

Office of Governmental Accountability/ Board of Firearms Permit Examiners

At a Glance

FRANK P. BLANDO, Esq., Chairman

Craig Fishbein, Esq., Secretary

Established -1967

Statutory authority - Connecticut General Statute Sec. 29-32b

Office address - 20 Trinity, 5th floor, Hartford, CT 06106

Number of employees – 1 full time, 1 part time

Recurring operating expenses - Personnel \$120,591; Other Expenses \$8,606

Organizational structure – The Board of Firearms Permit Examiners (aka the Board) is comprised of nine members appointed by the Governor to serve during his term and until their successors are appointed and qualify. The members are appointed from nominees of the Commissioner the Dept. of Emergency Services and Public Protection, Ms. Gudrun Johnson, Connecticut Police Chiefs Association, Chief Carl Rosensweig, the Commissioner of the Dept. of Energy and Environmental Protection, Col. Kyle Overturf, The Connecticut State Rifles and Revolvers Association, Inc., Attorney Craig Fishbein, Ye Connecticut Gun Guild, Inc., Mr. M. Pete Kuck, the Commissioner of the Dept. of Mental Health and Addiction Services, Dr. Charles Dike and a vacancy to be appointed by the Chief Court Administrator. Two members, Attorney James Greer, II and Attorney Frank Blando are public members appointed by the Governor with at least one member of the Board who shall be a lawyer licensed to practice in Connecticut and who shall act as Chairman of the Board during the hearing of appeals. Attorney Frank Blando serves as Chairman. Members are volunteers and are compensated only for mileage.

Mission

The Board of Firearms Permit Examiners mission is to provide a means of appeal, through administrative hearings, for those have been denied a pistol permit or had their permit revoked. In addition, citizens aggrieved by any denial to issue or renew a permit under the provisions of Connecticut General Statute section 29-28 or 29-36f, or revocation of a permit issued, or refusal or failure of any issuing authority to furnish an application, may appeal to the board. The Board provides a uniform interpretation and application of firearm laws.

Statutory Responsibility

The statutory responsibility of the Board is to administer and enforce the provisions of Connecticut General Statute Section 29-32b. Under that section, the Board has the responsibility of making inquires and investigations, taking testimony and rendering decisions, in connection with appeals brought to the Board, by persons aggrieved by the action or inaction of the Issuing Authorities. On such appeal the board shall inquire into and determine the facts, de novo, and unless

it finds that such a refusal, limitation or revocation, or such refusal or failure to supply an application, as the case may be, would be for just and proper cause, it shall order such permit or certificate to be issued, renewed or restored, or the limitation removed or modified, as the case may be.

Public Service

In fiscal year 2014 the Board received 553 new requests to appeal the denial of temporary pistol permit or the revocation of their State pistol permit. The Board held 19 meetings with an average of 15 cases scheduled per meeting with each meeting lasting 6 to 10 hours. A total of 298 cases were resolved by the Board through administrative hearings. Of the 298 cases; 54 were in favor of the citizen appealing, 80 were in favor of the Commissioner, Chief or First Selectman's decision to deny or revoke a pistol permit and 164 citizens had their cases resolved by an agreement. There are 613 cases pending and the backlog or wait list is now 2.5 years.

Improvements/Achievements

New Appointees

In accordance with PA 13-03: An Act Concerning Gun Violence Prevention and Children's Safety, it was established that two additional Board members shall be appointed to the Board of Firearms Permit Examiners from nominees of the Commissioner of Mental Health and Addiction Services, and a retired judge of the Superior Court appointed by the Chief Court Administrator. November 2013, Governor Malloy appointed the nominee of the Commissioner of DMHAS, Dr. S. David Bernstein, a forensic psychiatrist. Due to the long hours required by the Board, he resigned in January 2015. On April 21, 2015, Governor Malloy appointed Dr. Charles Dike, a nominee from the Commissioner of DMHAS, a forensic psychiatrist. The Chief Court Administrator has yet to appoint a retired judge of the Superior Court to serve.

Reduced Backlog or wait-time

Two Board Members, Atty. Craig Fishbein and Col. Kyle Overturf, gave up a full day of work to review the upcoming cases to be heard in 2015. As a result 64 cases were removed from the backlog due to automatic disqualifiers in accordance with State Statutes. The appellants were informed of the option to request a pardon from the Office of Pardons and Parole.

Records Management

In accordance with the CT State Library, Public Records Retention Management Program, the Board had Scan-Optics convert all legal opinions, administrative decisions, agendas and minutes to a digital format within an encrypted flash drive. All records scanned are searchable PDF files and are in compliance with the records retention schedule as permanent records.

Information Reported as Required by State Statute

The Board operates, and will continue to operate in conformance with Sec. 46a to 46a-78, inclusive of the General Statutes of Connecticut.

Membership

Chairman Frank P. Blando, Esq., Board Secretary Craig C. Fishbein, Esq., Dr. Charles Dike, James A. Greer, Esq., Ms. Gudrun Johnson, Mr. M. Peter Kuck, Colonel Kyle E. Overturf and Chief Carl Rosensweig.