

Oklahoma State Bureau of Investigation



Annual Report Oklahoma Self-Defense Act 2009

As prepared by the Self-Defense Act Licensing Unit,
Information Services Division
Oklahoma State Bureau of Investigation

TABLE OF CONTENTS

SDA Licenses Approved By Race, Age And Sex In 2009.....	3
SDA License Applications, Approvals, Denials, Revocations And Suspensions By County.....	4
SDA Licenses Denied By Race, Age And Sex In 2009.....	30
SDA Licenses Revoked By Race, Age And Sex In 2009.....	36
SDA Licenses Suspended By Race, Age And Sex In 2009.....	38

**This report is respectfully provided as mandated by the Oklahoma Self
Defense Act**

TITLE 21 § 1290.16. Statistical report

By January 15, 1997, and by January 15 of each year thereafter, the Bureau shall submit a statistical report for the preceding calendar year to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives, including, but not limited to, data on the numbers of handgun licenses approved and issued and the numbers of licenses suspended, revoked or denied in the following categories: age, sex, race, county and any other category deemed relevant by the Bureau.

**OKLAHOMA STATE BUREAU OF INVESTIGATION
 SELF-DEFENSE ACT LICENSING
 STATISTICAL REPORT**

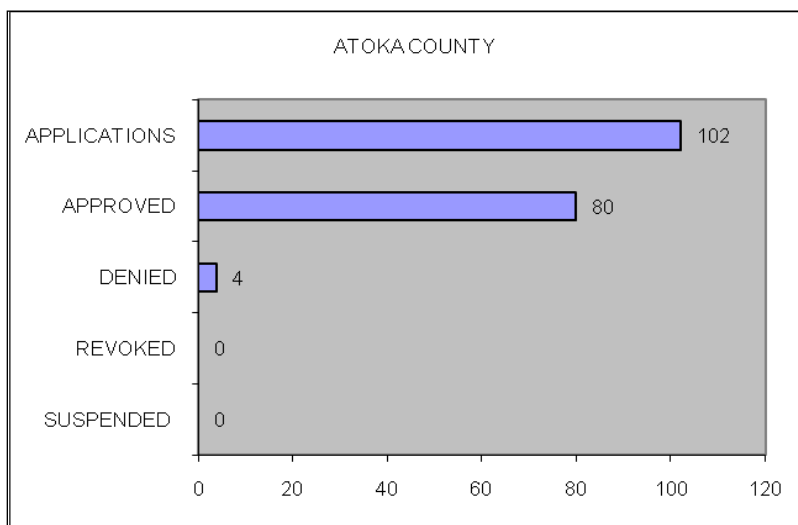
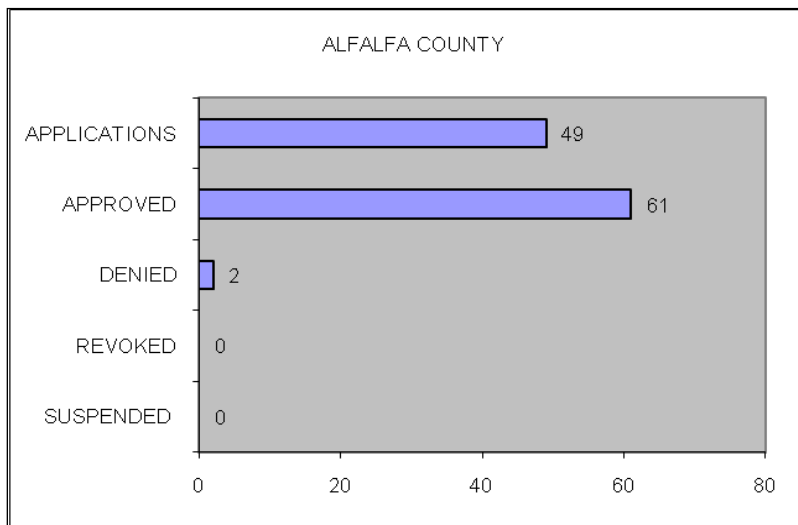
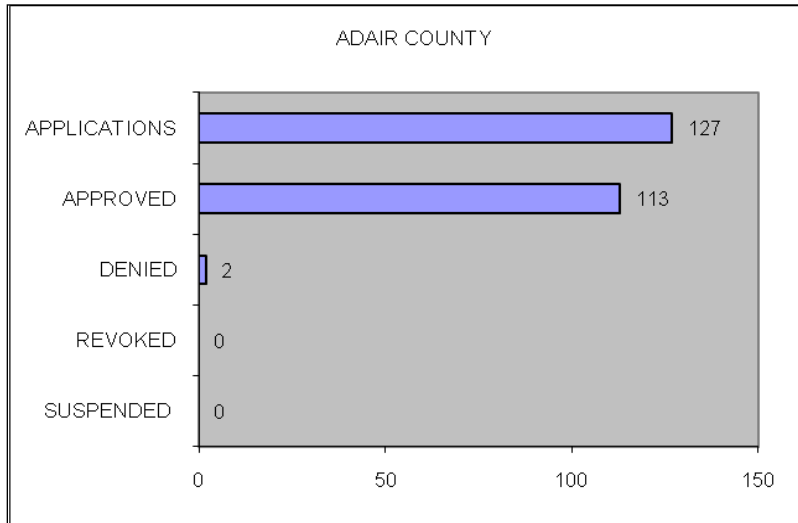
January 1, 2009 through December 31, 2009

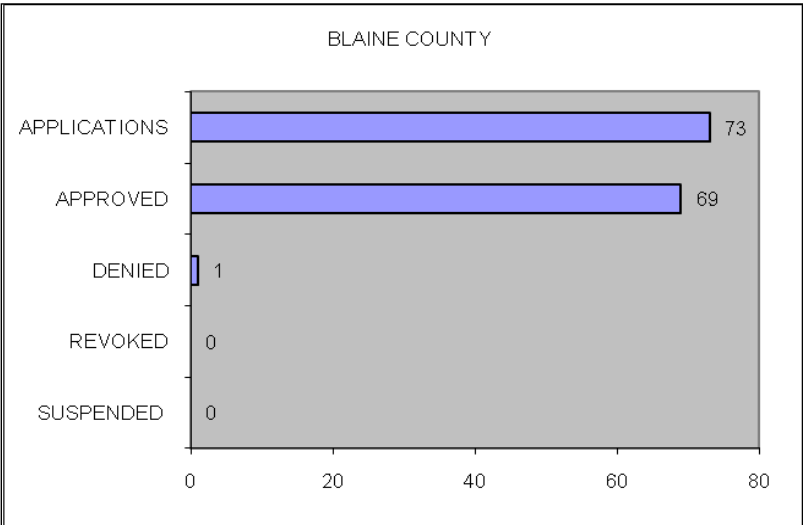
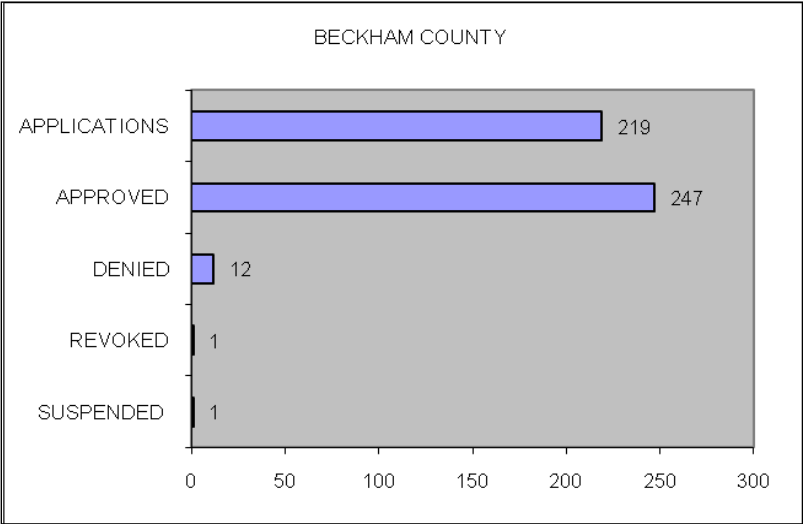
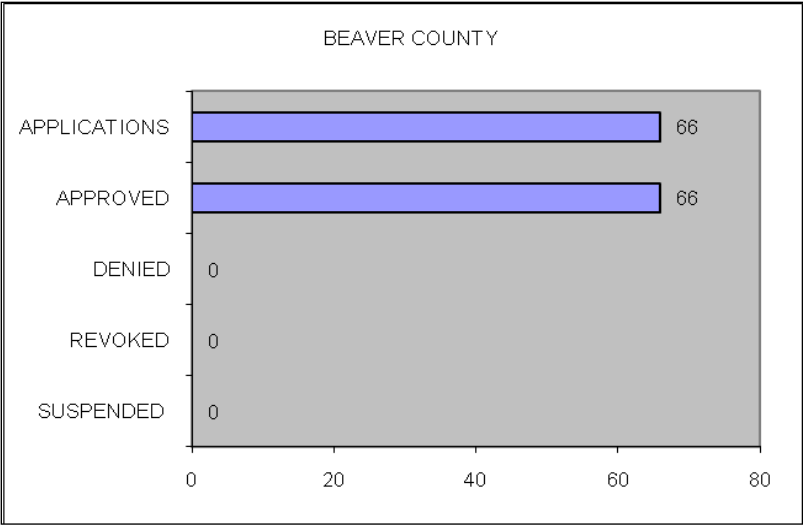
**SDA LICENSES APPROVED
 BY RACE, AGE AND SEX IN 2009**

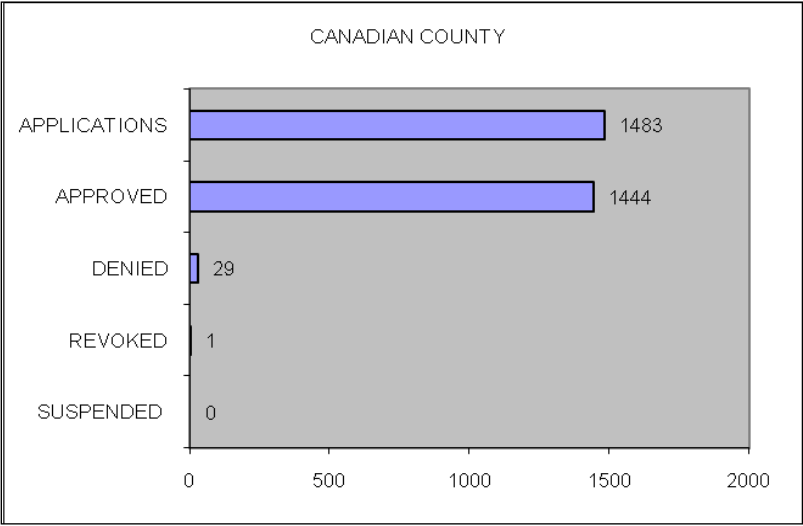
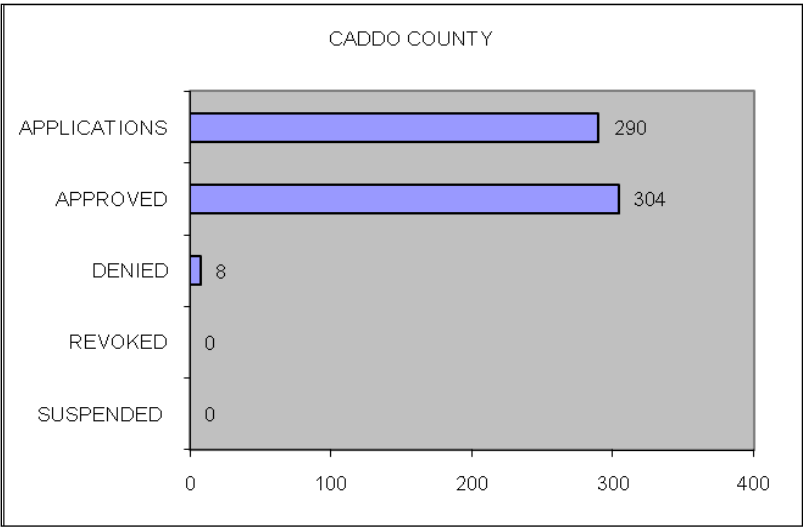
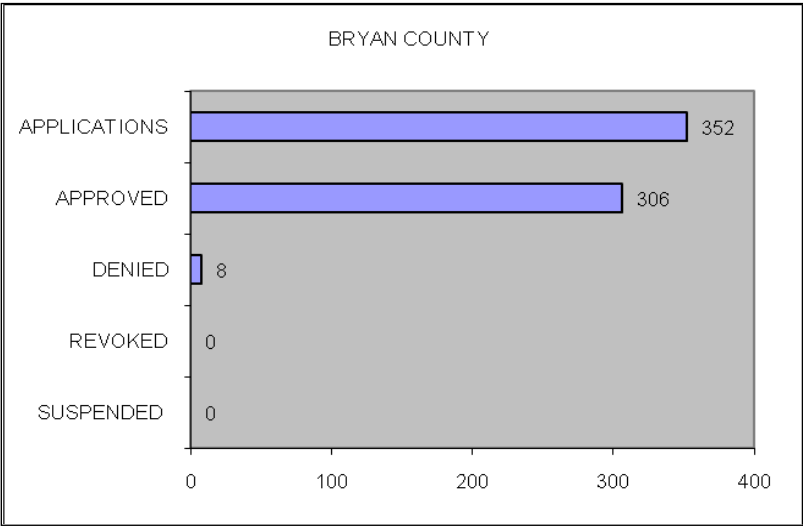
RACE	FEMALE	MALE	COMBINED
Asian	36	133	169
Black	131	585	716
Hispanic	21	129	150
Indian	402	981	1,383
White	8,107	25,256	33,363
Other	41	140	181
Totals	8,738	27,224	35,962
Average Age	52	53	53

