

Bond Case Briefs

Municipal Finance Law Since 1971

LICENSING - RHODE ISLAND

Paiva v. Parella

Supreme Court of Rhode Island - January 16, 2018 - A.3d - 2018 WL 444300

Applicant filed a petition for writ of certiorari challenging decision by city chief of police denying his application for a permit or license to carry a concealed weapon.

The Supreme Court of Rhode Island held that:

- Police chief's letter denying application failed to adequately explain the salient reasoning for the denial, and
- Proper remedy for inadequacy of letter was remand for a new decision.

City police chief's cursory letter denying application for license to carry concealed weapon failed to adequately explain the salient reasoning for the denial; letter contained only bare, rote conclusions.

In issuing a decision on a application for a license to carry a concealed weapon, a local licensing authority need not write a decision rivaling *War and Peace* in length, but its decision must still address the salient reasoning for the denial of a license.

Proper remedy for inadequacy of city police chief's letter denying application for a license to carry a concealed weapon was remand for a new decision, rather than outright reversal; documents submitted to court by police chief which he obtained after denial showed that applicant's less-than-candid answers on his application, coupled with his past behavior, raised doubt as to his suitability to obtain a permit to carry a concealed weapon.