charitable, mental, or penal institutions or local confinement facilities [14-258.1]
4. Weapons on campus or other educational property [14-269.2]
5. Carrying weapons into assemblies and establishments where alcoholic beverages are sold and consumed [14-269.3]
6. Weapons on state property and courthouses [14-269.4]
7. Possession and sale of spring-loaded projectile knives [14-269.6]
8. Impersonation of fireman or emergency medical services personnel [14-276.1]
9. Impersonation of law enforcement or other public officer [14-277]
10. Communicating threats [14-277.1]
11. Weapons at parades, and other public gatherings [14-277.2]
12. Stalking [14-277.3]
13. Throwing or dropping of objects at sporting events [14-281.1]
14. Exploding dynamite cartridges and bombs [14-283]
15. Riot and inciting to riot [14-288.2]
16. Disorderly conduct - fighting or conduct creating a threat of imminent fighting or other violence [14-288.4(a)(1)]
17. Disorderly conduct - making or using any utterance, gesture, display, or abusive language that is intended and plainly likely to provoke violent retaliation and thereby create a breach of peace [14-288.4(a)(2)]
18. Looting and trespassing during an emergency [14-288.6]
19. Assault on emergency personnel [14-288.9]
20. Violation of city State of Emergency Ordinances [14-288.12]
21. Violation of county State of Emergency Ordinances [14-288.13]
22. Violation of State of Emergency Ordinances [14-288.14]
23. Child abuse [14-318.2]
24. Violation of the standards for carrying a concealed weapon [14-415.21(b)]
25. Assaults [Article 8 of Chapter 14 of the General Statutes]

SOCIAL SECURITY NUMBER:

This disclosure of your social security number as a part of the pistol purchase or concealed handgun permit application is voluntary. The purpose of requesting the social security number is to assist in your identification and to help distinguish you from other persons with similar names. No pistol purchase or concealed handgun permit will be denied for failing to disclose a social security number.

STATE OF NORTH CAROLINA

RELEASE OF PHYSICAL AND MENTAL
HEALTH, SUBSTANCE ABUSE AND
CONFIDENTIAL COURT RECORDS FOR
CONCEALED HANDGUN PERMIT

CUMBERLAND COUNTY

Name and Address of Applicant

Date of Birth

Social Security No.

State Drivers License No. (State identification No. if no Drivers License) State

I hereby authorize and require any and all doctors, hospitals or other providers who have ever provided physical or mental health or substance abuse treatment or care to me, including without limitation the providers named below, to release to the sheriff of the above named county any and all records concerning my physical capacity, mental health, mental capacity or substance abuse that the sheriff may reasonably request in connection with my application for a concealed handgun permit. The purpose of the release is to enable the sheriff to determine my qualification and competence to handle a handgun. I understand that alcohol and substance abuse information is protected by federal regulations and that other confidential records such as psychiatric information may be protected by North Carolina statute. Accordingly, I specifically authorize the release of any and all alcohol, substance abuse and psychiatric information that may be documented in my records.

I understand that further disclosure or redisclosure by the sheriff or any information disclosed to the sheriff pursuant to this Release is prohibited without my further written consent unless otherwise provided for by state or federal law. I understand that I may revoke this authorization at any time except to the extent that action has already been taken in reliance on this Release. Even without my express revocation, this Release will expire upon the satisfaction of the request or one year from the date below, whichever occurs first.

CUMBERLAND COUNTY MENTAL HEALTH CTR: NC DIVISION OF MENTAL HEALTH DEVELOPMENTAL
DISABILITIES & SUBSTANCE ABUSE, P O BOX 3069, FAYETTEVILLE NC 28302

BEHAVIORAL HEALTH CARE/CAPE FEAR VALLEY HEALTH SYSTEM: P O BOX 64669, FAYETTEVILLE NC 28306

MELROSE ANNEX OF CAPE FEAR VALLEY HEALTH SYSTEM: 3425 MELROSE RD, FAYETTEVILLE NC 28304

**** (ORIGINAL SIGNED COPY OF FILE WITH CUMBERLAND COUNTY SHERIFF'S OFFICE, COPY PROVIDED FOR
MENTAL HEALTH OR ANY MENTAL HEALTH CARE FACILITY, IN ACCORDANCE AND DESCRIBED IN G.S. 14-
415.13(a)(5)...)****