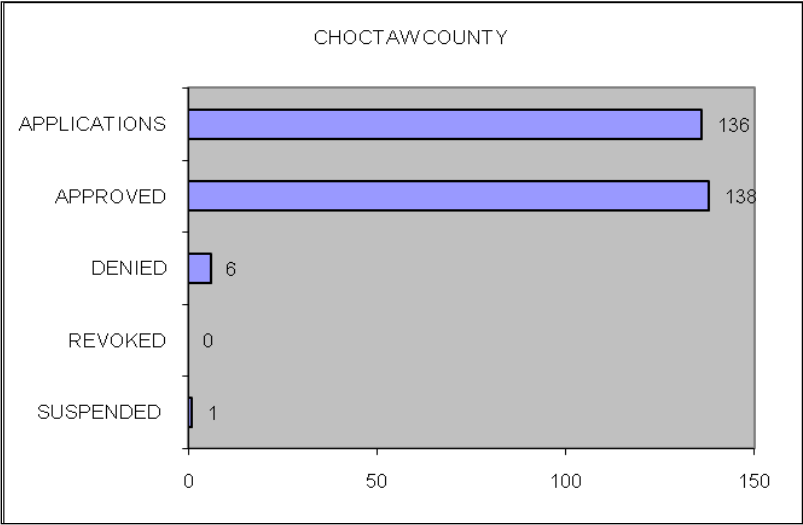
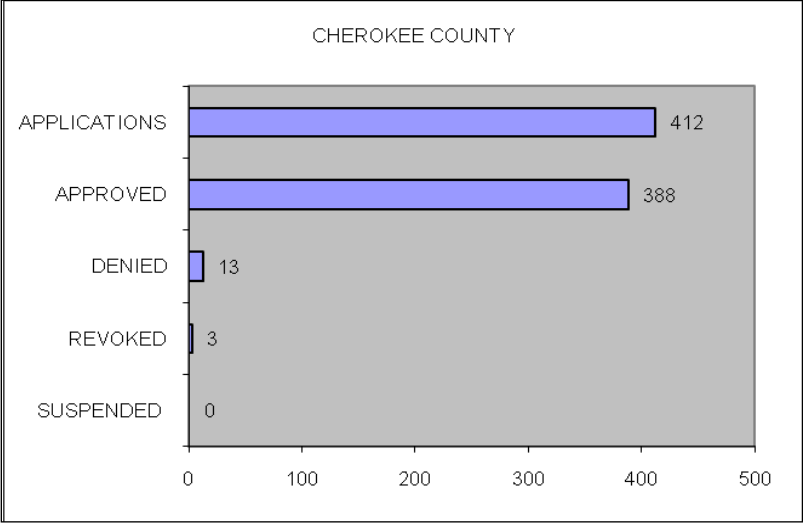
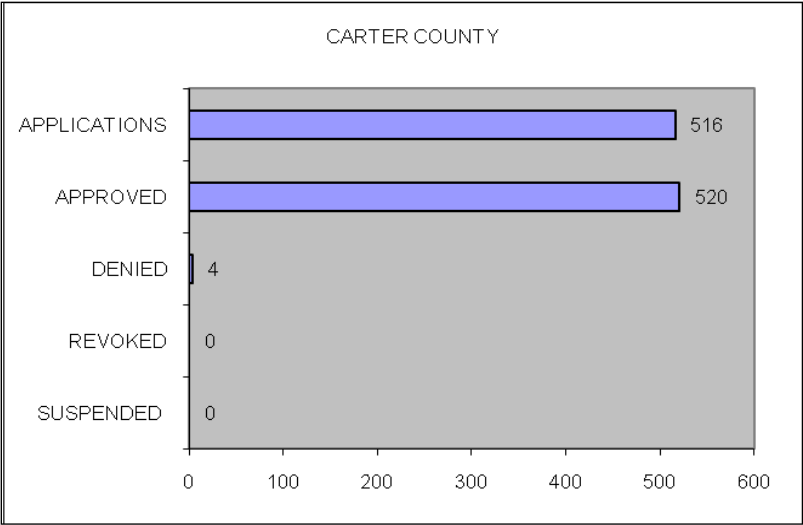
SDA License Applications, Approvals, Denials, Revocations and Suspensions by County

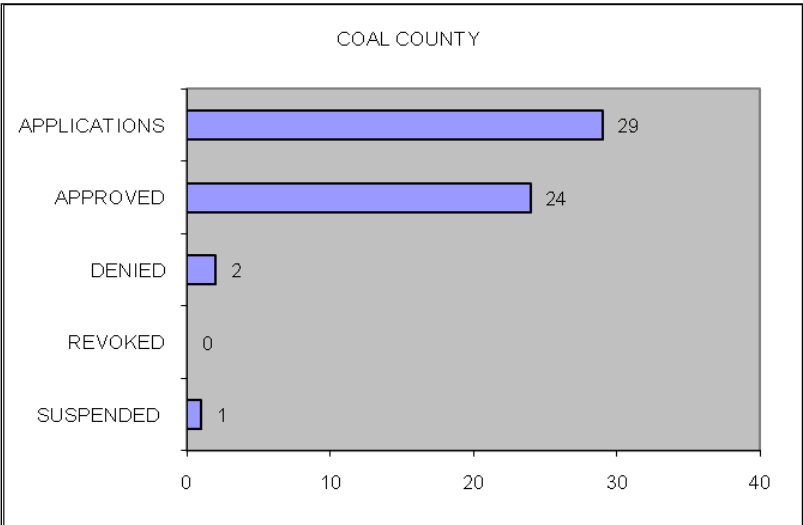
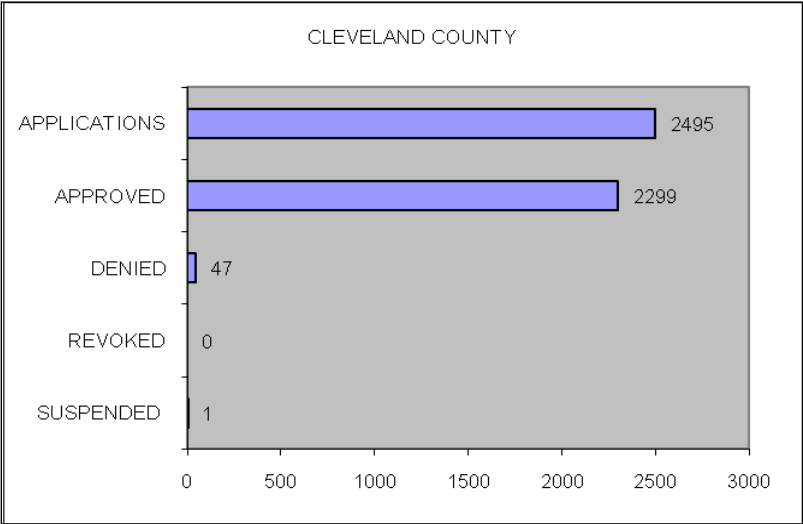
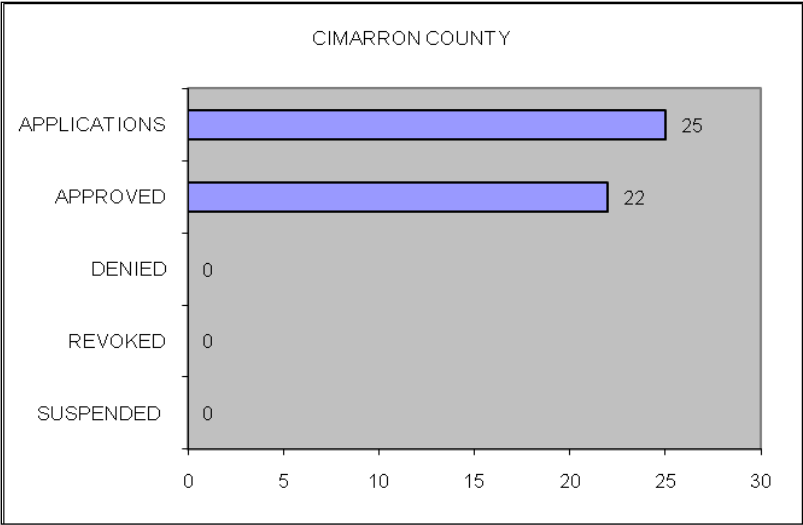
Applications submitted in a given year may not result in approval or denial in that same year. Those applications in a pending status will not be reflected in the totals therefore the numbers of denials and approvals may not equate exactly to the number of applications received.

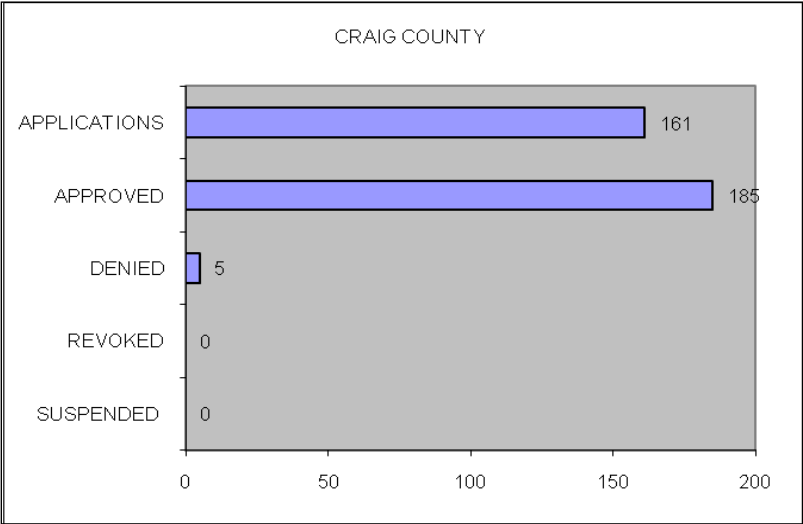
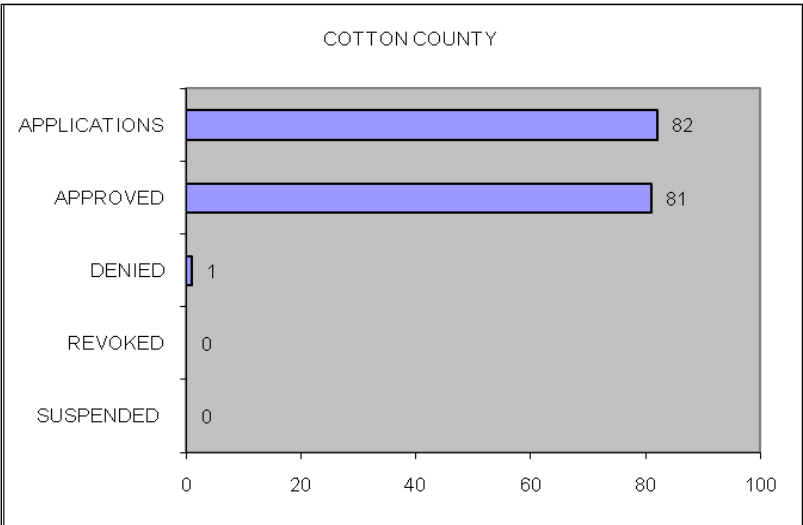
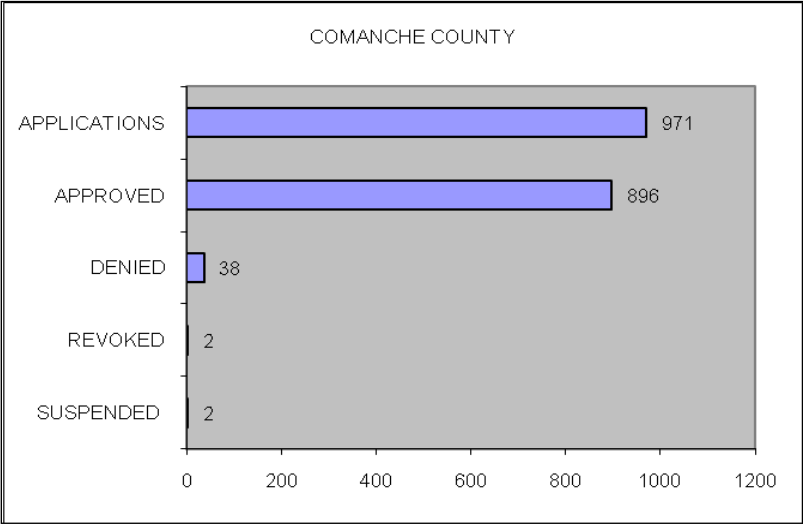


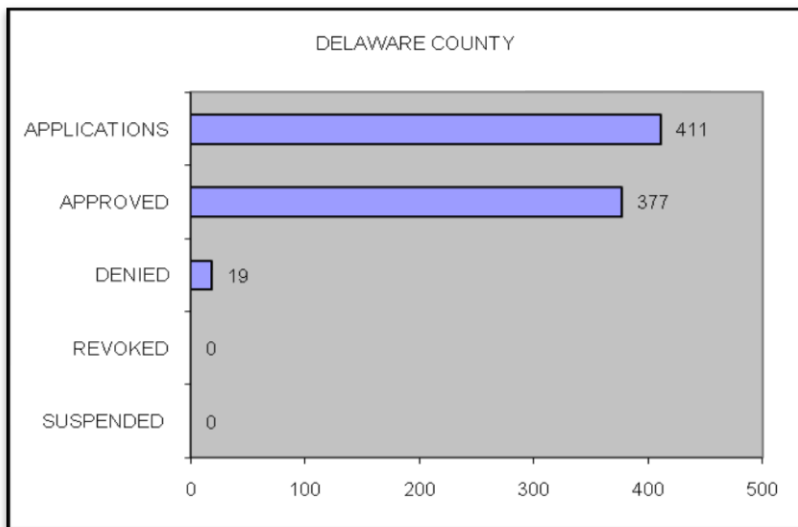
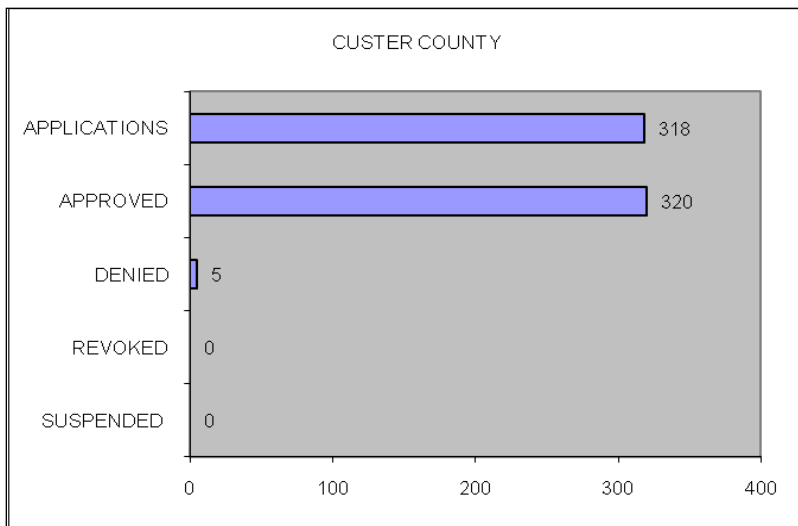
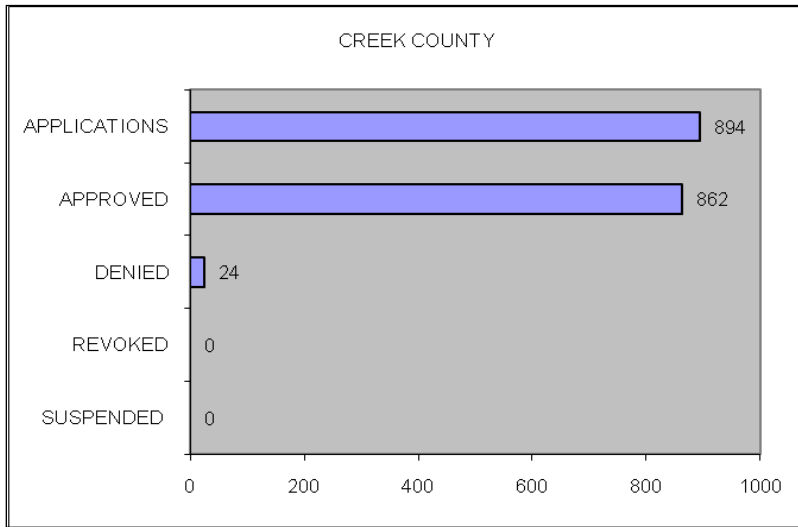


