

STATE OF DELAWARE



**EXECUTIVE DEPARTMENT
DOVER**

EXECUTIVE ORDER NO. 13

WHEREAS, it is illegal in the state of Delaware for a person convicted of a felony to possess a firearm, and

WHEREAS, Delaware currently has no legal mechanism to ensure that persons who have committed felonies surrender their firearms, and

WHEREAS, the only whole or partial records that exist in Delaware of persons who own firearms are the concealed weapon permit files kept at the Delaware Superior Court, and

WHEREAS, said concealed weapon permit files are available under the Freedom of Information Act to bona fide law enforcement personnel, and

WHEREAS, it is important that Delaware prevent incidents such as the recent tragedy in Melrose Park, Illinois, where a convicted felon killed four persons using legally licensed firearms which he had purchased before he committed his felony and which were not confiscated after he committed his felony,

I, RUTH ANN MINNER, GOVERNOR OF THE STATE OF DELAWARE,
HEREBY ORDER on this Fourteenth day of February, 2001:

1. The Secretary of Public Safety ("the Secretary") is directed to ensure that a bona fide law enforcement agent under his supervision obtain copies of all concealed deadly weapon files held at the Prothonotary's office in each of Delaware's three counties within 60 days.
2. The Secretary is directed to check the names of all persons derived from the files obtained pursuant to paragraph one of this Order in the Delaware Criminal Justice Information System within 90 days, for the purpose of

determining whether any person holding a concealed deadly weapon permit in this State has committed a felony offense.

3. If the Secretary finds after the investigation directed by paragraph 2 of this Order that any persons holding concealed deadly weapon permits in this state have committed any felonies, he shall notify my office and the office of the Attorney General within 48 hours for purposes of investigation and prosecution.
4. Until such time that legislation is enacted by this state mooting the procedure described in this Order, the Secretary is directed to repeat the process described in paragraphs one through three of this Order every six months, except that he shall retain copies of concealed deadly weapon files and seek copies from the Prothonotary only of those files created in the time interval since he last repeated this process.
5. The Secretary and his designees shall treat all concealed deadly weapon files copied pursuant to this Order as confidential, shall use them only for the purpose of executing this Order, and shall not disclose them to any person outside the Department of Public Safety, the Office of the Attorney General, the Court when necessary, and the Delaware Criminal Justice Information System, or to any person who does not need them for purposes of executing this Order.




RUTH ANN MINNER

Attest:


Harriet N. Smith Windsor
Secretary of State