



State of West Virginia
Office of the Attorney General

Patrick Morrissey
Attorney General

(304) 558-2021
Fax (304) 558-0140

November 3, 2021

The Honorable Larry Hogan
Governor of Maryland
100 State Circle
Annapolis, MD 21401

Dear Governor Hogan:

I write to bring to your attention, a matter of great importance to the citizens of our two states. Currently, Maryland and West Virginia do not share a reciprocity agreement with regard to concealed handgun licenses. As a result, West Virginia residents are unable to fully exercise their Second Amendment rights when commuting through or visiting the Old Line State. This is of grave concern.

Our Office has received a number of constituent complaints with regard to their inability to defend themselves while in your neighboring state. This is a public safety concern that affects our region and puts both West Virginians and Marylanders in a precarious position.

West Virginia has two distinct classes of concealed handgun licenses issued under the authority of two separate statutes, to-wit: (a) the West Virginia license to carry a concealed deadly weapon, specifically only for pistols and revolvers, issued to qualified persons 21 years of age or older, pursuant to W. Va. Code § 61-7-4 (termed a "Concealed Handgun License"); and (b) the West Virginia provisional license to carry a concealed deadly weapon, specifically only for pistols and revolvers, issued to qualified persons at least 18 but not yet 21 years of age, pursuant to W. Va. Code § 61-7-4a (termed a "Provisional Concealed Handgun License").

The Maryland State Police has previously indicated that neither class of West Virginia license will be recognized as valid in your State. While we have also sent a request to the Maryland State Police, I respectfully request that your office conduct a review of our licensing statutes to determine what changes in your state laws, regulations, or related circumstances would allow for recognition of one or both classes of West Virginia concealed handgun licenses and, if not, whether a reciprocity agreement could be explored between our states.

For your convenience, we have enclosed copies of W. Va. Code §§ 61-7-4 and 61-7-4a. We would like to highlight some provisions in the West Virginia Code that ensure reliable risk identification and operational safety for concealed handgun licensees. These include extensive training requirements and related documentation; uniform license card; applicant identifiers, including social security number, physical description and place of birth; photo of the licensee; statutory license prohibitions (including alcohol abuse, substance addiction, DUI convictions, felony convictions, misdemeanor convictions for a crime of violence, domestic violence, adjudication for mental incompetence, current felony indictment, and federal prohibitions under 18 U.S.C. § 922 (g) or (n)); and, mandatory background check, including NICS, among other reliable identifier databases.

Also, today the Supreme Court of the United States is hearing oral arguments for *New York State Rifle & Pistol Association Inc. v. Bruen*. This case will settle the question of whether New York's "denial of petitioners' applications for concealed-carry licenses for self-defense violated the Second Amendment." More broadly, this decision, will answer whether a person's right to self-defense extends outside of one's home. As such, Maryland and other states may need to reexamine their own firearm laws and potentially provide a pathway for law-abiding individuals to carry firearms in the general public. In light of this pending case, it is the right time for Maryland to reconsider reciprocity with sister States, as well.

We greatly value your consideration of our inquiries regarding recognition of West Virginia concealed handgun licenses. Our constituents have expressed concerns with an inability to protect themselves while commuting through or visiting your State. Upholding constitutional rights for individuals in our region and ensuring the safety of our citizens is an issue of the utmost importance.

With the forthcoming *New York State Rifle & Pistol Association Inc. v. Bruen* decision, we believe it would be mutually beneficial for our states to preemptively reach a concealed handgun license reciprocity agreement. If you have any additional questions or concerns, please do not hesitate to contact me at (304) 558-2021. Thank you in advance for your review and response.

Sincerely,

A handwritten signature in blue ink that reads "Patrick Morrissey". The signature is written in a cursive, slightly slanted style.

Patrick Morrissey
Attorney General