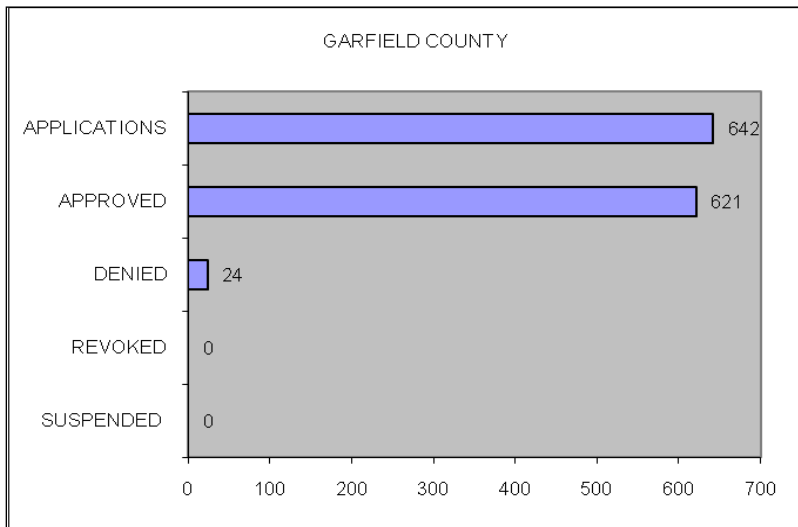
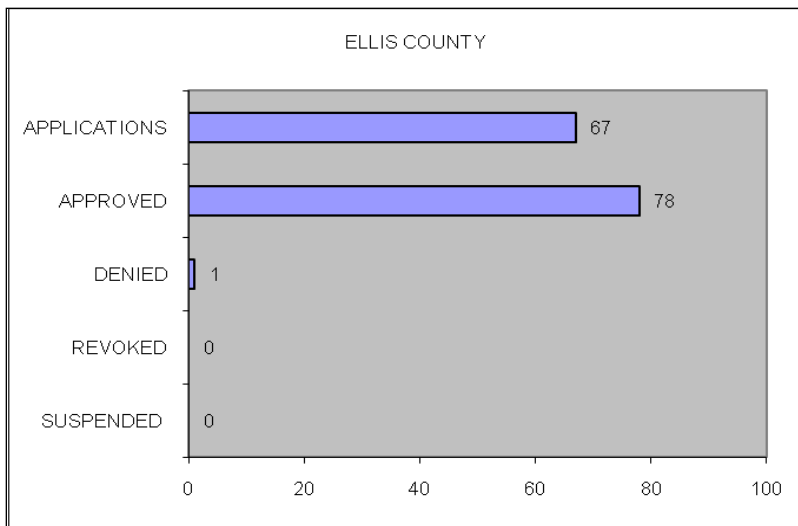
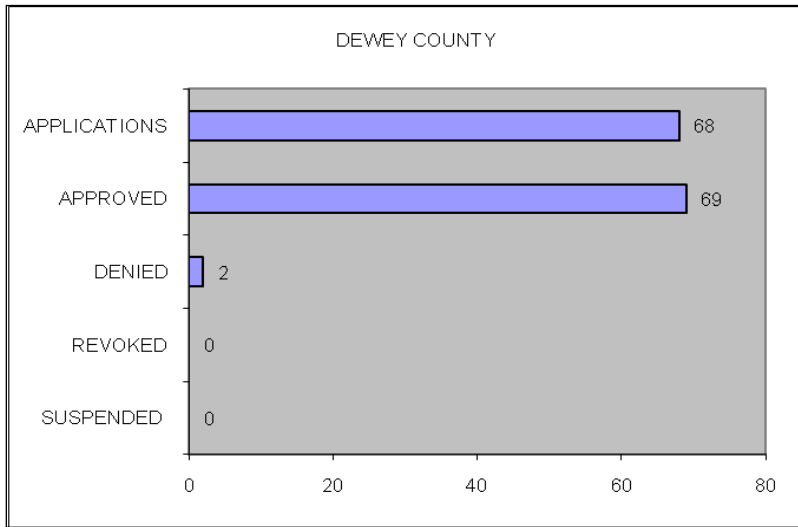


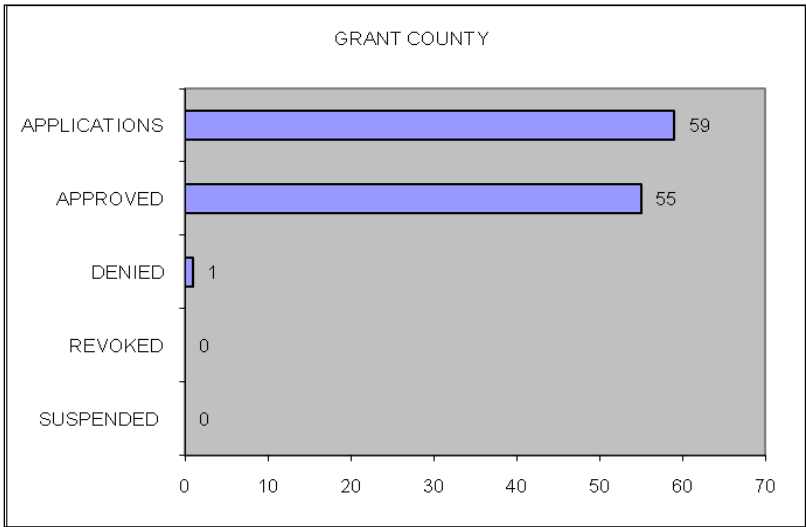
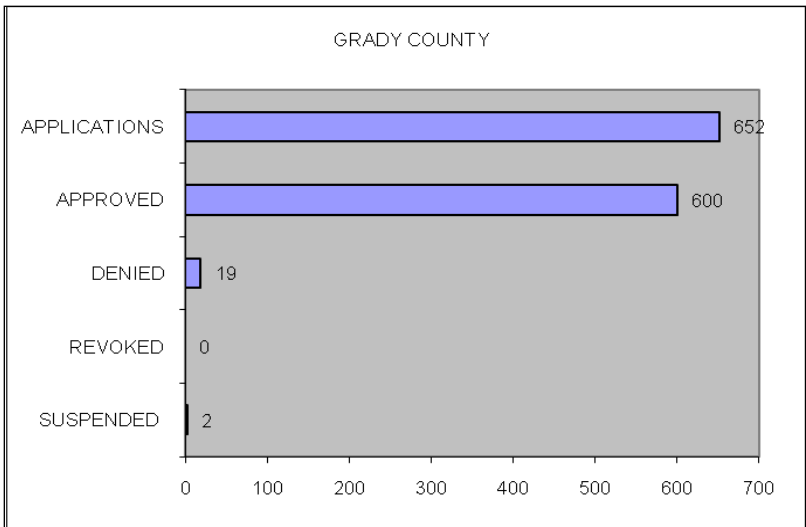
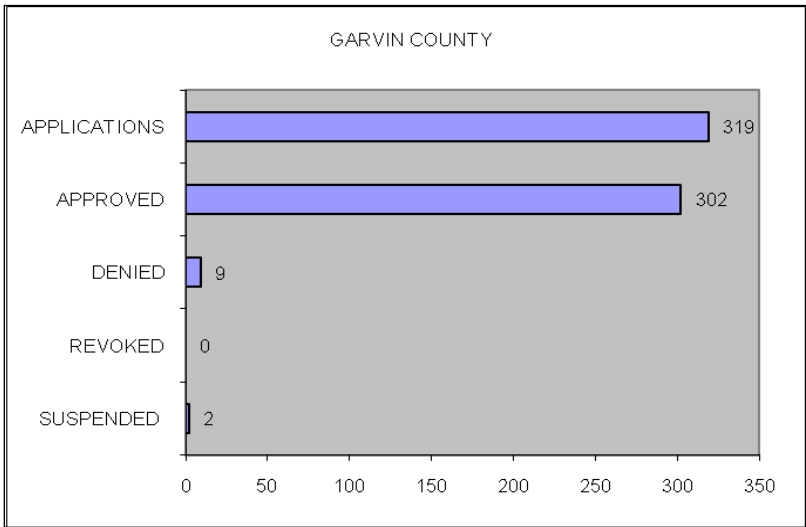


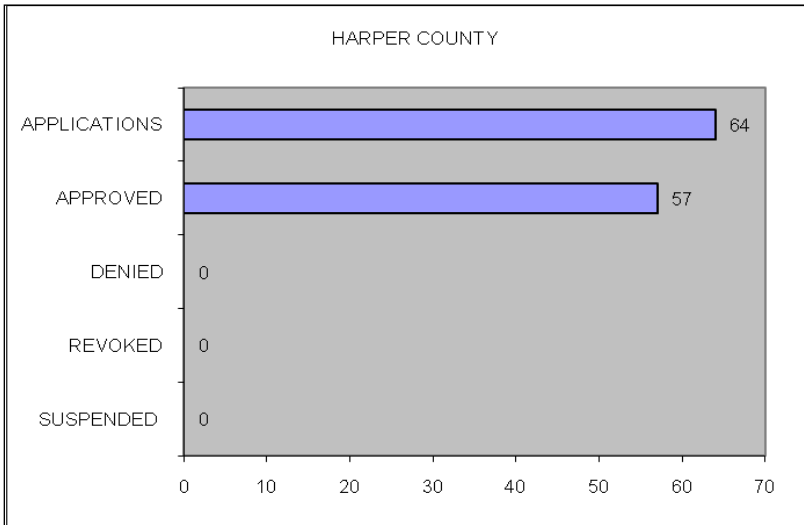
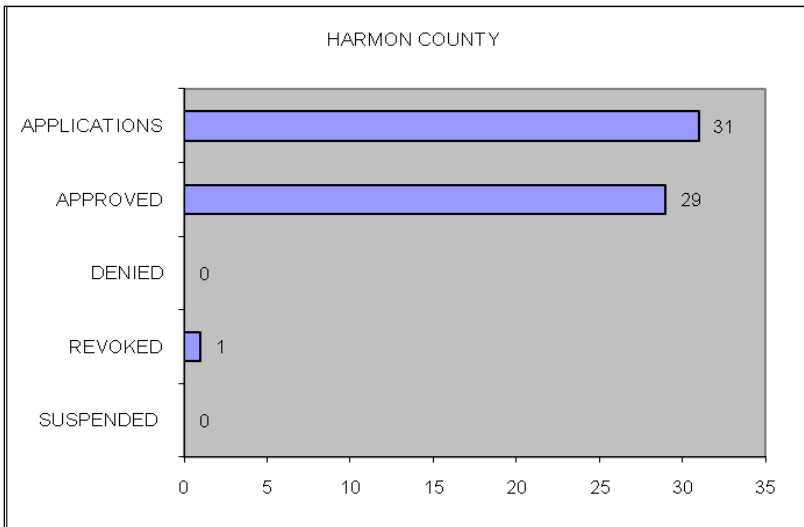
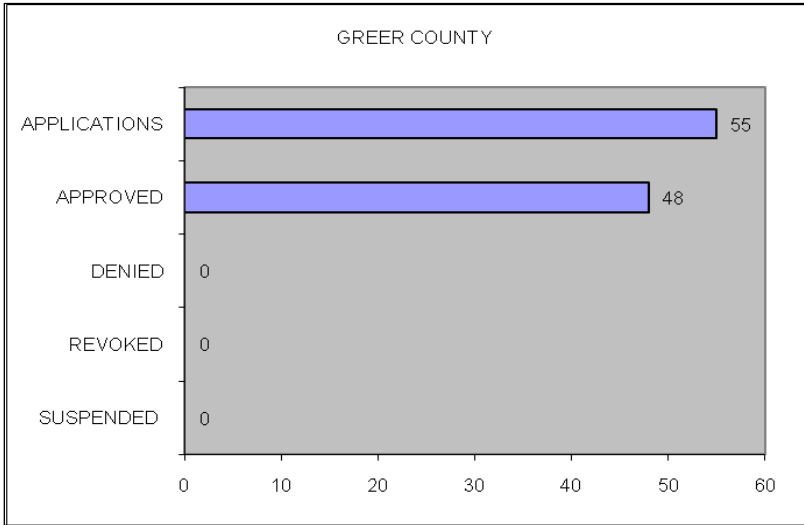


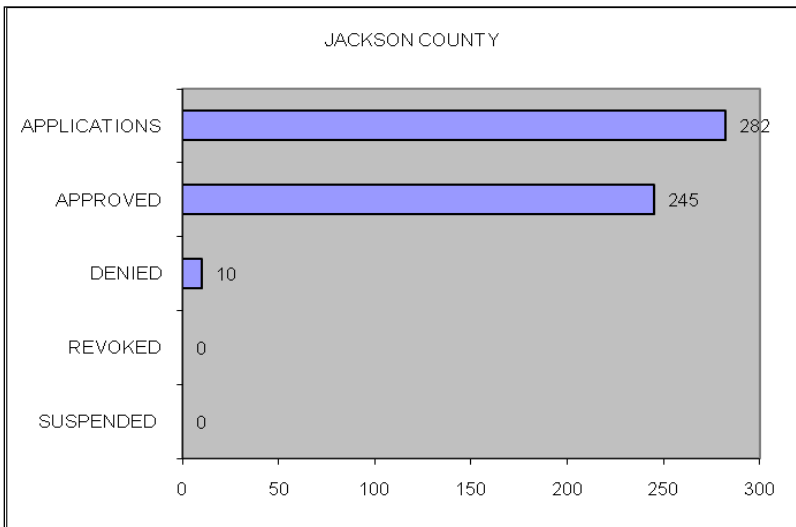
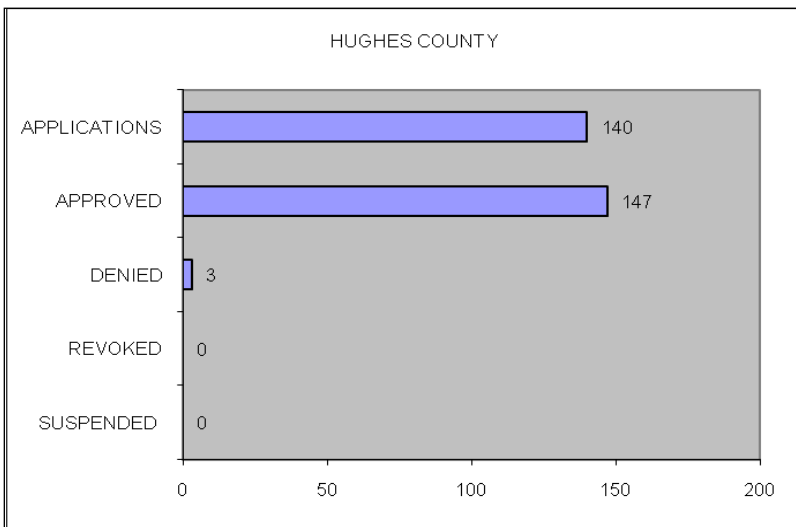
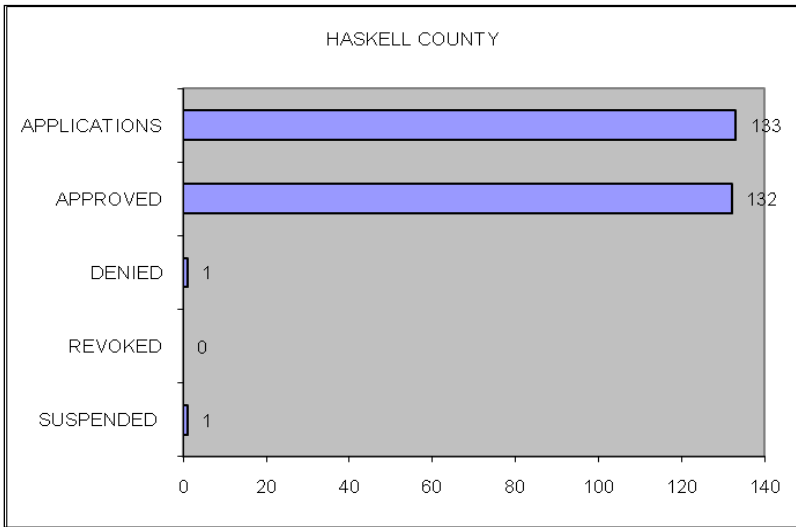


