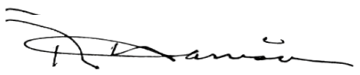


TEXARKANA POLICE DEPARTMENT

GENERAL ORDERS MANUAL

SUBJECT	Concealed Handgun Act Management		
NUMBER	1102.08	EFFECTIVE DATE	May 18, 2011
Scheduled Review Date	February 01, 2021	ISSUE DATE	May 18, 2011
Date Reviewed	January 29, 2020	REVISION DATE	January 30, 2020
APPROVED BY		(Reserved for Expansion)	

I. Purpose and Scope

- A. The purpose of this policy is to establish rules and guidelines surrounding the manner in which officers of the Texarkana Police Department manage the statutory requirements that serve to control the *Concealed Handgun Act 419 of 1995*.

II. Policy

- A. It shall remain the policy of the Texarkana Police Department to establish rules and guidelines that define the manner in which officers of the Department manage and process Concealed Handgun Permits confiscated during violations of the *Concealed Handgun Act 419 of 1995*. All members of the Department shall recognize and adhere to the guidelines set forth within this policy.

III. Concealed Handgun Act 419 of 1995

- A. A.C.A §5-73-302 states the Director of the Division of Arkansas State Police may issue a license to carry a concealed handgun to a person who meets the statutory qualifications.
- B. When a licensee is in actual possession of a concealed handgun, the licensee shall present the original license—or a valid issued duplicate copy—for inspection upon a request by any peace officer. The licensee is mandated to also present an official form of photo identification that accompanies the original license. Although not inclusive, officially recognized photo identification forms include the following:
 1. A valid Arkansas Driver’s License that denotes the same address as shown on the Concealed Handgun License;
 2. A valid military identification card;
 3. A valid identification card issued by the State of Arkansas denoting the same address as show in the Concealed Handgun License; or
 4. A valid United States passport.
- C. A.C.A. §5-73-315 the licensee shall: Carry the license, or an electronic copy of the license in an acceptable electronic format, together with valid identification, at any time when the licensee is carrying a concealed handgun; and Display both the license, or an electronic copy of the license in an

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acceptable electronic format, and proper identification upon demand by a law enforcement officer. The presentment of proof of a license to carry a concealed handgun in electronic form does not: Authorize a search of any other content of an electronic device without a search warrant or probable cause; or Expand or restrict the authority of a law enforcement officer to conduct a search or investigation.

D. Confiscation of a Concealed Handgun License

1. Any law enforcement officer making an arrest of a licensee for a violation of this act or any other statutory violation which requires revocation of a license, shall confiscate the license and forward it to the Director of the Division of Arkansas State Police, and the license shall be held until a determination of the charge is finalized, with the appropriate disposition of the license after the determination.
2. When an officer of the Texarkana Police Department confiscates a Concealed Handgun License, the officer shall complete Arkansas State Police Form 175—entitled Concealed Handgun License Confiscation Report Form—and attach the form to the completed Property Record.
 - a. Any confiscated Concealed Handgun License shall be treated the same as any other article of evidence. The officer shall ensure the Property Record is complete, and the Property Record—along with the ASP Form 175—is placed within the appropriate evidence locker as indicated within [General Order 1102.02---Property and Evidence Control](#).
 - b. Once completed, a copy of the ASP Form 175 shall be forwarded to CRC for inclusion with the Property Record.
3. The Property and Evidence Custodian shall be responsible to ensure the confiscated Concealed Handgun License is forwarded to the Arkansas State Police, Special Services Section, 1 State Police Plaza Drive, Little Rock, AR 72209

E. A.C.A. §5-73-306 shall not authorize any person to carry a concealed handgun into the following locations:

1. Any police station, sheriff's station, or Division of Arkansas State Police station;
2. An Arkansas Highway Police Division of the Arkansas Department of Transportation facility;
3. A building of the Arkansas Department of Transportation or onto grounds adjacent to a building of the Arkansas Department of Transportation;
 - a. However, this section does not apply to a rest area or weigh station of the Arkansas Department of Transportation;
4. Any part of a detention facility, prison, or jail;
5. Any courthouse; unless the licensee is employed by the county, a countywide elected official, or a justice of the peace.
6. Any courtroom.
 - a. However, nothing in this subchapter precludes a judge from carrying a concealed weapon or determining who will carry a concealed weapon into his or her courtroom;
7. Any meeting place of the governing body of any governmental entity;
8. Any meeting of the General Assembly or a committee of the General Assembly;

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9. Any state office;
 10. Any athletic event not related to firearms;
 11. A portion of an establishment, except a restaurant as defined in A.C.A § 3-5-1202, licensed to dispense alcoholic beverages for consumption on the premises;
 12. A portion of an establishment, except a restaurant as defined in § 3-5-1202, where beer or light wine is consumed on the premises;
 13. A school, college, community college, or university campus building or event, unless for the purpose of participating in an authorized firearms-related activity;
 14. Inside the passenger terminal of any airport, except that no person is prohibited from carrying any legal firearm into the passenger terminal if the firearm is encased for shipment for purposes of checking the firearm as baggage to be lawfully transported on any aircraft;
 15. Any church or other place of worship; However, this subchapter does not preclude a church or other place of worship from determining who may carry a concealed handgun into the church or other place of worship. A person with a concealed carry endorsement under § 5-73-322(g) and who is carrying a concealed handgun may not enter a church or other place of worship under this section if the church or other place of worship either places a written notice as permitted under subdivision (18) of this section or provides notice under subdivision (19) of this section prohibiting a person with a license to possess a concealed handgun at the physical location;
 16. Any place where the carrying of a firearm is prohibited by federal law;
 17. Any place where a parade or demonstration requiring a permit is being held, and the licensee is a participant in the parade or demonstration; or
 18. Any place at the discretion of the person or entity exercising control over the physical location of the place by placing at each entrance to the place a written notice clearly readable at a distance of not less than ten feet (10') that "carrying a handgun is prohibited".
 - a. If the place does not have a roadway entrance, there shall be a written notice placed anywhere upon the premises of the place.
 - b. In addition, there shall be at least one (1) written notice posted within every three (3) acres of a place with no roadway entrance.
 - c. A written notice described above is not required for a private home.
 - d. Any licensee entering a private home shall notify the occupant that the licensee is carrying a concealed handgun.
- F. The Department of Arkansas State Police shall maintain an automated listing of license holders, and this information shall be available online, upon request, at any time, to any law enforcement agency through the Arkansas Crime Information Center.

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