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December 17, 2015

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 Tom Burroughs
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 2015, the Office of Attorney General issued 10,511 concealed carry handgun licenses. During the same period 122 initial applications were denied, 27 renewal applications were denied, 117 concealed carry licenses were suspended and 76 licenses were revoked.

The KPFPA requires that, if a licensee becomes subject to a criminal charge or other “proceeding” which **could** render them ineligible to maintain their license, that license must be “suspended” - 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. Because of the fluid nature of these processes, sometimes these procedures will overlap fiscal and/or calendar years.

License Denials: 122

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

- 37 – Felony drug convictions
- 27 – Convicted of misdemeanor crimes of domestic violence
- 5 – Aggravated battery convictions
- 4 – Burglary convictions
- 3 – Aggravated assault convictions
- 2 – Criminal threat convictions
- 1 – Unlawful sexual relations conviction
- 1 – Aggravated criminal sodomy conviction
- 1 – Aggravated burglary conviction
- 1 – Rape adjudication
- 1 – Convicted of discharging a firearm at an occupied vehicle
- 1 – Under federal indictment for wire fraud
- 1 – Felony theft conviction
- 1 – Criminal damage to property conviction
- 1 – Auto theft conviction
- 1 – Place on diversion for possession of a controlled substance
- 1 – Convicted of a person felony while in possession of a firearm
- 1 – Felony non support of a child conviction
- 1 – Charged with felony possession of controlled substance
- 1 – Possession of controlled substance conviction

17 – Applicants failed to provide proof of required training

7 – Applicants failed to meet state residency requirement

- 2 – Applicants found to be unlawful users of a controlled substance
- 2 – Applicants applied in the wrong county
- 1 – Applicant failed to remit the license fee
- 1 – Applicant failed to provide proof of lawful U.S. residency

License Renewal Denials: 27

- 6 – Felony drug convictions
- 5 – Domestic violence related convictions
- 5 – Licensees no longer a resident of Kansas
- 2 – Misdemeanor controlled substance convictions
- 2 – Aggravated robbery convictions
- 1 – Aggravated assault adjudication
- 1 – Licensee charged with aggravated assault
- 1 – Vehicular homicide conviction
- 1 – Federal controlled substance conviction
- 1 – Criminal threat conviction
- 1 – Involuntary mental commitment
- 1 – Licensee found to be an unlawful user of a controlled substance

License Suspensions: 117

- 32 – Licensee was subject to a protection from abuse or stalking order
- 29 – Charged with domestic battery
 - 9 – Charged with aggravated assault
 - 9 – Charged with a felony drug offense
 - 9 – Charged with aggravated battery
- 3 – Charged with felony DUI
- 3 – Charged with criminal threat
- 3 – Placed on diversion for domestic battery
- 2 – Charged with indecent liberties with a child
- 2 – Charged with felony theft
- 2 – Charged with misdemeanor drug offenses
- 1 – Charged with first degree murder and child abuse
- 1 – Charged with criminal sodomy of a child
- 1 – Charged with felony level child endangerment
- 1 – Charged with aggravated incest
- 1 – Charged with felony sex offenses
- 1 – Charged with rape
- 1 – Charged with criminal damage to property
- 1 – Involuntary commitment for mental treatment and charged with multiple felonies
- 1 – Placed on diversion for aggravated assault
- 1 – Charged with felony fraud

- 1- Placed on diversion for felony theft
- 1 – Charged with domestic-related disorderly conduct (brawling and fighting)
- 1 – Charged with carrying a concealed handgun while under the influence of alcohol (CUI)
- 1 – Failure to disclose a firearm to a law enforcement officer (charged in another state)

NOTE: 8 licenses suspended in FY 2015 were later revoked following conviction for a disqualifying criminal offense or the issuance of a final protection from abuse order.

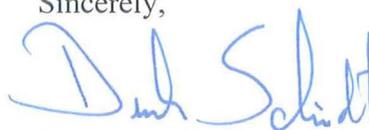
19 suspended licenses were later reinstated when protection from abuse orders were dismissed, criminal charges were dismissed, or felony level charges were reduced to non-disqualifying misdemeanors offenses.

License Revocations: 76

- 15 – Licensee found to be an unlawful user of controlled substances
- 14 – Domestic battery conviction
- 11 – Felony level controlled substance conviction
- 6 – Licensee no longer a resident of Kansas
- 6 – Aggravated battery conviction
- 4 – Misdemeanor controlled substance conviction
- 3 – Criminal threat conviction
- 3 – Aggravated assault conviction
- 3 – Convicted of carrying a firearm while under the influence of drugs or alcohol (CUI)
- 1 – Felony theft conviction
- 1 – Federal firearms conviction
- 1 – Aggravated sexual battery conviction
- 1 – Aggravated burglary conviction
- 1 – Felony DUI conviction
- 1 – Convicted of aggravated indecent liberties with a child
- 1 – Criminal sodomy of a child conviction
- 1 – Convicted of indecent liberties with a child
- 1 – Convicted of felony sex crimes involving a child
- 1 – Federal tax conviction
- 1 – Vehicular homicide conviction

NOTE: 11 licenses revoked in FY 2015 were previously suspended in this or a previous fiscal year pending the outcome of criminal charges.

Sincerely,



Derek Schmidt
Kansas Attorney General