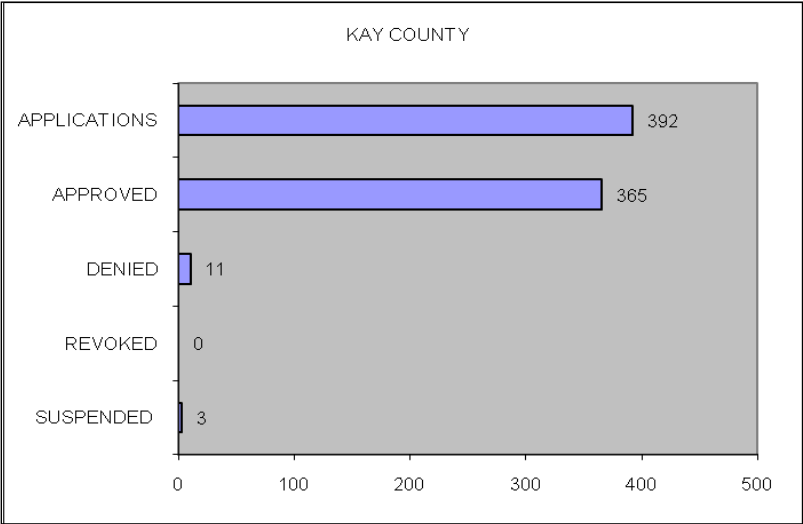
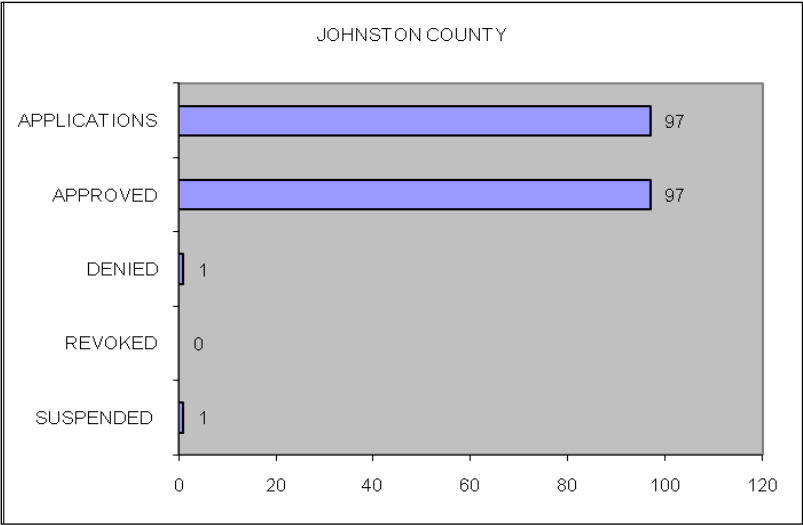
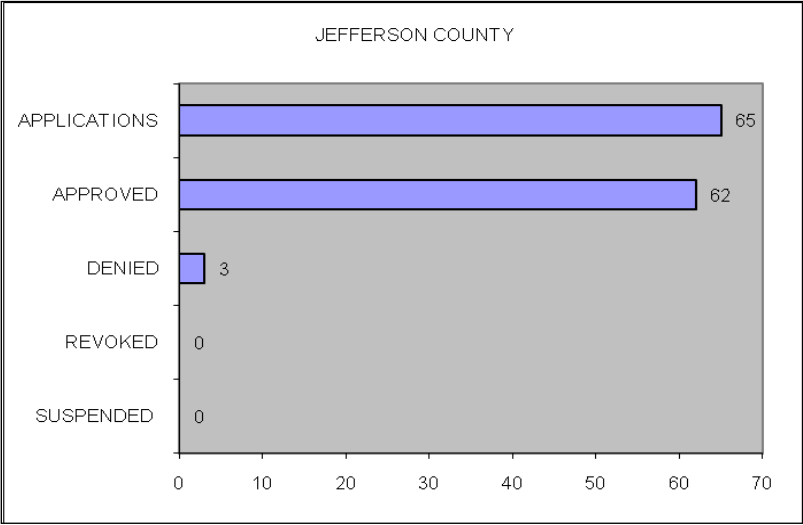


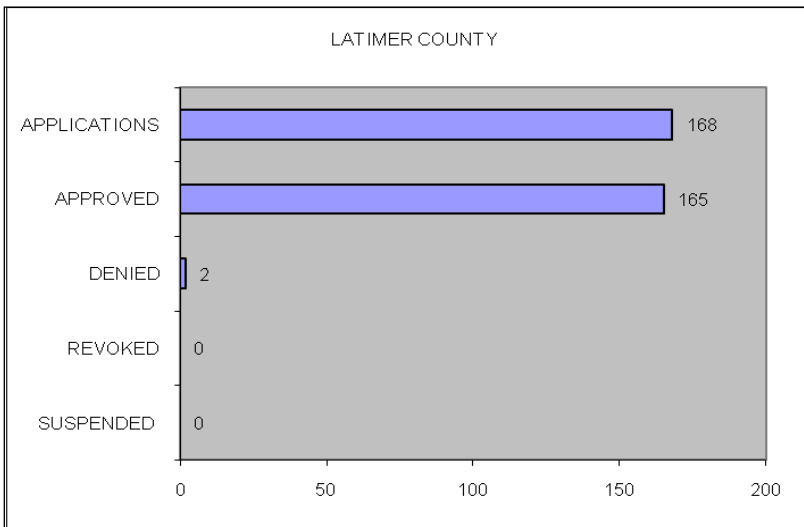
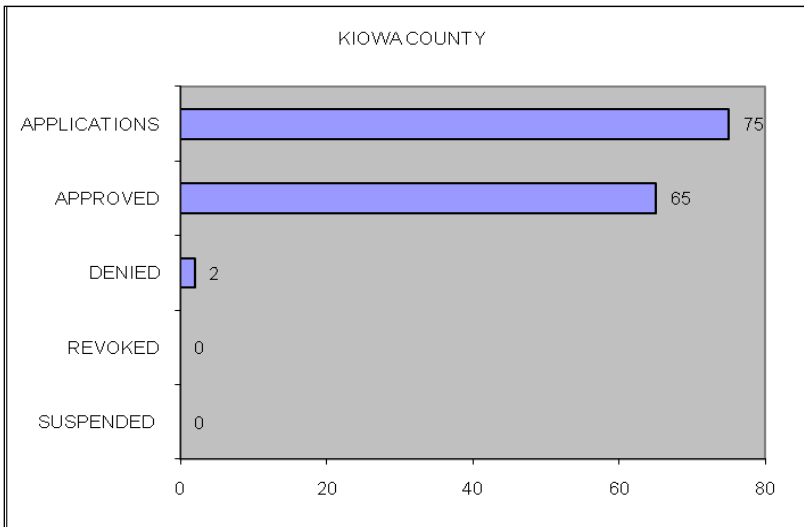
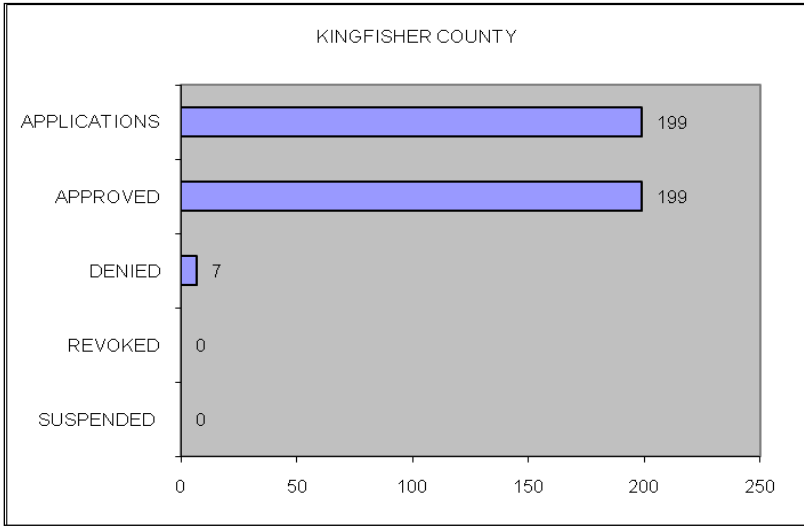


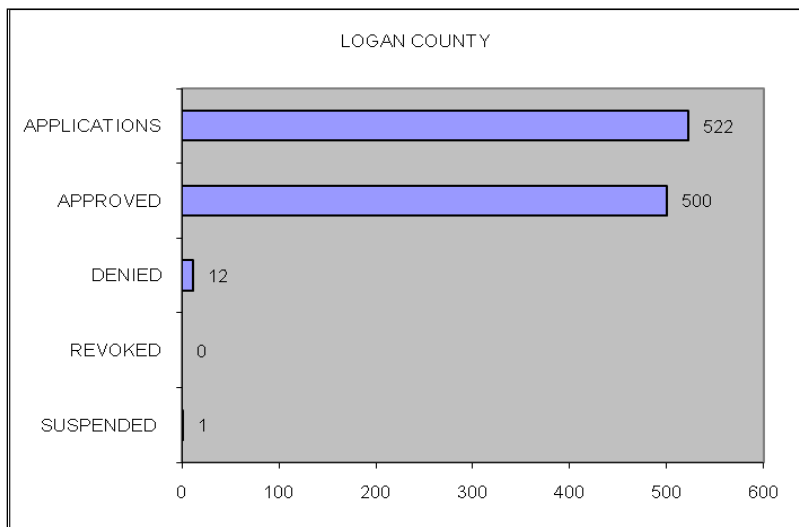
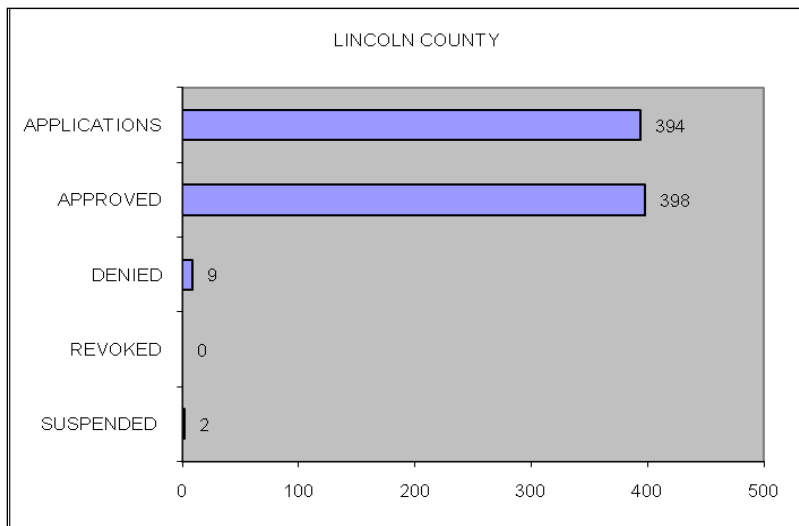
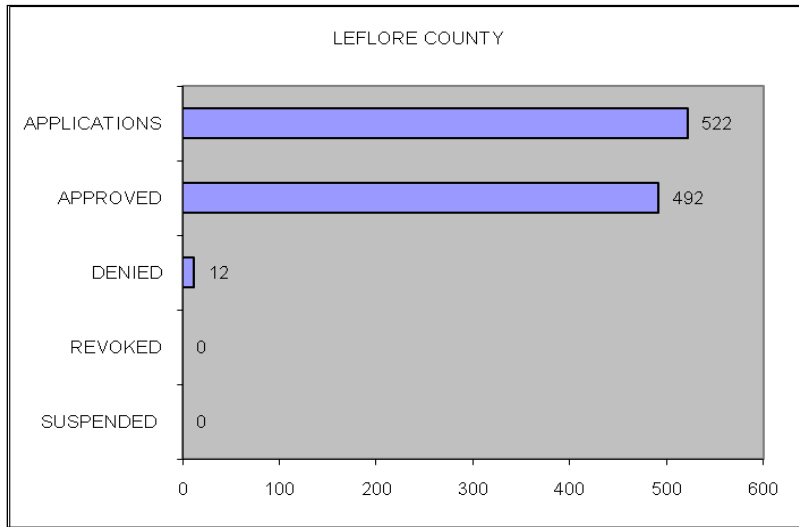


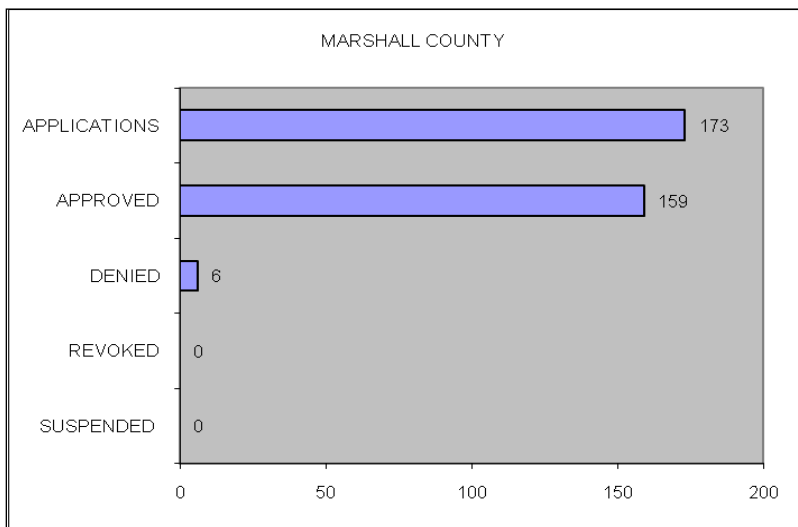
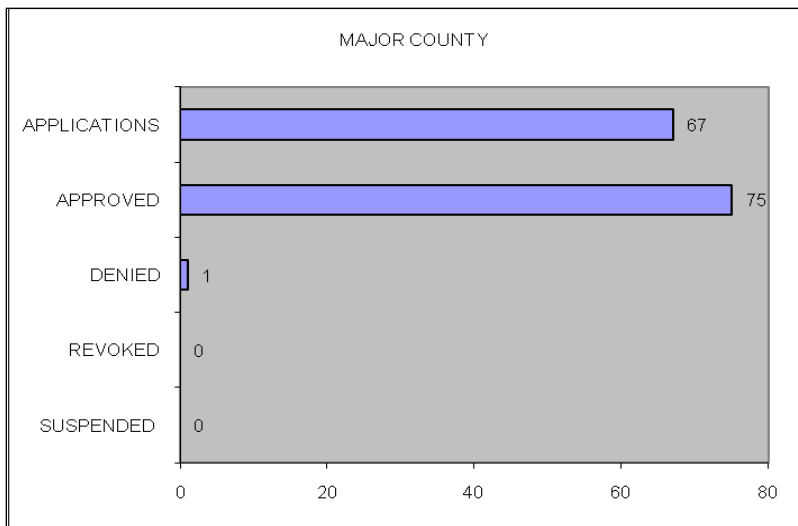
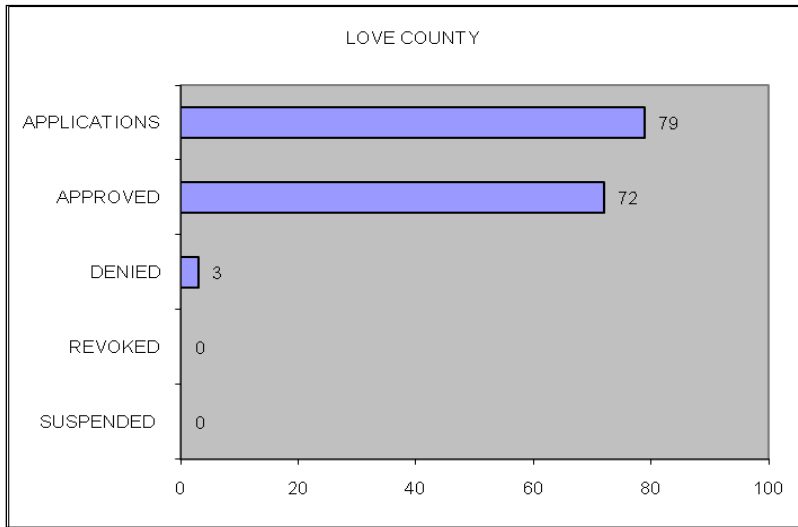