I also request and authorize any and all clerks of superior court of North Carolina to inform the sheriff of this County whether or not the clerk's records contain the record of any involuntary commitment proceeding under Article 5 of Chapter 122C of the General Statutes in which I have been named as a respondent and, if so, to reveal to the sheriff any confidential information in the court files or records of each such proceeding that the sheriff may reasonably require in order to determine whether or not to issue a concealed handgun permit to me. This Release may be treated as a motion in the cause within the meaning of G.S. 122C-54(d) and a clerk may reveal information to the sheriff pursuant to any specific or standing order entered in response to or anticipation of this motion.

Any expenses relating to the search, production, copying and certification of a medical or court record pursuant to this Release shall be my responsibility. I authorize the sheriff to photocopy this Release after I sign it, and I authorize any provider to whom a photocopy of this Release is presented to rely on the photocopy as being as effective as the original.

SWORN AND SUBSCRIBED TO BEFORE ME

Date

Date

Signature of Person Authorized to Administer Oaths

Signature of Applicant

Title

Date Commission Expires

SEAL



CUMBERLAND COUNTY SHERIFF'S OFFICE
ACKNOWLEDGEMENT FORM



I, _____, in the process of applying for a permit to carry a concealed handgun do hereby acknowledge that I have read and understand the following:

1. That I have received, read and understand the DO'S and DON'TS list provided.
2. That if I falsify any information contained in the Application for Concealed Handgun Permit (Form DCI CHPA, 12/95), said falsification is a misdemeanor criminal offense.
3. That the \$90.00 fee for applying for a permit is NON-REFUNDABLE, regardless of whether or not it is issued or denied.
4. That if I am issued a permit, I must reapply for a renewal permit thirty (30) days to ninety (90) days prior to the expiration date of the original permit issued. When applying, a NON-REFUNDABLE renewal fee must be paid.

Date

Applicant's Signature



CUMBERLAND COUNTY SHERIFF'S OFFICE INVESTIGATIVE WORKSHEET



CAUTION: FEDERAL LAW AND STATE LAW DIFFER ON THE POSSESSION OF HANDGUNS AND FIREARMS. IF YOU ARE ILLEGALLY IN POSSESSION OF A HANDGUN OR A FIREARM, YOU MAY BE PROSECUTED IN FEDERAL COURT. A STATE PERMIT IS NOT A DEFENSE TO A FEDERAL PROSECUTION.

INSTRUCTIONS: Print legibly and complete the entire form, front and back. If you need extra space, add additional pages and identify the information by item number. Completion of this work sheet will assist with the investigation process of your application.

1. Full Name: _____ / _____ / _____
First Middle Last Social Security # Optional-
However there may be a
processing delay

Maiden Name: _____

Nickname or Alias: _____

Date of Birth: _____ / _____ / _____ Age: _____ Place of Birth: _____

Driver's License Number: _____ State: _____

Race: circle one: American Indian/Alaskan Native Asian/Pacific Islander Black White Unknown

Sex: _____ Height: _____ Weight: _____ Hair Color: _____ Eye Color: _____

Distinguishing Marks or Tattoos: _____

Residence Address: _____
Number & Street City State Zip

Telephone Number: _____
Home Work Cell

Main Number where you can be reached M-F 8:00am to 5:00pm: _____

2. Are you a citizen of the United States? Yes ☐ No ☐

3. Have you been a resident of Cumberland County for thirty (30) days or more from the date of this application? Yes ☐ No ☐

4. Have you previously submitted an application for carrying a concealed handgun with this agency? Yes ☐ No ☐

5. List addresses for past 3 years starting with the present address:
From: To: Month/Year Address County City/State
Month/Year

FILL OUT BACK OF FORM



6. List your present employment:

7. Are you, or have you ever been, in the U.S. Military Service or any other military organization? Yes ☐ No ☐

8. Have you ever used, or been addicted to, any illegal drugs or alcohol? Yes ☐ No ☐

If yes, what were the circumstances and give details of past or present treating physician and facility:

9. Have you ever, or do you now, have a mental illness or nervous background? Yes ☐ No ☐

If yes, give details and list past or present treating physician and/or mental facility:

