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Member Of State Gun Board Must Sit Out On Some Cases

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The Board of Firearms Permit Examiners began hearing gun permit cases again Thursday after the attorney general's office ruled that one of its members who sued the state police must recuse himself from some but not all cases.

At its last monthly meeting in October, the board refused to hear any more cases, saying the lawsuit brought against the State Police Special License and Firearms unit by Peter Kuck may have constituted a conflict of interest.

The board's chairman, Christopher Adams, had said cases scheduled on the agenda would have to await a decision from Attorney General Richard Blumenthal's office.

Assistant Attorney General Henry A. Salton wrote in a decision Nov. 5 that "Mr. Kuck must recuse himself from board proceedings that involve the same issues or claims asserted in the federal litigation until his lawsuit is resolved."

Those issues include "the department's requirement that permit applicants provide a birth certificate, United States passport or voter registration card and challenges to delays in the board's proceedings."

Kuck's federal lawsuit against the state police contends that his gun permit was not renewed in a timely manner and that he and others have had an average delay of 17 to 20 months to wait for a hearing.

In the suit, Kuck accuses the state police Special License and Firearms unit of mismanagement and arrogance and of attempting to create its own laws on gun permits.

Kuck, a member of Ye Connecticut Gun Guild Inc., submitted his application to the Department of Public Safety to renew his permit March 19, prior to its April 16 expiration date. But state police said he must submit a birth certificate or U.S. passport for the renewal, saying one of those forms of ID have been required for renewal since the terrorist attacks of Sept. 11, 2001.

When a permit has been denied or revoked by police, a gun owner can go before the seven-member civilian board of firearms permit examiners, a kind of last resort to get a permit.

Kuck says the state police firearms unit has abused its authority by punishing gun owners with long delays and making policies that have no basis in law.

On Thursday, Kuck read a statement to the board, saying, "I will follow the opinion of the attorney general and recuse myself when the issues identified in the AG's opinion are presented to the board."

"There are citizens who have waited and continue to wait for their hearings and I will not allow the board to use my exercise of my civil rights as a reason to further delay these hearings," Kuck said in his statement.

Kuck's claims are echoed by James Goldberg of Glastonbury, who also plans to file a lawsuit over the long delay to get his gun permit back. Goldberg's permit was revoked after he was charged with breach of peace when a restaurant employee called police after seeing his gun under his shirt. The charges were dropped in court.

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