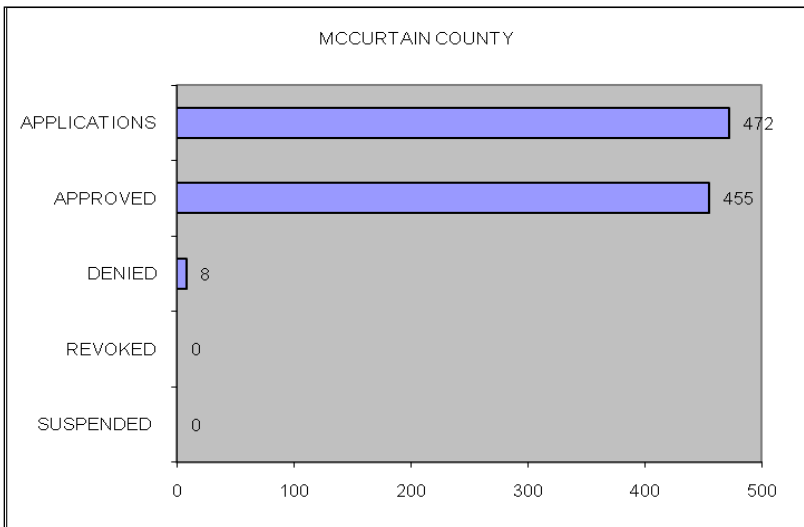
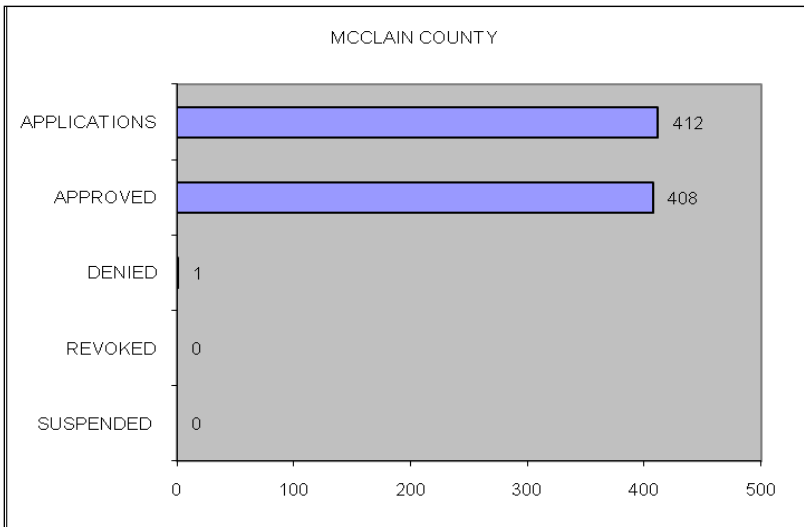
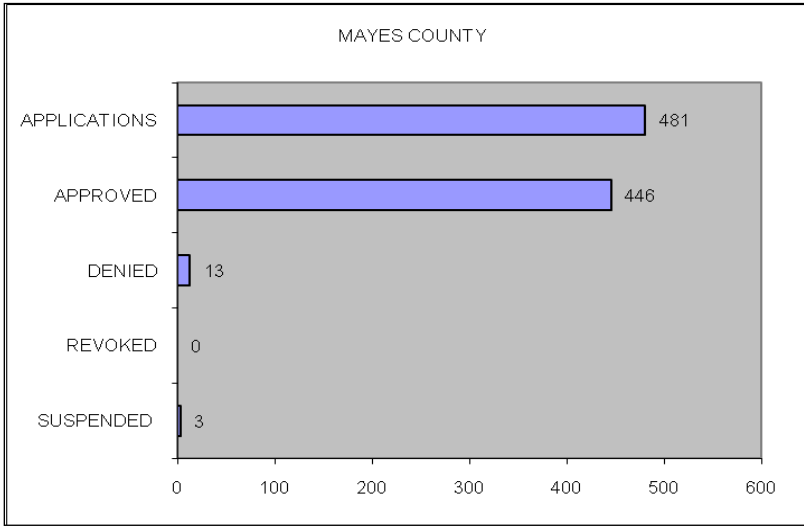


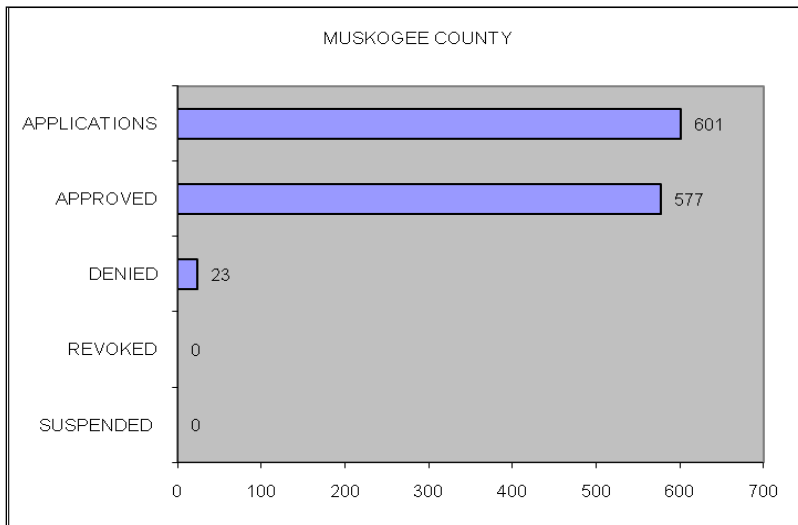
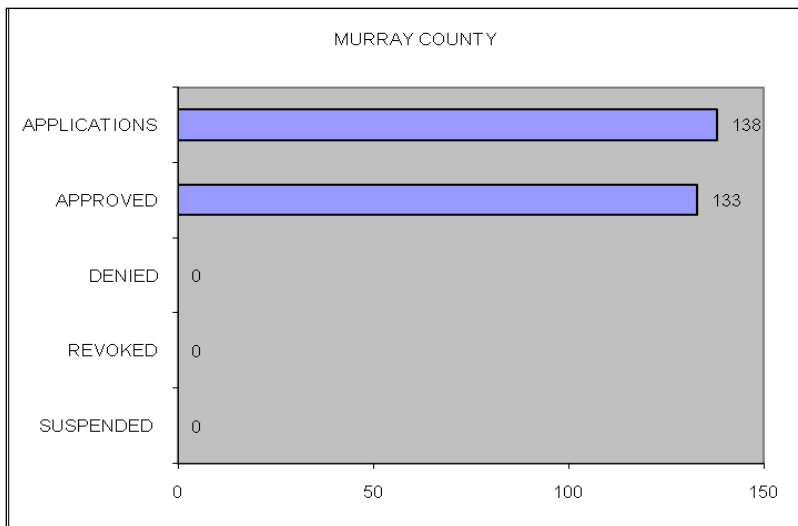
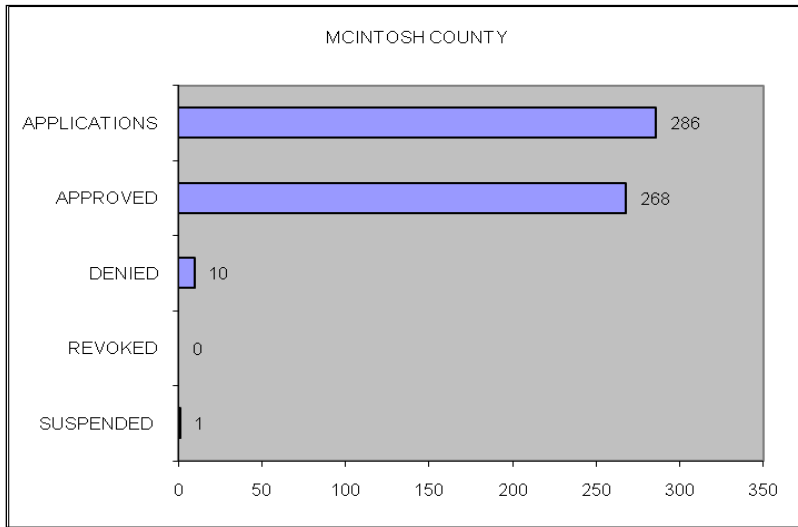


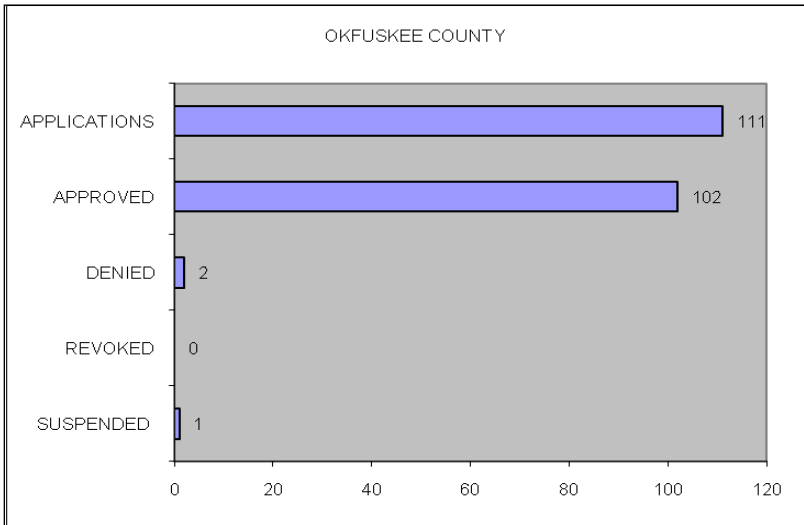
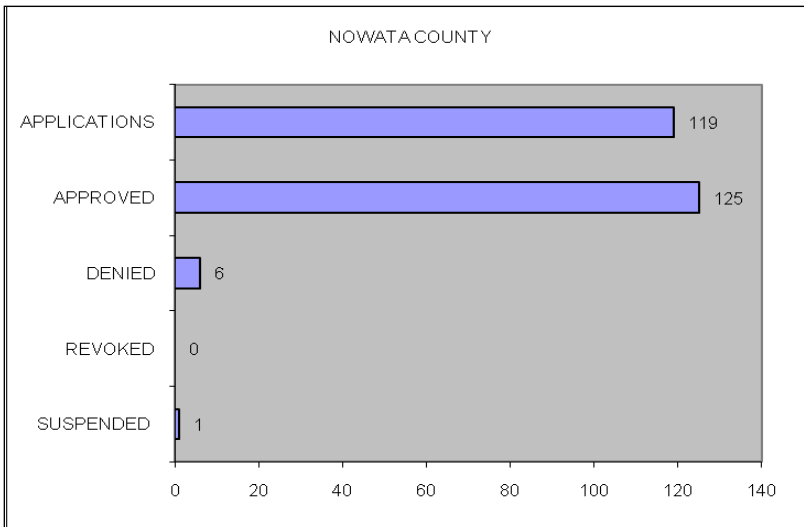
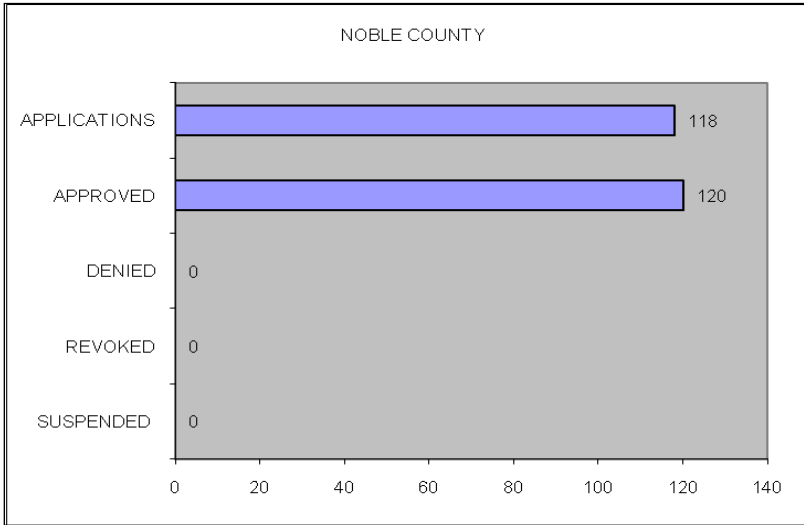


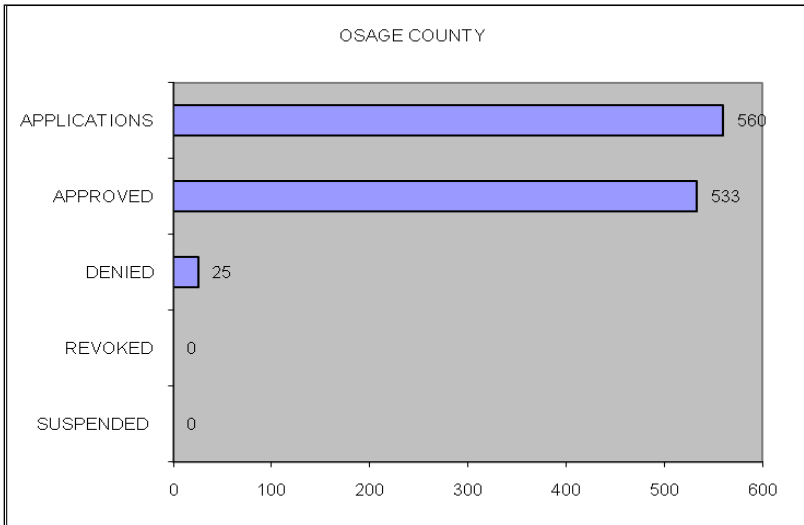
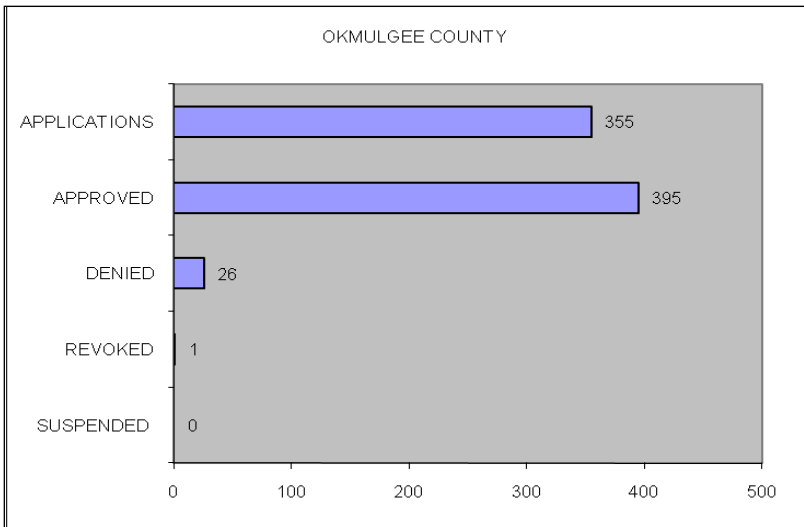
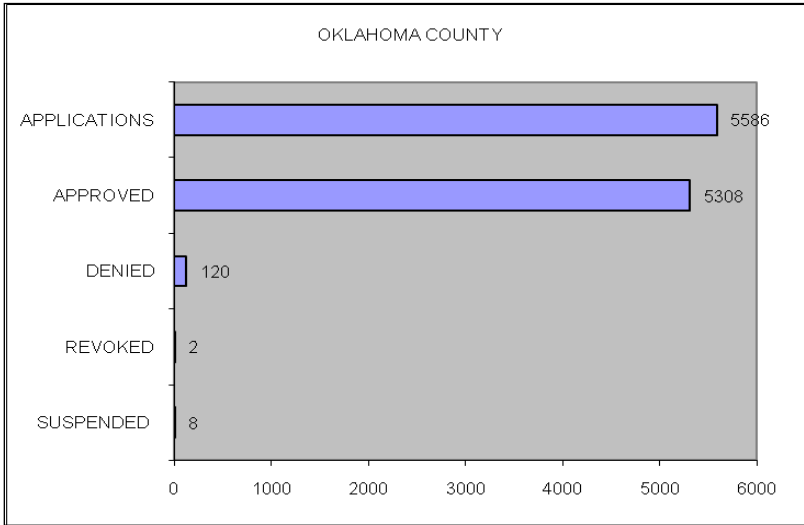


