

Columbus Police Division Directive	EFFECTIVE Apr. 15, 2010	NUMBER 3.10
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<b>Concealed Carry</b>		



Cross Reference:

Training Supplement: 11-1

## I. Introduction

Properly licensed **and other qualified individuals** may carry concealed handguns in non-prohibited locations as long as certain **legal** conditions are met.

## II. Definitions

### A. Permit Holder

An individual properly licensed to carry a concealed handgun in Ohio.

### B. **Qualified Adult**

***An individual who is at least 21 years of age or older; is not legally prohibited from possessing or receiving a firearm under state and federal law; and meets all other legal requirements outlined in Section 2923.111 of the Ohio Revised Code (ORC).***

## III. General Information

- A. This directive does not affect Division policies regarding **sworn personnel** carrying firearms off duty.
- B. Permit holders **and qualified adults** are permitted to carry handguns in a City-owned building that is used primarily as a shelter, restroom, parking facility, or rest facility.
- C. Revealing information obtained from LEADS to non-law enforcement personnel, including information concerning the concealed carry status of any **individual**, is a fifth degree felony. However, information about the permit holder **or qualified adult** obtained from a source other than LEADS may be relayed to a complainant or other third party for legitimate law enforcement purposes.

## IV. Situations Involving Permit Holders and Qualified Adults

- A. A permit holder **or qualified adult** carrying a **concealed** handgun who is stopped or detained by a law enforcement officer is required to **answer truthfully when asked by** that officer **whether** he or she is armed **as outlined in Section 2923.12 of the ORC. It is not a violation of law if any of the following apply:**

1. **The individual already notified another officer he or she is carrying a concealed handgun during the same stop.**
  2. **The individual is asked during a consensual encounter.**
- B. **Sworn personnel** have the discretion to secure a weapon **based upon the totality of the circumstances when the individual is lawfully stopped**. Unless an officer safety concern **or other legal justification** exists, the preferred course of action is that a weapon be allowed to remain **with the individual or** in the **individual's** vehicle **with his or her hands in plain sight**.
- C. When an officer believes there is a safety concern (for example, a possible arrest situation, multiple subjects in the vehicle where an arrest is being made, an OVI offense, etc.), the officer should secure the weapon in the trunk or other locked compartment in the cruiser until the incident is resolved. The weapon may be unloaded at the officer's discretion. **Refer to the "Firearms Safety" training supplement.**
1. The weapon shall be pointed in a safe direction prior to and during unloading.
  2. If the officer is unfamiliar with the weapon, attempts should be made to request assistance from another officer capable of unloading the weapon, unless that assistance would unreasonably prolong the stop.
  3. Passing a loaded firearm between individuals should be avoided whenever possible.

## V. Prohibited Locations

- A. **Sworn personnel** encountering a permit holder **or qualified adult** carrying a firearm in a City building have the discretion to warn or criminally charge the individual. A permit holder **or qualified adult** who refuses to leave after being warned **shall** be criminally charged.
- B. **Sworn personnel** encountering a permit holder **or qualified adult** carrying a handgun in a City-owned building that is used primarily as a shelter, restroom, parking facility, or rest facility **shall not** charge the individual.
- C. The Division will not store, hold, or secure firearms for **individuals** while they are in City facilities.
- D. Civilian personnel encountering **individuals** carrying a firearm in a City building should immediately advise a sworn officer. No attempt should be made by the civilian employee to confront the violator.
- E. Permit holders **and qualified adults** violating **clearly** posted prohibitions against carrying firearms in a private business **or facility shall** be considered trespass violators.
1. **Sworn personnel** encountering this situation have the same discretion to warn or charge the individual as they do for other trespass violations.
  2. If the posted land or premises is a parking lot or other parking facility, the permit holder **or qualified adult** is not guilty of criminal trespass and instead is subject only to a civil cause of action for trespass.