

CHAPTER 11 CONCEALED WEAPON LICENSE POLICY

11-1 PURPOSE AND SCOPE

The Sheriff is given the statutory discretion to issue a license to carry a concealed firearm to residents within Yolo County. This policy will provide a written process for the application and issuance of such licenses. Pursuant to Penal Code 26160, this policy shall be made accessible to the public.

11-2 QUALIFIED APPLICANTS

In order to apply for a license to carry a concealed weapon, the applicant must:

- a. Be a resident of Yolo County.
- b. Be at least 21 years of age.
- c. Fully complete an application that will include substantial personal information. Much of the information in the application may be subject to public access under the Public Records Act.
- d. Be free from criminal convictions that would disqualify the applicant from carrying a concealed weapon. Fingerprints will be required and a complete criminal background check will be conducted.
- e. Be of good moral character.
- f. Show good cause for the issuance of the license.
- g. Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
- h. Provide proof of ownership and registration of any weapon to be licensed for concealment.
- i. Provide at least three letters of character reference.
- j. Be free from any medical and psychological conditions that might make the applicant unsuitable for carrying a concealed weapon.
- k. Though not required, it is recommended that applicants complete an authorized CCW training course prior to application.

11-3 CRITERIA

Examples of valid reasons to request a permit include, but are not limited to:

- a. Victims of violent crime and/or documented threats of violence.
- b. Business owners who carry large sums of cash or valuable items.
- c. Business owners who work all hours in remote areas and are likely to encounter dangerous people and situations.

Examples on invalid reasons to request a permit include, but are not limited to:

- a. Recreation in remote areas.
- b. Hunting or fishing

- c. Self protection and protection of family (without credible threats of violence).
- d. Employment in the security field, i.e. security guard, body guard, VIP protection.
- e. Personal safety due to job conditions or duties placed on the applicant by their employer.

11-4 APPLICATION PROCESS

The application process for a license to carry a concealed weapon shall consist of several steps. Upon completion of each step, the applicant will advance to the next step until the process is completed or the application is denied.

- a. The individual applying for a license shall fully complete a Concealed Weapons License Application to be signed under penalty of perjury. It is against the law to knowingly make any false statements on such an application. (Penal Code 26180). False statements will be cause for denial of the application.
- b. At the time the completed application is submitted, the applicant shall pay the Sheriff's Office non-refundable administrative fee. (Penal Code 26190). The applicants shall also submit at least three signed letters of character reference from individuals other than relatives and proof of residency such as a rental agreement, tax bill, utility bill, DMV printout, or other valid documentation showing residency. Residency is subject to further verification by the Sheriff's Office.
- c. The application will be processed and reviewed for completeness and validity. If the application does not meet the criteria to be approved, the applicant will receive written notice within 90 days of the initial application for a new license or a license renewal, or 30 days after receipt of the applicant's criminal background check from the Department of Justice, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied.
- d. If the application meets the criteria to proceed, a background check including an interview with the Sheriff or his designee will be scheduled and the applicant will be scheduled for a Livescan fingerprint and photo appointment. At the time of the fingerprinting and photographing appointment, the applicant shall pay the Department of Justice fingerprint processing fee as well as the Sheriff's Office fingerprint rolling fee.
- e. The fingerprints are then sent electronically to the Department of Justice and the Federal Bureau of Investigation for criminal background checks. Persons determined to fall within a prohibited class described in the Penal Code or Welfare and Institutions Code will not be issued a license to carry a concealed weapon.
- f. Upon completion of the background check including return of the Department of Justice and FBI criminal history checks, the Sheriff or his designee shall approve or deny the application. If approved, the applicant shall be notified in writing that they have thirty (30) days to demonstrate his/her knowledge of firearms safety and proficiency in the handling of the firearm(s) intended to be licensed. This is accomplished by providing a certificate showing they have successfully

completed a concealed weapons firearms course recognized and approved by the Yolo County Sheriff's Office. After successfully completing the CCW course, the applicant shall contact the Sheriff's Office to schedule an appointment to verify the weapons and issue the license.

- g. At the time of issuance, the applicant shall submit their CCW training certificate and proof of ownership and registration of each weapon to be licensed for concealment. Upon request, the applicant shall provide the weapon to a Sheriff's Office Firearms Instructor or Armorer for a full safety inspection. The applicant shall also submit the Department of Justice applicant processing fee as well as the remainder of the Sheriff's Office processing fee. (Penal Code 26190).
- h. If upon completion of the background check including return of the Department of Justice and FBI criminal history checks, the Sheriff or his designee does not meet the criteria to be approved, the applicant will receive written notice within 90 days of the initial application for a new license or a license renewal, or 30 days after receipt of the applicant's criminal background check from the Department of Justice, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied.