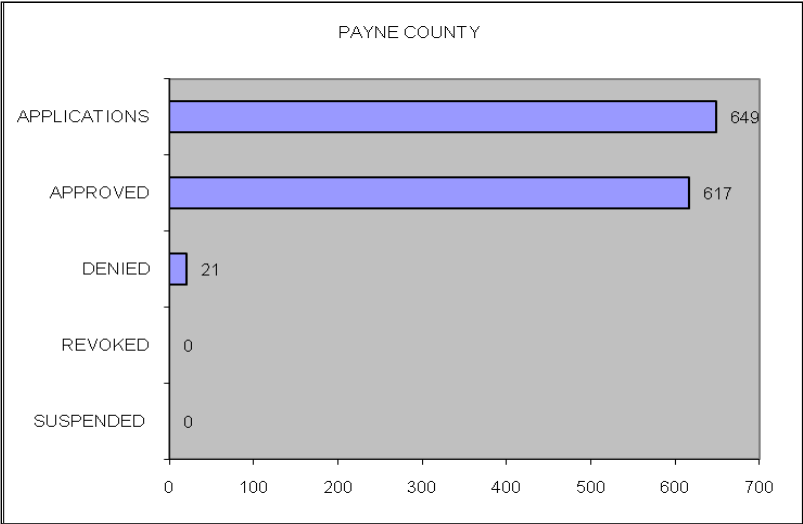
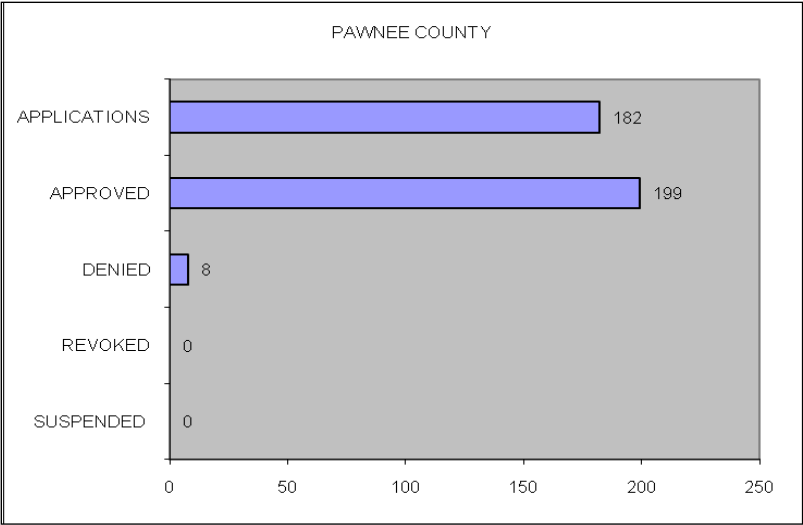
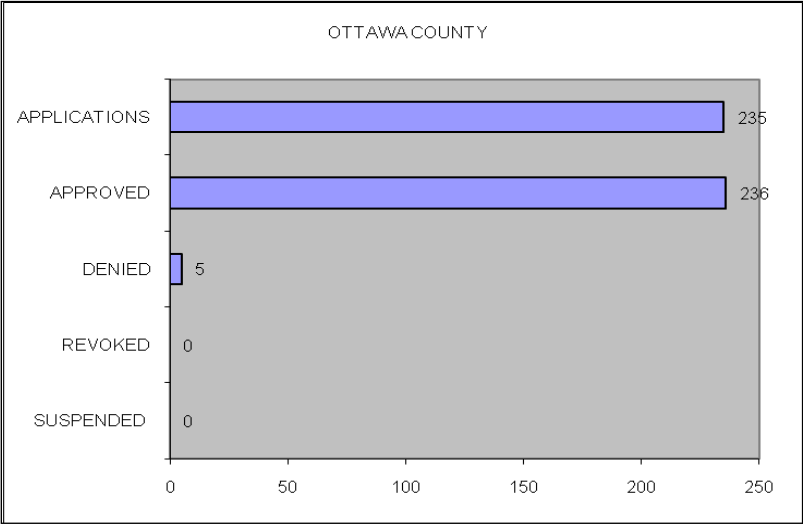


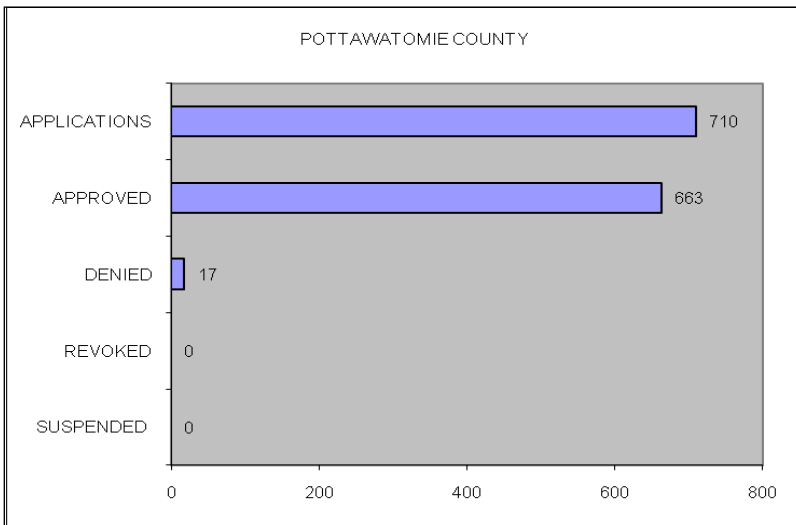
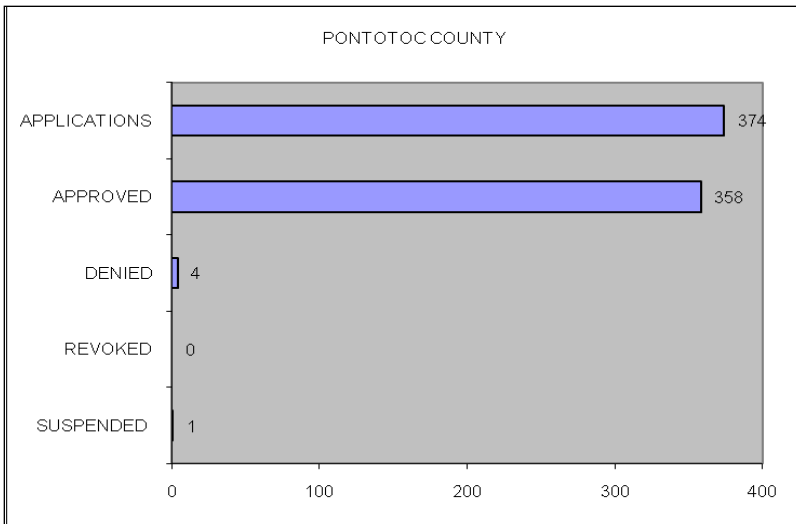
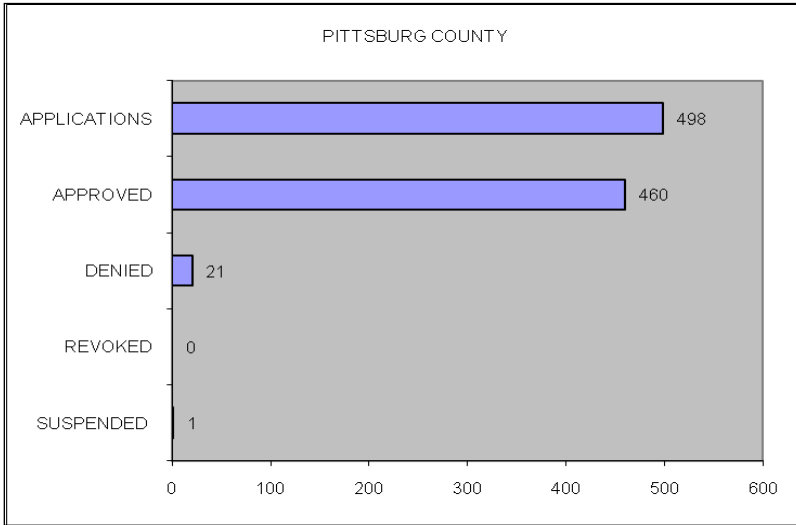


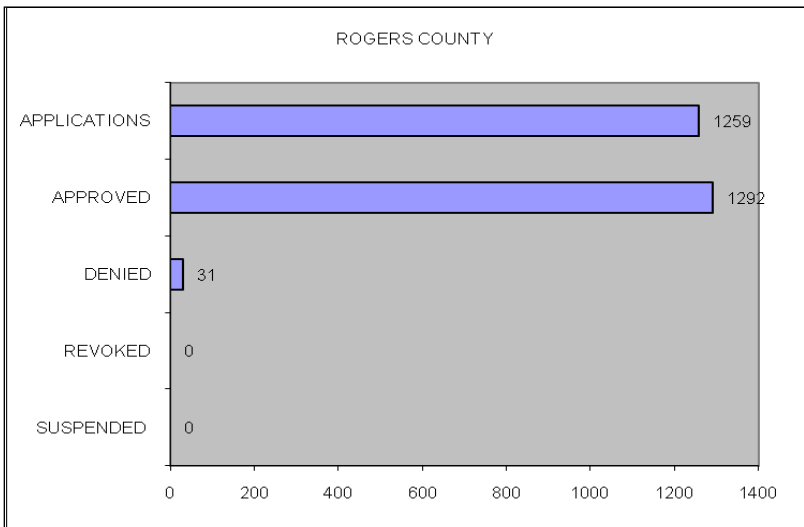
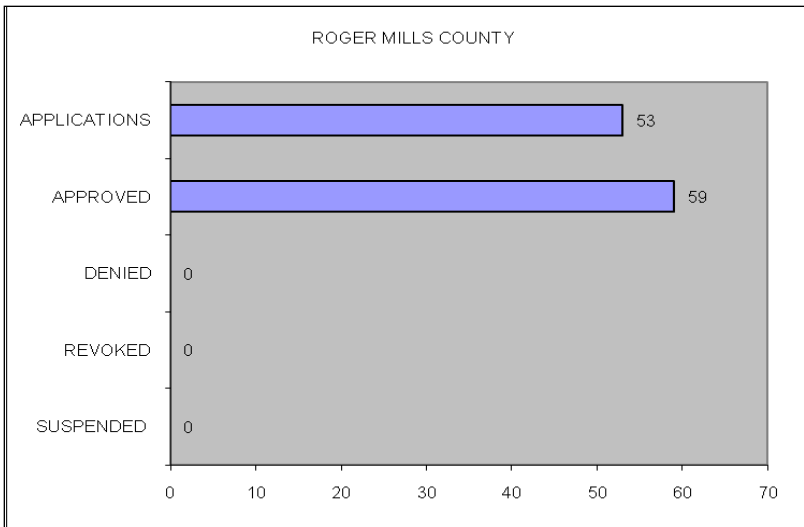
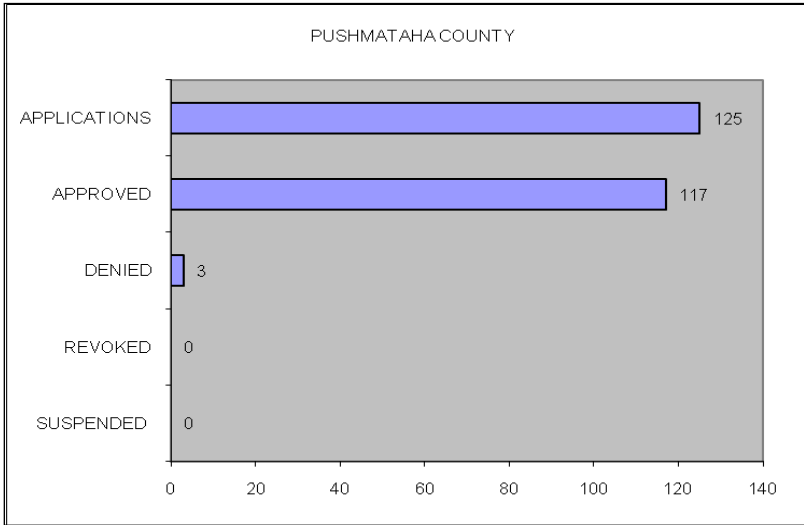


