

The Dangers of Open Carry

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Open Carry in PA

- While Pennsylvania has a specific law that requires a “License To Carry Firearms” for the Concealed Carry of a firearm, and the transport of firearms in vehicles, the law is complicated on the legality of openly carrying a firearm.
- There is however a law in PA that requires how a firearm is carried in "cities of the first class", which as defined by PA law in the city of Philadelphia (19 PA C.S. – 6108 – Carrying firearms on public streets in Philadelphia).
- To summarize, open carry is legal in Pennsylvania without a License To Carry Firearms except in "cities of the first class"
- In Philadelphia you must have a license to carry in order to open carry.
- Possession and transportation of firearms in vehicles is severely limited without a license to carry firearms.

Firearms PA

- Specifically in the PA Crimes Code: 18 PA C.S. 6108 – Carrying Firearms on Public Streets – this deals with the city of Philadelphia.
- Some ways that individuals will draw attention to them selves if they decide to open carry in PA.
 - Unwanted attention and questioning by the police due to someone falsely reporting you being involved in some type of disorderly activity because they are either offended by the sight of your firearm or are frightened by it.
 - Being arrested as a result of false reports by others claiming you were “waiving your gun around like a person possessed”.

4 key issues to remember

- **1) Open carry will cause hassles with other people and eventually the police.** Knowing the law in regards to concealed carry and open carry can protect you from most hassles.
- **2) Criminals may not be deterred by openly carried guns.** Criminals are bold they may see this as an opportunity to get your gun from you and use it in further criminal activity.
- **3) Getting your gun taken away is always possible.** Either by the police or by a criminal and be used on you or someone else.
- **4) Most people who carry guns have crappy holsters and no weapon retention skills.** If you carry open you must train for these types of things.

Pros and Cons – Concealed vs. Open Carry

○ Concealed Carry (Pros)

- No one (In General) will know that you have the weapon on you. This would give you the element of surprise, if you were to actually need the weapon. This is the main advantage concealed carry has over open carry.
- A huge variety of high quality holsters are available. Concealed carry has come an extremely long way. There are plenty of comfortable holsters available that are designed to be worn in many different ways.
- Many stores or private enterprises don't allow open carry. Openly violating the law will get you arrested. Defiant Trespass may apply.

Concealed Carry

- Cons:
- With practice, it won't be too bad, but your draw time will still be a little slower than with open carry depending upon your carry method.
- In many cases you have to somewhat change your everyday attire, in order to be able to conceal the weapon comfortably.
- It may be somewhat difficult or uncomfortable to sit for long periods of time, depending on where you are carrying.
- Concealed carry necessitates diligent training and a close adherence to weapon and holster maintenance.

Open Carry

- Pros:
- Easier to carry a larger gun. Due to the fact that you don't have to worry about concealing it by tucking it into your pants or underneath a shirt, you can carry a much larger weapon with a little more ease.
- Faster draw. Since you don't have to worry about getting a shirt or jacket out of the way, you'll be able to draw much faster. The weapon is right there on your hip. The access couldn't be any easier.
- Some will say that open carrying deters potential threats. Others have a different point of view, which we will talk about in a minute.

Open Carry

- Cons:
- While some say it deters threats, others say it makes you a target. In a potentially deadly situation, the threat will target someone open carrying first. We could argue this point either way.
- Having your weapon plain to see could be potentially dangerous as well, because it is possible that someone could grab it out of your holster in a dangerous situation. You need a high quality retention grade holster either a level 2 or level 3 holster.
- Open carrying also draws attention to you in another way. Average people walking the street will see your weapon, and may not know the laws in your state. Some people may feel uncomfortable seeing an armed citizen, and you may get some weird looks or have the police called on you.
- Similarly, you're also much more likely to have to deal with police if you are open carrying. This isn't a problem, as long as you're within your legal limits, but it could be kind of frustrating.

Just some quick facts

- **Where Is It Legal To Open/Conceal Carry In Pennsylvania?**
- The general guidelines carrying of firearms in Pennsylvania is shown, in part below;
- **Restaurants and bars:** You can carry and possess a firearm in restaurants including where alcohol is served, provided there is no posting prohibiting the possession of weapons on the premises.
- **Roadside areas:** You can open carry in Pennsylvania roadside areas as long as you are complying with all transportation and carry laws.
- **State forests and parks:** You can conceal carry in parks and forests in the state as well as wildlife management areas. DCNR regulations prohibit 'Open Carry' (summary offense)
- **Places of worship:** You can open carry in places of worship, except where posted that this is not permitted.
- **On your property and in your home.**

Continued

- **Where Is It illegal To Open/Conceal Carry a Firearm In Pennsylvania?**
- **Pennsylvania gun laws prohibit the possession of firearms in the following places:**
- **Schools:** Pennsylvania Law (Title 18, Section 912 (c)) provides that it is a defense that you possessed a firearm for lawful purposes on school property. This was reinforced by the 2017 Superior Court decision (Goslin). Publicly funded Colleges and Universities can 'only' regulate firearms for students and staff.
- **Courthouses:** ALL Pennsylvania court facilities are 'required by law' to have storage for lawfully carried and possessed firearms.
- **Prisons:** you cannot possess firearms or conceal carry in prisons, jails, and detention facilities in the state.
- **Hospitals:** Many of these facilities are posted against the possession of firearms, whether openly carried 'or' concealed. Firearm possession is only a crime if you refuse to leave with your firearm (Defiant Trespass).
- **Public places restricted by law as posted:** State Public areas can 'only' regulate firearms as permitted by the Uniform Firearms Act and the legislature through the Constitution. Local communities are prohibited from regulating firearms by State Firearm Preemption law.
- **Secure areas of airports:** You cannot open carry or possess firearms in safety zones of airport areas in the state. You cannot carry firearms on any commercial airplane in the US or its territories. TSA will stop you and you will be arrested, prosecuted, your firearm will be confiscated and you will lose your 2A rights.
- **Prohibited places:** You cannot open or concealed carry on Federal Property including parking lots. This includes Postal Property and Social Security buildings & Property and Military Installations. These will also be heavily posted.

Which one to choose?

- Which One Do You Choose?
- Both options are great when permitted by law!. Doing either one is better than doing neither. There are some great holsters for both concealed and open carry. Seek the advice of certified firearms instructors who have a wealth of knowledge when choosing the right holster.
- Much of this is personal preference, but taking some input and advice from trained individuals is only going to help you understand these complicated issues even further. Odds are, there's a gun store or group pretty close to where you live. Reach out to them, and ask for an update on the local laws and what they see commonly in your area.
- Google questions on what type of holster is best for me. YouTube has plenty of really good instructional videos posted by very competent trainers and firearms experts. You have a great deal of these folks who are a part of FOAC

Thank You!

- Thanks for your attention during this presentation. Thanks to Kim and the board at FOAC. We are here to help and educate our membership.