10. Have you ever been arrested by a Law Enforcement Officer or otherwise charged with a criminal offense? Yes ☐ No ☐

Offense Charged:

Law Enforcement Agency:

Date:

Disposition:

Offense Charged:

Law Enforcement Agency:

Date:

Disposition:

Offense Charged:

Law Enforcement Agency:

Date:

Disposition:

(ADD EXTRA SHEETS, IF NECESSARY)

11. Are you under indictment in any court for a crime punishable by imprisonment for a term exceeding sixty (60) days? A formal accusation of a crime made by a prosecuting attorney, as distinguished from an indictment presented by a grand jury?

Yes ☐ No ☐

12. Was your license ever suspended or revoked? Yes ☐ No ☐

If yes, state which and give reasons:

Date

Signature



CUMBERLAND COUNTY SHERIFF'S OFFICE



DISQUALIFYING CRIMINAL OFFENSES PURSUANT TO N.C.G.S. 14-415.12(b)(8)

An individual who has been adjudicated guilty of or received a prayer for judgement continued or suspended sentence for offenses constituting a misdemeanor under the following specific statutes, or other crimes of violence, is disqualified from obtaining a permit to carry a concealed handgun:

1. Harassment of and communication with jurors (14-225.2)
2. Violating orders of court (14-226.1)
3. Furnishing poison, controlled substances, deadly weapons, cartridges, ammunition or alcoholic beverages to inmates of charitable, mental or penal institutions or local confinement facilities (14-258.1)
4. Weapons on campus or other educational property (14-269.2)
5. Carrying weapons into assemblies and establishments where alcoholic beverages are sold and consumed (14-269.3)
6. Weapons on state property and courthouses (14-269.4)
7. Possession and sale of spring-loaded projectile knives (14-269.6)
8. Impersonation of fireman, emergency medical services personnel (14-276.1)
9. Impersonation of law-enforcement or other public officers (14-277)
10. Communicating threats (14-277.1)
11. Weapons at parades and other public gatherings (14-277.2)
12. Stalking (14-277.3)
13. Throwing or dropping of objects at sporting events (14-281.1)
14. Exploding dynamite cartridges and bombs (14-281.1)
15. Riot and inciting to riot (14-288.2)
16. Fighting or conduct creating a threat of imminent fighting or other violence (14-288.4(a)(1))
17. Making or using any utterance, gesture, display or abusive language which is intended and plainly likely to provoke violent retaliation and thereby create a breach of peace (14-288.4(a)(2))
18. Looting and trespassing during emergency (14-288.6)
19. Assault on emergency personnel (14-288.9)
20. Violations of city State of Emergency Ordinances (14-288.12)
21. Violation of county State of Emergency Ordinances (14-288.13)
22. Violation of State of Emergency Ordinances (14-288.14)
23. Child abuse (14-318.2)
24. Violations of the standards for carrying a concealed weapon (14-415.21(b))
25. Any crime of violence found in Article 8 of Chapter 14 in the North Carolina General Statutes



CUMBERLAND COUNTY SHERIFF'S OFFICE



THE DO'S AND DON'TS OF CARRYING A CONCEALED HANDGUN

1. Your permit to carry a concealed handgun must be carried along with valid identification whenever the handgun is being carried concealed.
2. When approached or addressed by any officer, you must disclose the fact that you have a valid concealed handgun permit and inform the officer that you are in possession of a concealed handgun. You should not attempt to draw or display either your weapon or your permit to the officer unless and until he directs you to do so. Your hands are to be kept in plain view and you are not to make any sudden movements.
3. At the request of any law enforcement officer, you must display both the permit and valid identification.
4. You may not, with or without a permit, carry a concealed weapon while consuming alcohol or while alcohol or any controlled substances are in your blood unless the controlled substance was obtained legally and taken in therapeutically appropriate amounts.
5. You must notify the sheriff who issued the permit of any address change within thirty (30) days of the change of address.
6. If a permit is lost or destroyed, you must notify the sheriff who issued the permit and you may receive a duplicate permit by submitting a notarized statement to that effect along with the required fee. Do not carry a handgun without it.
7. Even with a permit, you may not carry a concealed handgun in the following areas:
 - a. Any law enforcement or correctional facility
 - b. Any space occupied by state or federal employees
 - c. A financial institution
 - d. Any premise where the carrying of a concealed handgun is prohibited by the posting of a statement by the controller of the premise
 - e. Educational property
 - f. Areas of assemblies, parades, funerals, or demonstrations
 - g. Places where alcoholic beverages are sold and consumed
 - h. State occupied property
 - i. Any state or federal courthouse
 - j. In any area prohibited by federal law
 - k. Any local government building if the local government had adopted an ordinance and posted signs prohibiting the carrying of concealed weapons
8. If you are in a vehicle and stopped by a law enforcement officer, you should put both hands on the steering wheel, announce you are in possession of a concealed handgun and state where you have it concealed, and that you are in possession of a permit. Do not remove your hands from the wheel until instructed to do so by the officer.