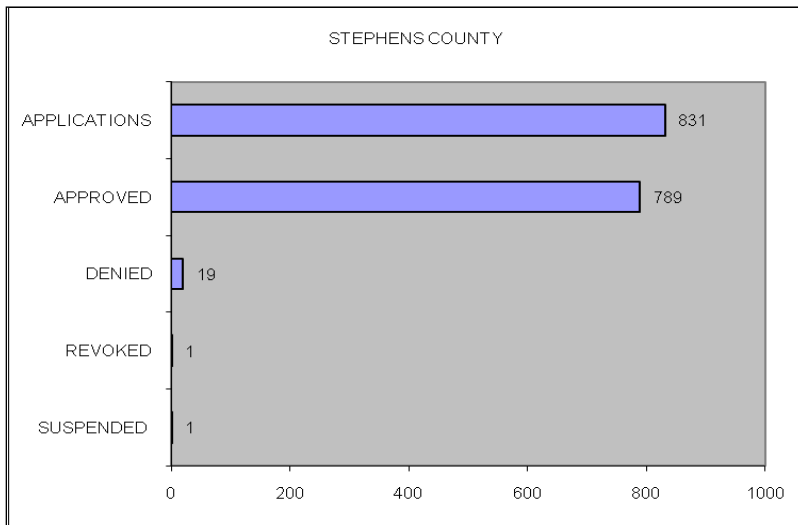
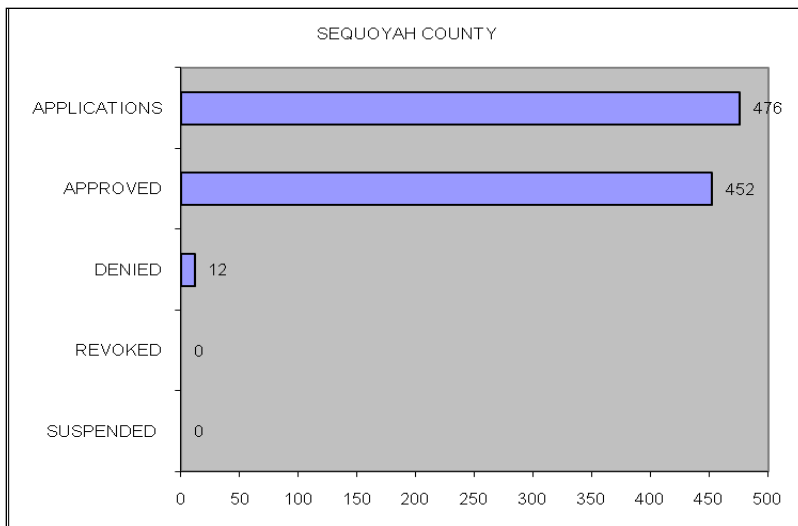
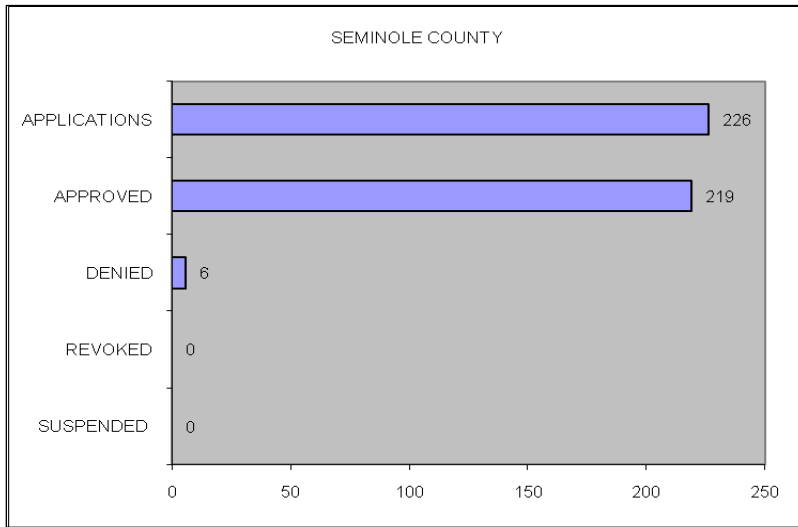


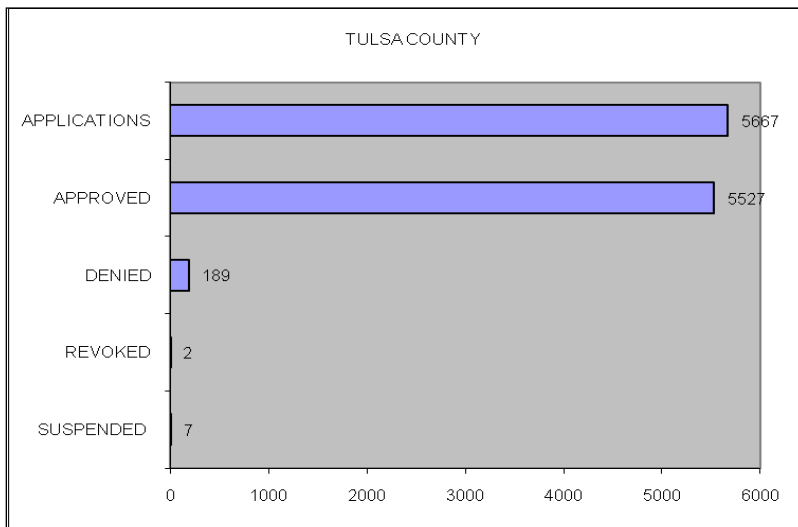
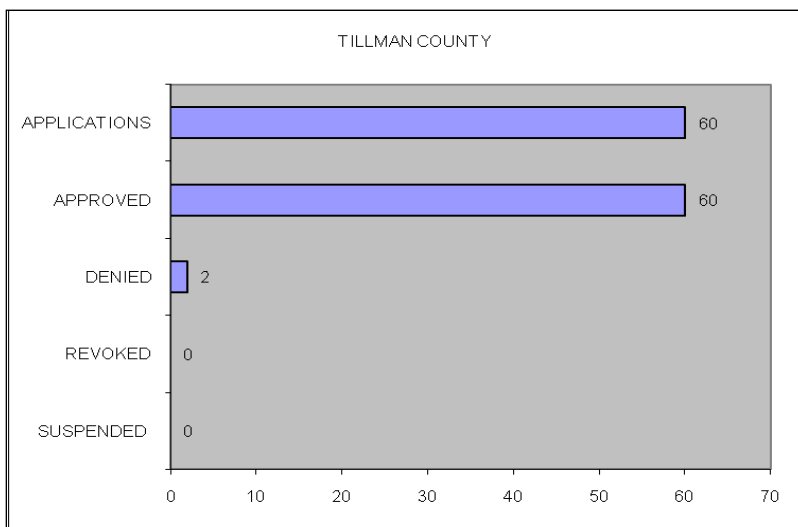
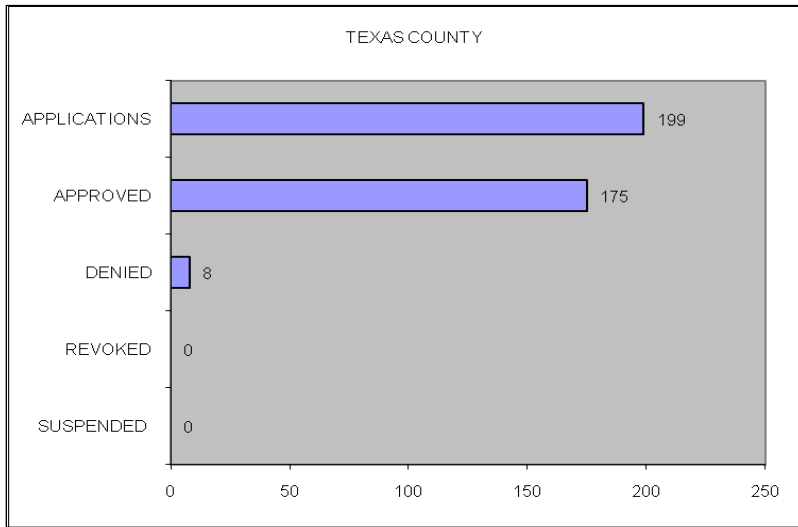


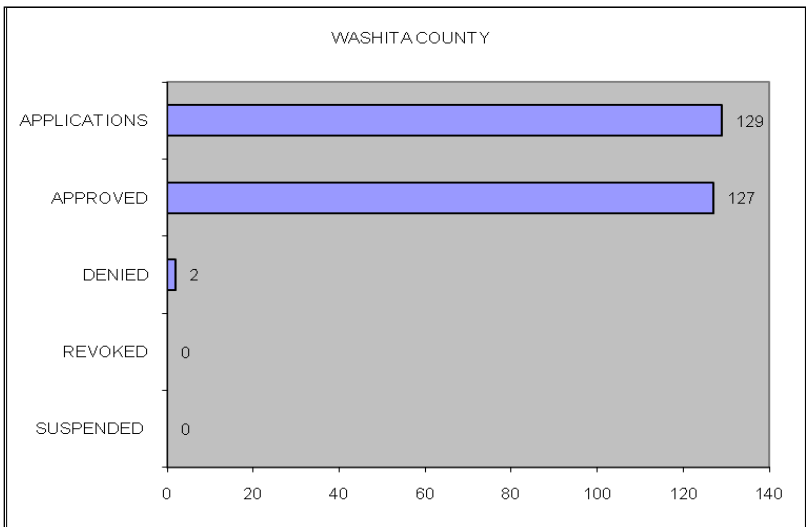
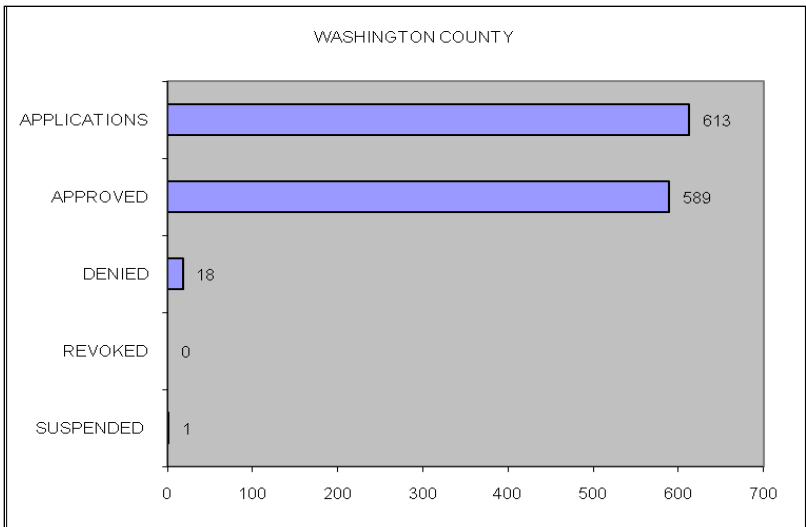
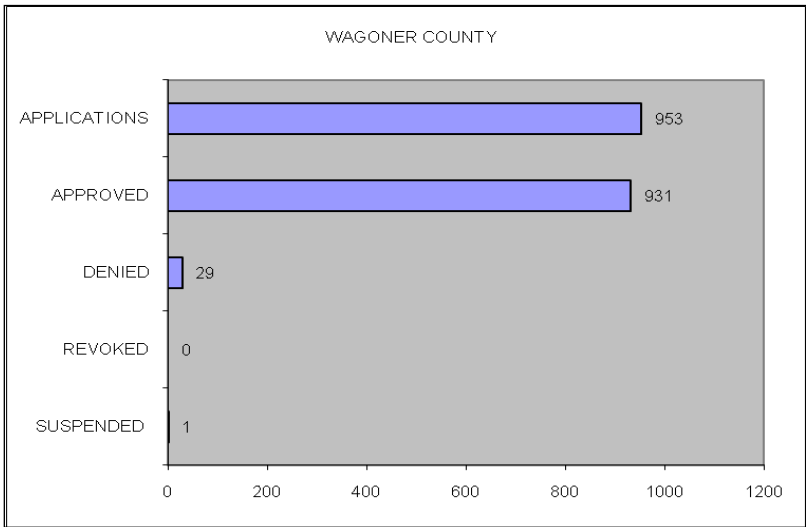


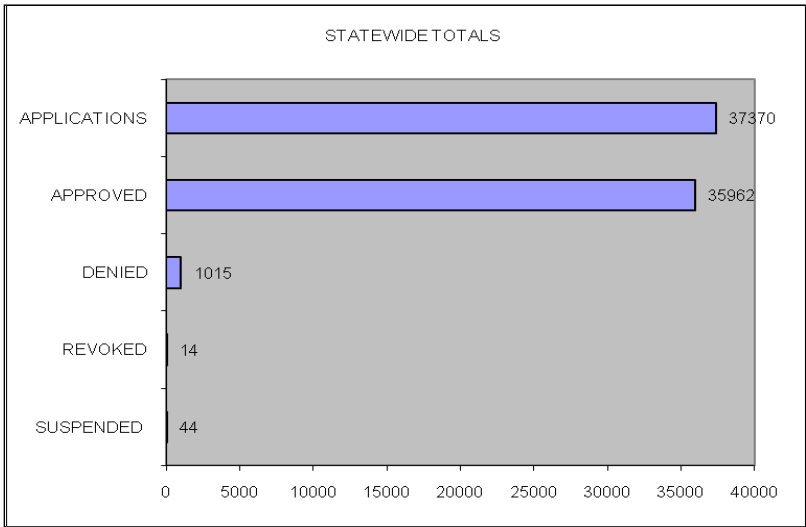
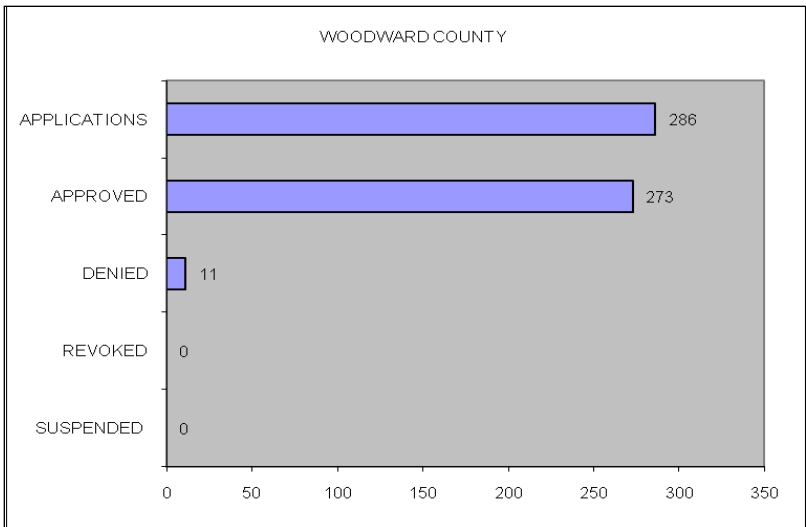
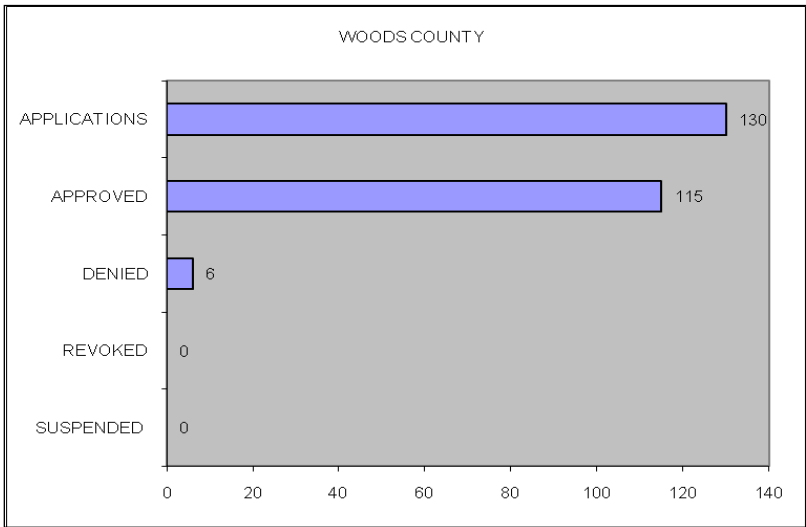












SDA LICENSES DENIED BY RACE, AGE AND SEX IN 2009

RACE	FEMALE	MALE	COMBINED
Asian	2	3	5
Black	9	66	75
Hispanic	2	10	12
Indian	6	45	51
White	98	758	856
Other	2	14	16
Totals	119	896	1,015
Average Age	48	51	50

1,015 SDA License Applicants were denied in 2009. Those denials were based on the following SDA Statute Provisions. Individuals may have more than one statutory basis for denial.

