



STATE OF KANSAS
OFFICE OF THE ATTORNEY GENERAL

DEREK SCHMIDT
ATTORNEY GENERAL

MEMORIAL HALL
120 SW 10TH AVE., 2ND FLOOR
TOPEKA, KS 66612-1597
(785) 296-2215 • FAX (785) 296-6296
WWW.AG.KS.GOV

December 17, 2014

Honorable Sam Brownback
Governor of the State of Kansas
State Capitol, Room 241-S
Topeka, Kansas 66612

Honorable Susan Wagle
President of the Senate
State Capitol, Room 333-E
Topeka, Kansas 66612

Honorable Ray Merrick
Speaker of the House of Representatives
State Capitol, Room 370-W
Topeka, Kansas 66612

Honorable Anthony Hensley
Minority Leader of the Senate
State Capitol, Room 318-E
Topeka, Kansas 66612

Honorable Paul Davis
Minority Leader of the House of Representatives
State Capitol, Room 359-W
Topeka, Kansas 66612

Greetings:

K.S.A. 75-7c16(b) of the Kansas Personal and Family Protection Act, also known as the concealed carry handgun law, requires the Attorney General, on or before January 1 of each year, to submit a statistical report to the Governor, President of the Senate, the Senate Minority Leader, the Speaker of the House of Representatives and the House Minority Leader indicating the number of concealed carry licenses issued, revoked, suspended and denied during the preceding fiscal year and the reasons for the revocations, suspensions and denials.

In Fiscal Year 2014, the Office of Attorney General issued 20,660 concealed carry handgun licenses. During the same period 82 initial applications were denied, 12 renewal applications were denied, 87 concealed carry licenses were suspended and 52 licenses were revoked.

The KPFPA requires that, if a licensee becomes subject to a “proceeding” which **could** render them ineligible to maintain their license, that license must be proposed for suspension subject to the Kansas Administrative Procedures Act. See, KSA 75-7c07(b).

If a licensee actually becomes ineligible to maintain their license, the KPFPA requires the “revocation” of that license subject to KAPA. See, KSA 75-7c07(a). What these two provisions occasionally result in is a proposed “suspension” of a license for a licensee who is under a potentially disqualifying criminal charge; and then a proposed “revocation” of that same license if the licensee is later convicted of that disqualifying charge or another disqualifying charge. Where this scenario has presented itself, this report will note the number of those occasions.

License Denials: 82

62 – Denied based on a disqualifying criminal history record (criminal charges and convictions)

- 20 – Domestic violence related convictions
- 11 – Felony drug convictions
- 9 – Charged with disqualifying felony and misdemeanor offenses
- 4 – Felony DUI convictions
- 3 – Aggravated assault conviction
- 2 – Aggravated robbery convictions
- 2 – Robbery convictions
- 2 – Burglary convictions
- 1 – Armed robbery conviction
- 1 – Felon in possession of a firearm conviction
- 1 – Felony theft conviction
- 1 – Felony forgery conviction
- 1 – Shooting into a building conviction
- 1 – Felony welfare fraud conviction
- 1 – Felony bad check conviction
- 1 – Misdemeanor drug conviction
- 1 – Auto theft conviction

9 – Applicants moved to another state before their license was approved or issued

2 – Applicants found to be fugitives from justice

2 – Applicants found to be unlawful users of a controlled substance

2 – Applicants adjudicated mental defective or involuntarily committed for mental treatment

1 – Applicant failed to provide a training certificate

- 1 – Applicant failed to remit the license fee
- 1 – Applicant was subject to a final order of protection from abuse
- 1 – Applicant found to be in the U.S. and Kansas unlawfully
- 1 – Applicant wasn't a resident of Kansas

License Renewal Denials: 12

- 6 – Domestic violence related convictions
- 1 – Aggravated assault with a firearm conviction
- 1 – Unlawful use of a prescription drug conviction
- 1 – Licensee on probation for unlawful use of drug paraphernalia
- 1 – Licensee found to be a fugitive from justice
- 1 – Licensee no longer a resident of Kansas
- 1 – Licensee failed to remit renewal fee

License Suspensions: 87

- 25 – Licensee was subject to a protection from abuse or stalking order
- 18 – Charged with domestic battery
- 11 – Charged with aggravated assault
- 9 – Charged with a felony drug offense
- 4 – Charged with aggravated battery
- 4 – Charged with felony theft
- 3 – Charged with criminal threat
- 3 – Charged with a felony sex offense
- 2 – Charged with felony fleeing and eluding a law enforcement officer
- 1 – Charged with criminal use of explosives
- 1 – Charged with felony DUI
- 1 – Charged with aggravated indecent liberties with a child
- 1 – Charged with felony abuse of a child
- 1 – Charged with robbery and aggravated burglary
- 1 – Charged with criminal discharge of a firearm at a occupied vehicle
- 1 – Charged with battery on a law enforcement officer
- 1 – Charged with a misdemeanor drug offense

NOTE: 4 suspended licenses were later revoked following conviction for a disqualifying criminal offense or the issuance of a final protection from abuse order.

12 suspended licenses were later reinstated when protection from abuse orders were dismissed, criminal charges were dismissed, or felony level charges were reduced to non-disqualifying misdemeanors offenses.

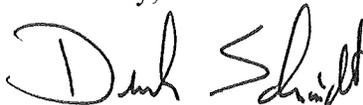
License Revocations: 52

- 22 – Found to be carrying or possessing a loaded handgun while under the influence of alcohol
- 5 – Found to be in possession of a controlled substance
- 4 – Licensee found to be a user of a controlled substance
- 3 – Convicted of a felony level drug offense
- 2 – Licensee was subject to a final protection from abuse order
- 2 – Convicted of a crime of domestic violence
- 2 – Convicted of attempted aggravated assault with a deadly weapon
- 2 – Convicted of a misdemeanor drug offense
- 2 – Convicted of attempted aggravated battery
- 1 – Convicted of aggravated battery
- 1 – Convicted of premeditated 1st degree murder
- 1 – Convicted of attempted 1st degree murder
- 1 – Convicted of aggravated assault
- 1 – Convicted of trafficking contraband into a jail facility
- 1 – Convicted of felony fleeing and eluding a law enforcement officer
- 1 – Convicted of criminal threat
- 1 – Convicted of felony theft

NOTE: 2 revoked licenses were later reinstated when the licensees were found to be clear of disqualifying events.

14 revoked licenses were previously suspended pending the outcome of criminal charges.

Sincerely,

A handwritten signature in black ink that reads "Derek Schmidt". The signature is written in a cursive, slightly slanted style.

Derek Schmidt
Kansas Attorney General