CONCEALED HANDGUN PERMITS

AND

THE USE OF DEADLY FORCE

Questions and Answers



**North Carolina
Sheriffs' Association**

*Provided as a Public Service by
Sheriff Earl Butler
of Cumberland County*

July 1, 2007

This pamphlet was prepared and is provided as a public service by North Carolina Sheriffs and the North Carolina Sheriffs' Association. It answers some of the most frequently asked questions about the use of deadly force and the authority of a citizen who has been issued a concealed handgun permit.

This pamphlet is not a complete summary of all of the statutes and court opinions on the use of deadly force. **The information provided in this pamphlet is not legal advice.** Each case has its own unique set of facts, and it is unwise to try to predict how a particular case would be decided.

For legal advice about a specific situation or for more details on the issues discussed in this pamphlet, you should consult an attorney.

Q. What type weapons can I carry if I am issued a concealed handgun permit?

A. A handgun is the only weapon that the permit authorizes you to carry concealed.

A handgun is defined by law as "a firearm that has a short stock and is designed to be held and fired by the use of a single hand." For example, a handgun would include a revolver or semi-automatic pistol.

A permit does not authorize you to carry a concealed rifle, shotgun or other deadly weapons such as a knife, blackjack, razor, metallic knuckles, etc.

Q. Are there places where I cannot carry a concealed handgun, even with my concealed handgun permit?

A. Yes, the locations where a concealed handgun permit holder may not carry a concealed handgun include (but are not limited to):

- 1) on public or private school property;
- 2) in any assembly where a fee has been charged for admission;
- 3) in any establishment where alcoholic beverages are sold and consumed;
- 4) in the State Capitol Building, the Executive Mansion, or the Western Residence of the Governor, or the grounds of any of these buildings;
- 5) in any building or portion of a building used for court purposes;
- 6) in any parade, funeral procession, picket line, or demonstration upon any private health care facility or upon any public place owned or under the control of the State or any of its political subdivisions;

- 7) in any area prohibited by federal law;
- 8) in a law enforcement or correctional facility;
- 9) in any building that contains only State or federal offices or in any State or federal office which is located in a building not exclusively occupied by the State or federal government;
- 10) in any local government building or park, if the local government has adopted an ordinance and posted signs prohibiting the carrying of concealed handguns upon the premises;
- 11) in any financial institution (bank, savings and loan, credit union, etc.); and
- 12) upon any premises where the owner or person in legal control has posted a conspicuous notice that concealed handguns are prohibited.

Additionally, it is unlawful for a person, with or without a concealed handgun permit, to carry a concealed handgun while any alcohol remains in the person's body, or while any controlled substance remains in the person's blood (except as prescribed or authorized by a doctor).

NOTE: Various other North Carolina laws prohibit carrying unconcealed weapons (i.e., weapons in plain view) in certain places. These laws are not changed by the concealed handgun law and must be obeyed.

- Q. Does my North Carolina concealed handgun permit authorize me to carry a concealed handgun in other states?
- A. North Carolinians who have a concealed handgun permit from our state will be able to possess a concealed handgun while visiting some, but not all, other states but will be subject to the laws of that state and are responsible for educating themselves about those laws.

The list of states that have agreements with North Carolina to allow North Carolinians with a NC concealed handgun permit to carry a handgun concealed while in the other state may change and will be updated regularly.

