

March 11, 2015: In the case of Chief of Police of Worcester vs. Raymond J. Holden Jr. the Massachusetts Supreme Judicial Court (SJC) in a unanimous decision rejected challenges to the Massachusetts Firearms law specifically as it applies to the right of a Chief of Police as the licensing authority to suspend, revoke and deny a person a license to carry (LTC) a firearm.

In this case Holden had been charged with domestic assault and battery in September 2005 and as a result of these charges the Worcester Chief of Police suspended Holden's LTC. In November of that year the criminal charges were dropped at the complainants request. In December 2005 Holden filed for a judicial review of the suspension of his LTC and prevailed in the District Court. In January 2006 the Chief reinstated Holden's LTC and then immediately revoked the LTC by deeming Holden unsuitable to hold an LTC not because of the criminal complaint on which the original suspension was based but instead based on the facts in the original police incident report in that case. Then in October 2010 Holden applied for a new LTC and was denied in November 2010 by the Worcester Police Chief as unsuitable to hold an LTC.

The basis of Holden's appeal to the SJC was that the Massachusetts Firearms law was unlawful under the Second Amendment of the United States Constitution. Because the law failed to probably define a suitable person to hold an LTC thereby denying Holden his constitutional right. The court found in their extensive ruling that the law did comply with the parameters of the Second Amendment citing several previous court cases as the basis for their decision. Affirming the local police chief's right to suspend, revoke or deny an LTC while continuing to allow the aggrieved party to appeal the District Court with jurisdiction over that community.