

PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY
CONSTABLES' EDUCATION AND TRAINING BOARD

BACKGROUND CHECK FORM

APPLICATION FOR CERTIFICATION OF A CONSTABLE OR DEPUTY CONSTABLE TO CARRY A FIREARM IN ACCORDANCE WITH ACT 2009-49, CHAPTER 71, SUBCHAPTER E, TRAINING §7148

This form must be completed by each applicant for certification to carry a firearm while performing duties as a constable or deputy constable. The information provided on this form will be used by the Pennsylvania Commission on Crime and Delinquency to conduct a criminal history record check of the applicant. To ensure proper filling-out of this form on line, use the Tab key to advance to the next line or block. Separate month, day and year, when entering dates. Print completed form, sign and date it, and return to requesting authority.

APPLICANT INFORMATION (Print or type)

NAME:

Last

First

MI

SOCIAL SECURITY NUMBER:

DATE OF BIRTH:

The Crimes Code at 18 Pa.C.S. § 6105 (a) prohibits persons convicted of any of the following offenses under Title 18, or any equivalent offense under the statutes of any other state or of the United States, from possessing, using, controlling, selling, transferring, or manufacturing a firearm in the Commonwealth of Pennsylvania. A conviction includes a finding of guilty or the entering of a plea of guilty or nolo contendere, whether or not the judgment has been imposed, as determined by the law of the jurisdiction in which the prosecution was held. The term does not include a conviction which has been expunged or overturned or for which an individual has been pardoned unless the pardon expressly provides that the individual may not possess or transport firearms. The prohibited offenses as enumerated in subsection (b) are as follows:

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| § 908 Prohibited offensive weapons | § 3503 Criminal trespass, if the offense is graded a felony of the second degree or higher |
| § 911 Corrupt organizations | § 3701 Robbery |
| § 912 Possession of weapon on school property | § 3702 Robbery of motor vehicle |
| § 2502 Murder | § 3921 Theft by unlawful taking or disposition, upon conviction of the second felony offense |
| § 2503 Voluntary manslaughter | § 3923 Theft by extortion, when the offense is accompanied by threats of violence |
| § 2504 Involuntary manslaughter, if the offense is based on the reckless use of a firearm | § 3925 Receiving stolen property, upon conviction of the second felony offense |
| § 2702 Aggravated assault | § 4912 Impersonating a public servant, if the person is impersonating a law enforcement officer |
| § 2703 Assault by prisoner | § 4952 Intimidation of witnesses or victims |
| § 2704 Assault by life prisoner | § 4953 Retaliation against witness or victim |
| § 2709 Harassment and stalking, if the offense relates to stalking | § 5121 Escape |
| § 2716 Weapons of mass destruction | § 5122 Weapons or implements for escape |
| § 2901 Kidnapping | § 5501 (3) Riot |
| § 2902 Unlawful restraint | § 5515 Prohibiting of paramilitary training |
| § 2910 Luring a child into a motor vehicle | § 6110.1 Possession of firearm by minor |
| § 3121 Rape | § 6301 Corruption of minors |
| § 3123 Involuntary deviate sexual intercourse | § 6302 Sale or lease of weapons and explosives |
| § 3125 Aggravated indecent assault | |
| § 3301 Arson and related offenses | |
| § 3302 Causing or risking catastrophe | |
| § 3502 Burglary | |

NOTE: This prohibition also applies if you were convicted of one of the above listed offenses in another state or in federal court. The title of the offense might be different, but if it is an equivalent offense, you will be prohibited from carrying a firearm.

Check ONE of the following statements:

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| <input type="checkbox"/> I have never been convicted of any of the prohibiting offenses under Title 18, Pa.C.S. § 6105 (b). |
| <input type="checkbox"/> I have been convicted of one or more of the prohibiting offenses under Title 18, Pa.C.S. § 6105 (b). However, I am exempted pursuant to § 6105 (d). |
| <input type="checkbox"/> I have been convicted of one or more of the prohibiting offenses under Title 18, Pa.C.S. § 6105 (b). |

The Crimes Code at 18 Pa.C.S. § 6105 (c) also prohibits the following persons from possessing, using, controlling, transferring, manufacturing, or obtaining a firearm in the Commonwealth of Pennsylvania:

- (1) A fugitive from justice.
- (2) A person who has been convicted of an offense under the Act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, or any equivalent Federal statute or equivalent statute of any other state, that may be punishable by a term of imprisonment exceeding two years.
- (3) A person who has been convicted of driving under the influence of alcohol or a controlled substance as provided in Title 75, Pa.C.S. § 3731 (related to driving under influence of alcohol or controlled substance) on three or more separate occasions within a five-year period.
- (4) A person who has been adjudicated as an incompetent or who has been involuntarily committed to a mental institution for inpatient care and treatment under section 302, 303, or 304 of the provisions of the Act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act.
- (5) A person who, being an alien, is illegally or unlawfully in the United States.
- (6) A person who is the subject of an active protection from abuse order issued pursuant to 23 Pa.C.S. § 6108 (relating to relief), which order provided for the confiscation of firearms during the period of time the order is in effect.
- (7) A person who was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 (relating to adjudication) or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense under sections 2502, 2503, 2702, 2703 (relating to assault by prisoner), 2704, 2901, 3121, 3123, 3301 3502, 3701, and 3923.
- (8) A person who was adjudicated delinquent by a court pursuant to 42 Pa.C.S. § 6341 or under any equivalent Federal statute or statute of any other state as a result of conduct which if committed by an adult would constitute an offense enumerated in subsection (b) with the exception of those crimes set forth in paragraph (7). This prohibition shall terminate 15 years after the last applicable delinquent adjudication or upon the person reaching the age of 30, whichever is earlier.

Check ONE of the following statements:

I do not meet any of the criteria of the prohibitions of Title 18, Pa.C.S. § 6105 (c), listed above.

I do meet one or more of the criteria of the prohibitions of Title 18, Pa.C.S. § 6105 (c), listed above.

18 U.S.C. § 922 (g) prohibits the possession of a firearm by any person who:

1. was convicted of a federal crime punishable by imprisonment for a term exceeding one year;
2. was convicted of a state crime punishable by imprisonment for a term exceeding two years;
3. is a fugitive from justice;
4. is an unlawful user of or addicted to any controlled substance;
5. has been adjudicated a mental defective or committed to a mental institution;
6. is an illegal alien;
7. has been discharged from the military under dishonorable conditions,
8. has renounced his or her United States citizenship;
9. is subject to a court order restraining the person from harassing, stalking, or threatening an intimate partner or child of the intimate partner; or
10. has been convicted of a misdemeanor crime of domestic violence.

Check ONE of the following statements:

I do not meet any of the criteria of the prohibitions of 18 U.S.C. § 922 (g), listed above.

I do meet one or more of the criteria of the prohibitions of 18 U.S.C. § 922 (g), listed above.

APPLICANT'S UNDERSTANDING AND SIGNATURE

I am currently not charged with and I have never been convicted of a crime that prohibits me from possessing a firearm under Federal or State law. I hereby certify that the statements contained herein are true and correct to the best of my knowledge and belief. I understand that if I knowingly make any false statements herein, I am subject to the penalties as prescribed by law. I authorize the Pennsylvania Commission on Crime and Delinquency to inspect those records or documents relevant to the information required for this application. I understand that this form will be used by the Pennsylvania Commission on Crime and Delinquency to conduct a check of my criminal history record.

Signature of Applicant

Date

This authorization form is valid for up to sixty (60) days after date of signature.