For a current list of states that have concealed handgun permit agreements with North Carolina, consult the North Carolina Department of Justice website at: http://www.ncdoj.com/law_enforcement/cle_handguns_reciprocity.jsp

Q. Does a concealed handgun permit issued by another state to a resident of that state authorize the permit holder to carry a concealed handgun in North Carolina?

A. North Carolina law allows residents of other states who have a concealed handgun permit issued by their state to carry concealed handguns in North Carolina if the person's state also grants the same privilege to North Carolinians. However, while you are in North Carolina you will be subject to all of our state's laws governing the carrying of a concealed handgun.

For a current list of states that have concealed handgun permit agreements with North Carolina, consult the North Carolina Department of Justice website at: http://www.ncdoj.com/law_enforcement/cle_handguns_reciprocity.jsp

Q. If I am a military member and my permit expires while I'm out of the state, what can I do to get it renewed?

A. North Carolina allows a concealed carry permit holder who is, or will be, deployed for military service to apply with the sheriff of the county that issued the permit for an extension of the concealed carry permit up to an additional 90 days after the permittee's deployment is scheduled to end.

Q. If I am the victim of domestic violence, can I automatically get a concealed handgun permit?

A. North Carolina law allows a domestic violence victim to apply for a temporary emergency concealed handgun permit by showing proof of the issuance of a domestic violence protective order. However, for the permit to be issued, all other standards for the issuance of an emergency permit must be met.

Q. What is deadly force?

A. Deadly force is force likely to cause death or great bodily harm. A deadly weapon is an instrument which is likely to produce death or great bodily harm, under the circumstances of its use. A handgun is a deadly weapon and use of a handgun against another person is use of deadly force.

Q. When can I use my handgun to protect myself?

A. You are legally justified in using deadly force (i.e., your handgun) against another person, when and only when:

- 1) You actually believe deadly force is necessary to prevent an imminent threat of death, great bodily harm, or sexual assault, and

- 2) The facts and circumstances prompting that belief would cause a person of ordinary firmness to believe deadly force was necessary to prevent an imminent threat of death, great bodily harm, or sexual assault, and
- 3) You were not an instigator or aggressor who voluntarily provoked, entered, or continued the conflict leading to deadly force, and
- 4) The force used was not excessive, i.e., the force used was not greater than reasonably needed to overcome the threat posed by a hostile aggressor.

Q. When can I use my handgun to protect a family member or to protect another person?

A. In protecting a family member or another person, you can only use deadly force (i.e., your handgun) if, under the circumstances, the family member or other person would be legally justified in using deadly force to protect himself or herself.

Q. What can I do if someone is breaking into my home?

A. You may use deadly force to prevent an intruder from forcibly entering your home if the circumstances would lead a reasonably prudent person to believe that the intruder intends to commit a felony or kill or cause great bodily harm to persons in the home. This legal concept is called "defense of habitation". The use of deadly force is not justified if the circumstances of the forced entry do not lead to a reasonable belief that the intruder intends to commit a felony or kill or cause great bodily harm to persons in the home.

For example, an insurance salesman normally called upon his customers at their homes between 7:00 and 11:00 at night. These particular customers were husband and wife and told the insurance salesman that it was not necessary for him to call them by telephone before stopping by. One day about 11:00 a.m. the insurance salesman talked with the wife by telephone about some insurance matters, and it was agreed that he would stop by her home the next time he was in the neighborhood. That same evening, about 9:30, he went to the customer's home, knocked on the door, waited 20-30 seconds and knocked again. The woman then discharged a shotgun which hit the salesman and injured his leg. The Court held that because the salesman had made no threat or attempt to forcibly enter her home, she was not justified in shooting him.

Your right to use deadly force under the "defense of habitation" only applies to preventing the forcible entry. Once an intruder has unlawfully entered your home, you have a right to use deadly force only if it is reasonably necessary to prevent an imminent threat of death, great bodily harm, or sexual assault.

If a person is trespassing on your land, but is not attempting to forcibly enter your home, you may not use deadly force against the person.

Also, if a person has unlawfully broken into your home, but is running away, you cannot shoot the fleeing burglar because at that point you would not be preventing his forcible entry into your home and you would not be defending yourself or other occupants of your home from the imminent threat of death, great bodily harm or sexual assault.