TITLE 21 § 1290.9. ELIGIBILITY

Applications Denied:

1. Be a citizen of the United States;	1
2. Establish a residency in the State of Oklahoma. For purposes of the Oklahoma Self-Defense Act, the term “residency” shall apply to any person who either possesses a valid Oklahoma driver license or state photo identification card and physically resides in this state or has permanent military orders within this state and possesses a valid driver license from another state where such person claims residency;	17
6. Comply in good faith with the provisions of the Oklahoma Self-Defense Act.	76

TITLE 21 § 1290.10. MANDATORY PRECLUSIONS

Applications Denied:

<p>1. Ineligible to possess a pistol due to any felony conviction or adjudication as a delinquent as provided by Section 1283 of this title, except as provided in subsection B of Section 1283 of this title;</p>	<p>13</p>
<p>2. Any felony conviction pursuant to any law of another state, a felony conviction pursuant to any provision of the United States Code, or any conviction pursuant to the laws of any foreign country, provided such foreign conviction would constitute a felony offense in this state if the offense had been committed in this state, except as provided in subsection B of Section 1283 of this title;</p>	<p>10</p>
<p>3. Adjudication as an incompetent person pursuant to the provisions of the Oklahoma Mental Health Law, Section 1-101 et seq. of Title 43A of the Oklahoma Statutes or an adjudication of incompetency entered in another state pursuant to any provision of law of that state;</p>	<p>1</p>
<p>4. Any false or misleading statement on the application for a handgun license as provided by paragraph 5 of Section 1290.12 of this title;</p>	<p>831</p>
<p>5. Conviction of any one of the following misdemeanor offenses in this state or in any other state:</p>	
<p>a. any assault and battery, which caused serious physical injury to the victim, or any second or subsequent assault and battery conviction,</p>	<p>6</p>
<p>b. any aggravated assault and battery,</p>	<p>4</p>
<p>c. any stalking pursuant to Section 1173 of this title, or a similar law of another state,</p>	<p>1</p>

d. a violation relating to the Protection from Domestic Abuse Act, Section 60 et seq. of Title 22 of the Oklahoma Statutes, or any violation of a victim protection order of another state,	4
e. any conviction relating to illegal drug use or possession; or	71
f. an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the laws of another state;	12
7. Currently undergoing treatment for a mental illness, condition, or disorder. For purposes of this paragraph, "currently undergoing treatment for a mental illness, condition, or disorder" means the person has been diagnosed by a licensed physician as being afflicted with a substantial disorder of thought, mood, perception, psychological orientation, or memory that significantly impairs judgment, behavior, capacity to recognize reality, or ability to meet the ordinary demands of life;	12
8. Significant character defects of the applicant as evidenced by a misdemeanor criminal record indicating habitual criminal activity;	4
9. Ineligible to possess a pistol due to any provision of law of this state or the United States Code, except as provided in subsection B of Section 1283 of this title;	9
12. Adjudication as a delinquent as provided by Section 1283 of this title, except as provided in subsection B of Section 1283 of this title.	9

TITLE 21 § 1290.11. (A) OTHER PRECLUSIONS

Applications Denied:

1. An arrest for an alleged commission of a felony offense or a felony charge pending in this state, another state or pursuant to the United States Code. The preclusive period shall be until the final determination of the matter;	8
---	---

<p>2. The person is subject to the provisions of a deferred sentence or deferred prosecution in this state or another state or pursuant to federal authority for the commission of a felony offense. The preclusive period shall be three (3) years and shall begin upon the final determination of the matter;</p>	<p>15</p>
<p>3. Any involuntary commitment for a mental illness, condition, or disorder pursuant to the provisions of Section 5-410 of Title 43A of the Oklahoma Statutes or any involuntary commitment in another state pursuant to any provisions of law of that state. The preclusive period shall be permanent as provided by Title 18 of the United States Code Section 922 (g) (4);</p>	<p>6</p>
<p>4. The person has previously undergone treatment for a mental illness, condition, or disorder, which required medication or supervision as defined by paragraph 7 of Section 1290.10 of this title. The preclusive period shall be three (3) years from the last date of treatment or upon presentation of a certified statement from a licensed physician stating that the person is either no longer disabled by any mental or psychiatric illness, condition, or disorder or that the person has been stabilized on medication for ten (10) years or more;</p>	<p>12</p>
<p>5. Inpatient treatment for substance abuse. The preclusive period shall be three (3) years from the last date of treatment or upon presentation of a certified statement from a licensed physician stating that the person has been free from substance use for twelve (12) months or more preceding the filing of an application for a handgun license;</p>	<p>6</p>
<p>7. Two or more misdemeanor convictions relating to intoxication or driving under the influence of an intoxicating substance or alcohol. The preclusive period shall be three (3) years from the date of the completion of the last sentence or shall require a certified statement from a licensed physician stating that the person is not in need of substance abuse treatment;</p>	<p>3</p>
<p>8. A court order for a final Victim Protection Order against the applicant, as authorized by Section 60 et seq. of Title 22 of the Oklahoma Statutes, or any court order granting a final victim protection order against the applicant from another state. The preclusive period shall be three (3) years from the date of the entry of the final court order, or sixty (60) days from the date an order was vacated, canceled or withdrawn;</p>	<p>1</p>
<p>9. An adjudicated delinquent or convicted felon residing in the residence of the applicant which may be a violation of Section 1283 of this title. The preclusive period shall be thirty (30) days from the date the person no longer resides in the same residence as the applicant; or</p>	<p>3</p>

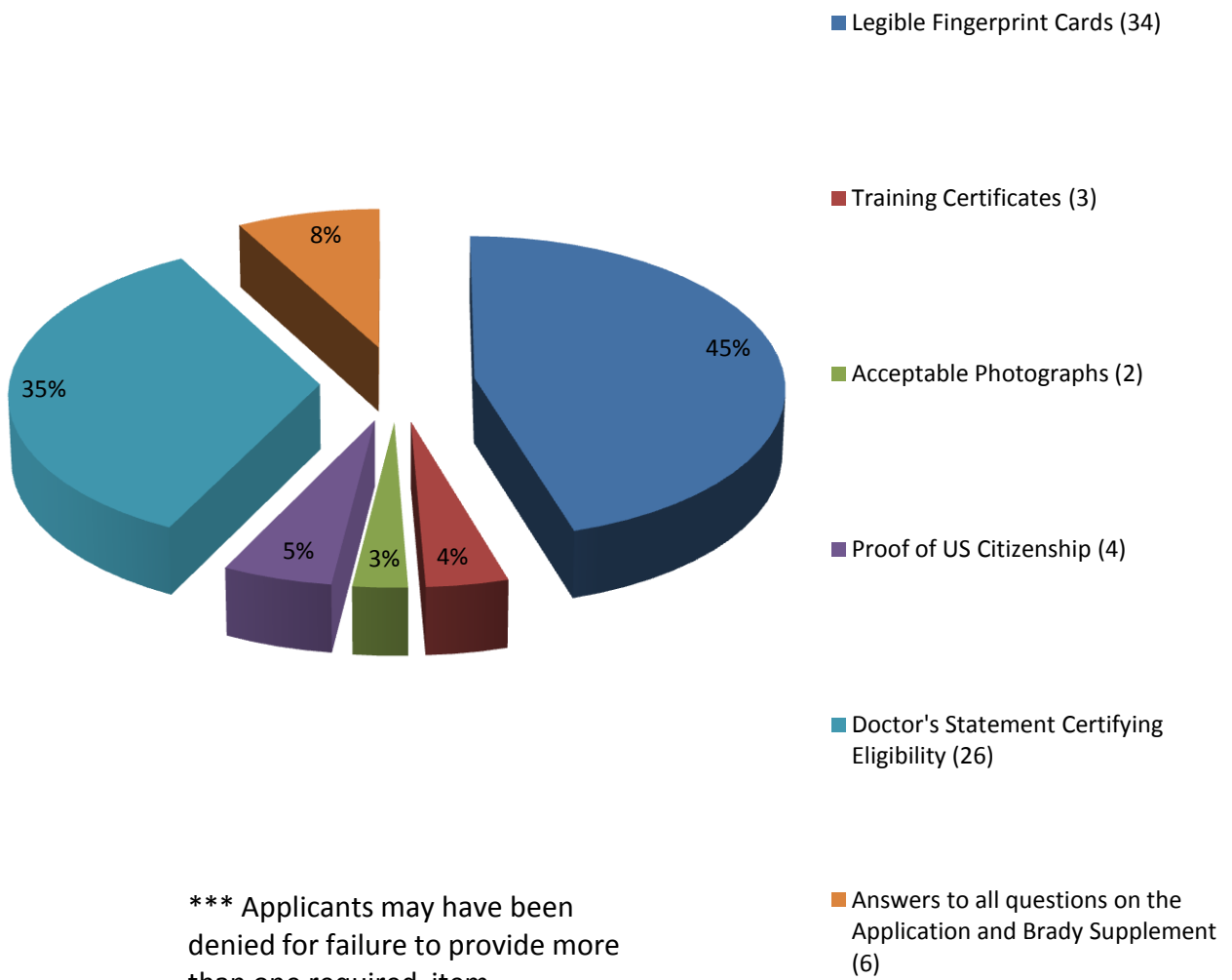
10. An arrest for an alleged commission of, a charge pending for, or the person is subject to the provisions of a deferred sentence or a deferred prosecution for any one or more of the following misdemeanor offenses in this state or another state:	
b. any aggravated assault and battery,	1
d. any violation of the Protection from Domestic Abuse Act, Section 60 et seq. of Title 22 of the Oklahoma Statutes, or any violation of a victim protection order of another state,	1
e. any violation relating to illegal drug use or possession, or	13
f. an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the laws of another state.	20

TITLE 21 § 1290.12.(A) PROCEDURE FOR APPLICATION

Applications Denied:

12. The Bureau shall deny a license when the applicant fails to properly complete the application form or application process or is determined not to be eligible as specified by the provisions of Section 1290.9, 1290.10 or 1290.11 of this title.	70
---	----

Breakdown of Missing Items for Applicants Denied for Title 21 § 1290.12 (A)(12) - Failure to Complete the Application Process



SDA LICENSES REVOKED BY RACE, AGE AND SEX IN 2009			
RACE	FEMALE	MALE	COMBINED
Black		3	3
Indian		3	3
White	2	6	8
Total	2	12	14
Average Age	50	38	40

14 SDA Licenses were revoked in 2009. Those revocations were based on the following SDA Statute Provisions. Individuals may have more than one statutory basis for revocation.

TITLE 21 § 1290.9 ELIGIBILITY

Applications Revoked:

<p>2. Establish a residency in the State of Oklahoma. For purposes of the Oklahoma Self-Defense Act, the term “residency” shall apply to any person who either possesses a valid Oklahoma driver license or state photo identification card and physically resides in this state or has permanent military orders within this state and possesses a valid driver license from another state where such person claims residency;</p>	<p>6</p>
---	----------

TITLE 21 § 1290.10. MANDATORY PRECLUSIONS

Applications Revoked:

<p>1. Ineligible to possess a pistol due to any felony conviction or adjudication as a delinquent as provided by Section 1283 of this title, except as provided in subsection B of Section 1283 of this title;</p>	<p>4</p>
--	----------

5. Conviction of any one of the following misdemeanor offenses in this state or in any other state:	
f. an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the laws of another state;	2
9. Ineligible to possess a pistol due to any provision of law of this state or the United States Code, except as provided in subsection B of Section 1283 of this title;	2

TITLE 21 § 1290.11. (A) OTHER PRECLUSIONS

Applications Revoked:

3. Any involuntary commitment for a mental illness, condition, or disorder pursuant to the provisions of Section 5-410 of Title 43A of the Oklahoma Statutes or any involuntary commitment in another state pursuant to any provisions of law of that state. The preclusive period shall be permanent as provided by Title 18 of the United States Code Section 922 (g) (4);	1
--	---

**SDA LICENSES SUSPENDED
BY RACE, AGE AND SEX IN 2009**

RACE	FEMALE	MALE	COMBINED
Black		4	4
Indian		4	4
White	2	34	36
Total	2	42	44
Average Age	40	42	41

44 SDA Licenses were suspended in 2009. Those suspensions were based on the following SDA Statute Provisions. Individuals may have more than one statutory basis for suspension.

**TITLE 21 § 1289.9. CARRYING WEAPONS UNDER
INFLUENCE OF ALCOHOL**

Applications Suspended:

It shall be unlawful for any person to carry or use shotguns, rifles or pistols in any circumstances while under the influence of beer, intoxicating liquors or any hallucinogenic, or any unlawful or unprescribed drug, and it shall be unlawful for any person to carry or use shotguns, rifles or pistols when under the influence of any drug prescribed by a licensed physician if the aftereffects of such consumption affect mental, emotional or physical processes to a degree that would result in abnormal behavior. Any person convicted of a violation of the provisions of this section shall be punished as provided in Section 1289.15 of this title.	1
--	---

**TITLE 21 § 1290.8. POSSESSION OF LICENSE REQUIRED-
NOTIFICATION TO POLICE OF GUN**

Applications Suspended:

B. The person shall be required to have possession of his or her valid handgun license and a valid Oklahoma driver license or an Oklahoma State photo identification at all times when in possession of an authorized pistol. Any violation of the provisions of this subsection may be punishable as a criminal offense as authorized by Section 1272 of this title or pursuant to any other applicable provision of law.	1
--	---

<p>C. It shall be unlawful for any person to fail or refuse to identify the fact that the person is in actual possession of a concealed handgun pursuant to the authority of the Oklahoma Self-Defense Act when the person first comes into contact with any law enforcement officer of this state or its political subdivisions or a federal law enforcement officer during the course of any arrest, detainment, or routine traffic stop.</p>	6
---	---

TITLE 21 § 1290.10. MANDATORY PRECLUSIONS

Applications Suspended:

<p>1. Ineligible to possess a pistol due to any felony conviction or adjudication as a delinquent as provided by Section 1283 of this title, except as provided in subsection B of Section 1283 of this title;</p>	1
<p>6. An attempted suicide or other condition relating to or indicating mental instability or an unsound mind which occurred within the preceding ten-year period from the date of the application for a license to carry a concealed firearm or that occurs during the period of licensure;</p>	1

TITLE 21 § 1290.11. (A) OTHER PRECLUSIONS

Applications Suspended:

<p>1. An arrest for an alleged commission of a felony offense or a felony charge pending in this state, another state or pursuant to the United States Code. The preclusive period shall be until the final determination of the matter;</p>	24
<p>2. The person is subject to the provisions of a deferred sentence or deferred prosecution in this state or another state or pursuant to federal authority for the commission of a felony offense. The preclusive period shall be three (3) years and shall begin upon the final determination of the matter;</p>	4
<p>7. Two or more misdemeanor convictions relating to intoxication or driving under the influence of an intoxicating substance or alcohol. The preclusive period shall be three (3) years from the date of the completion of the last sentence or shall require a certified statement from a licensed physician stating that the person is not in need of substance abuse treatment;</p>	1
<p>8. A court order for a final Victim Protection Order against the applicant, as authorized by Section 60 et seq. of Title 22 of the Oklahoma Statutes, or any court order granting a final victim protection order against the applicant from another state. The preclusive period shall be three (3) years from the date of the entry of the final court order, or sixty (60) days from the date an order was vacated, canceled or withdrawn;</p>	1

10. An arrest for an alleged commission of, a charge pending for, or the person is subject to the provisions of a deferred sentence or a deferred prosecution for any one or more of the following misdemeanor offenses in this state or another state:	
d. any violation of the Protection from Domestic Abuse Act, Section 60 et seq. of Title 22 of the Oklahoma Statutes, or any violation of a victim protection order of another state,	1
e. any violation relating to illegal drug use or possession, or	3
f. an act of domestic abuse as defined by Section 644 of this title or an act of domestic assault and battery or any comparable acts under the laws of another state.	2

TITLE 21 § 1364 DISCHARGING FIREARM

Applications Suspended:

Every person who willfully discharges any pistol, rifle, shotgun, airgun or other weapon, or throws any other missile in any public place, or in any place where there is any person to be endangered thereby, although no injury to any person shall ensue, is guilty of a misdemeanor.	1
--	---