

## **Public Safety & Homeland Security Committee**

**August 26, 2021**

**Firearms Carry Act of 2021 (Permitless Carry)**

**Houston Police Department**

### **Constituent's Question:**

Regarding the recent gun law being passed, how are you going to adjust with the space we are in with the hate crime, road rage, and increased murder rate. Now everyone has guns. With that said, how will HPD act when dealing with the Black and Hispanic/Latino communities when we are walking around with guns? We already have a bad connection with police. What will the connection be now with police? What training will residents receive?

*Kenneth Brown (Texas Organizing Project)*

### **HPD Response**

Thank you very much for your participation and attendance at the recent Public Safety and Homeland Security Committee meeting wherein the Houston Police Department had the opportunity to provide some information and details relative to House Bill 1927 known as the Firearms Carry Act. Most notably HB 1927 changes state law to permit most people age 21 or older to carry a handgun without a permit, either concealed or in a holster if carried openly. While HB 1927 may increase the number of people carrying handguns in public, our officers are trained and experienced in handling situations with persons exercising their option to carry open or concealed handguns, as a License to Carry was required before the passage of HB 1927.

HB 1927 amends Article 14.03 of the Code of Criminal Procedure to give peace officers a right to disarm a person if the officer is discharging their official duties; and reasonably believes disarming the person is necessary for the protection of the person, the officer, or another person. The law requires the officer to return the handgun to the person who was disarmed before allowing the person to leave if the officer determines that the person is not a threat to the person, the officer, or others, and if the person is not arrested. Furthermore, officers are reminded through training that they should not stop someone solely for carrying a handgun. A person cannot be detained solely to run a background check to determine if the person is eligible to carry a handgun.

Consensual encounters are always permissible, but officers are trained that they must remember that the person does not have to stop or talk to them during a consensual encounter. The Houston Police Department is dedicated to ensuring that officers are well informed on the new law and will continue to remind citizens of the new law during regular community meetings and positive interaction program meetings.

It is the desire of the Houston Police Department to work collaboratively with all stakeholders to ensure the safest environment possible for all citizens and officers while this new law goes into effect.