Q. What can I do if I am in my place of business and someone comes in to rob me?

A. If the actions of the robber create a reasonable belief that there is an imminent threat of death, great bodily harm or sexual assault to you or other persons, you may use deadly force to protect yourself or others.

However, you may only use reasonable force, but not deadly force, to prevent a person from unlawfully stealing your property or money when there is no reasonable belief of an imminent threat of death, great bodily harm, or sexual assault.

For example, a teenage girl walked out of a convenience store with two six packs of beer that had not been paid for, got into a car driven by another person and they began to drive off. As the car was leaving the parking lot, the store clerk ran out with a pistol and fired three shots, one of which hit the driver in the head and killed him. The Court held that the store clerk's use of deadly force was not justified and upheld his conviction for first-degree murder.

Q. Am I required to retreat before I can use deadly force to protect myself from an assault?

A. Generally, you must retreat before you use deadly force, if you can retreat safely. However, you are not required to retreat if you are threatened with imminent death, great bodily harm, or sexual assault.

Also, you are under no duty to retreat when you are in your own home, upon your own premises or at your place of business. However, even when you are in your own home, premises or business, you can only use deadly force when it is reasonably necessary to prevent an imminent threat of death, great bodily harm, or sexual assault. For example, if someone only slaps you while at your business, you are not authorized to shoot that person.

Q. Can I protect myself if someone starts hitting me?

A. Yes, you may use as much force, but not deadly force, as is reasonably necessary under the circumstances to stop the person from hitting you. You may not use deadly force to stop an attacker when it does not reasonably appear necessary to protect yourself from death, great bodily harm, or sexual assault.

Also, you may not use force, deadly or non-deadly, against another person because of the fact that the person attacked you in the past or threatens to attack you in the future. Your right to defend yourself by using force only applies when the threat against you creates immediate danger.

For example, a man saw his former girlfriend in a disco club. The man went over to the woman and hit her in the head with his fist. The woman then danced with another man. Her former boyfriend then called her over to where he was and he started punching her in the stomach. The woman then went elsewhere in the disco club, obtained a knife from another man, and returned to where her former boyfriend was and stabbed him with the borrowed knife. Because immediately prior to the stabbing the woman was safely away from the man and perfectly free to remain in a safe place, and because she borrowed a knife and returned to the man's location in the club and stabbed him, the Court held that her use of deadly force was unlawful. It was clear that at the time she stabbed him, she was not in actual or apparent danger of death or great bodily harm and was not justified in using deadly force.

Q. What if someone uses threatening, abusive or insulting language to me?

A. Mere words alone, regardless of how threatening, abusive or insulting they may be, do not justify your use of deadly force. You may be justified in using deadly force if the other person's conduct or actions create a reasonable belief that deadly force is necessary to prevent an imminent threat of death, great bodily harm, or sexual assault.

For example, two men began to argue. One man began verbally abusing the other and challenging him to fight. The verbal abuse included racial slurs, derogatory and obscene references to the other man's mother, and allegations that the other man was too scared to fight. The verbal abuse continued for less than ten minutes before the target of the verbal abuse violently and repeatedly stabbed the man who was making abusive comments, and he died.

The defendant admitted to the stabbing and made the statement: "I told the man to quit running his mouth at me." The Court upheld the defendant's conviction of second-degree murder with a punishment of life imprisonment and held that mere words, however abusive, do not justify the use of deadly force.

- Q. Can I point my handgun at someone, even if I do not shoot it?
- A. You may point your handgun at another person only in situations where you are legally justified in using deadly force. Otherwise, it is unlawful to point any gun, either in fun or otherwise, whether loaded or not loaded, at any person.
- Q. Can I use my handgun to stop a "crime in progress"?
- A. A concealed handgun permit does not make you a law enforcement officer. With one minor exception, North Carolina law does not give a citizen the right to make a citizen's arrest.

You cannot shoot to stop a criminal who is running away. You may use deadly force (i.e., your handgun) only when it is reasonably necessary to prevent an imminent threat of death, great bodily harm, or sexual assault to yourself or others. Otherwise, you cannot use deadly force against a criminal, such as a shoplifter, a thief, a driver leaving the scene of an accident or a trespasser.

July 1, 2007