11-5 ISSUED CONCEALED WEAPONS PERMITS

In the event a license to carry a concealed weapon is issued by the Sheriff, the following shall apply:

- a. The license will not be valid outside the state of California;
- b. The license will be subject to any and all reasonable restrictions or conditions the Sheriff has deemed warranted, including restrictions as to the time, place, manner and circumstances under which the person may carry the concealed firearm.
 - 1) All such restrictions or conditions shall be conspicuously noted on any license issued. (Penal Code 12050(c))
 - 2) Any violation of any of the restrictions and conditions may result in the immediate revocation of the license.
- c. The expiration date, type of weapon, restrictions and other pertinent information shall be clearly printed and visible on the license. Each license shall be numbered and clearly identify the licensee.
- d. All licenses shall be subject to inspection at any time by the Sheriff or any law enforcement officer and shall be surrendered to any peace officer upon demand.
- e. The license will be valid for a period not to exceed two years from the date of issuance.
 - 1) A license issued to a state or federal magistrate, commissioner or judge will be valid for a period not to exceed three years.

- 2) A license issued to any reserve peace officer as defined in Penal Code 830.6 (a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual's conclusion of service as a reserve officer or custodial officer.
 - 3) If the licensee's place of employment or business was the basis for issuance of a license pursuant to Section 26150, the license is valid for any period of time not to exceed 90 days from the date of the license. The license shall be valid only in the county in which the license was originally issued. The licensee shall give a copy of this license to the licensing authority of the city, county, or city and county in which the licensee resides. The licensing authority that originally issued the license shall inform the licensee verbally and in writing in at least 16-point type of this obligation to give a copy of the license to the licensing authority of the city, county, or city and county of residence.
- f. The licensee shall notify the Sheriff's Office in writing within ten (10) days of any change of residency. If the licensee moves out of the county of issuance, the license shall expire ninety (90) days after the licensee has moved.

11-6 LICENSE RESTRICTIONS

The Sheriff may place special restrictions in writing limiting time, place and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from any of the following:

- a. Consuming any alcoholic beverage while armed.
- b. Falsely representing him or herself as a peace officer.
- c. Unjustified or unreasonable displaying of weapon.
- d. Committing any crime.
- e. Being under the influence of any medication or drug while armed.
- f. Interfering with any law enforcement officer's duties.
- g. Refusing to display his/her license or weapon for inspection upon demand of any peace officer.

The alteration of any previously approved weapon including, but not limited to adjusting trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.

11-7 AMENDMENTS TO LICENSES

Any licensee may apply to amend a license at any time during the period of validity by completing and submitting a written application for license amendment along with the current processing fee in order to accomplish one or more of the following:

- a. Add or delete authority to carry a firearm listed on the license.
- b. Change restrictions or conditions previously placed on the license.
- c. Change the address or other personal information of the licensee.

In the event that any amendment to a valid license is approved by the Sheriff, a new license will be issued reflecting the amendment(s). An amendment to any license will not serve to extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license.

11-8 REVOCATION OF LICENSES

Any license issued pursuant to this policy may be immediately revoked by the Sheriff or his designee for any of the following reasons:

- a. If the licensee has violated any of the restrictions or conditions placed upon the license.
- b. If the licensee becomes medically or psychologically unsuitable to carry a concealed weapon.
- c. If the licensee is determined to be within a prohibited class described in the Penal Code or Welfare and Institutions.
- a. If the licensee engages in any conduct which involves a lack of good moral character or might otherwise remove the good cause for the original issuance of the license.
- b. If a licensee establishes residence outside of Yolo County, any license issued shall expire 90 days after the licensee moves from the county of issuance.

The issuance of a license by the Sheriff shall not entitle the holder to either a property or liberty interest as the issuance, amendment or revocation of such license remains exclusively within the discretion of the Sheriff as set forth herein.

If the license is revoked, the Sheriff's Office will immediately notify the licensee and the Department of Justice pursuant to Penal Code 26225.

11-9 LICENSE RENEWAL

Prior to the expiration of any valid license to carry a concealed weapon, the licensee may apply to the Sheriff for a renewal by completing the following process:

- a. The individual applying for a license shall fully complete a concealed weapons license renewal application to be signed under penalty of perjury. It is against the law to knowingly make any false statements on such an application. (Penal Code 26180). False statements will be cause for denial of the application.
- b. The applicant must apply no later than thirty (30) days prior to the expiration of his or her license. A grace period of 60 days after the expiration may be granted as long as valid reasons exist and the applicant notifies the Sheriff's Office prior to the expiration. A grace period does not extend the license expiration date.
- c. The applicant will be interviewed to verify the on-going need and applicant qualifications for the license and to clarify any questions about the application.
- d. If the Sheriff or his designee feels there is sufficient reason to renew the license, the applicant will be notified in writing that they have thirty (30) days to complete a Sheriff's Office authorized concealed weapons training course of no less than four (4) hours including firearms safety and the laws regarding the permissible use of a firearm. Applicants must provide a certificate showing proficiency with the firearm(s) listed on the application.

- e. After completing the concealed weapons training course, an appointment will be made to verify the weapons and issue the license.
- f. At the time of issuance, the applicant shall submit the Sheriff's Office fee, the training certificate, and proof of ownership and registration of each new weapon to be licensed for concealment. Upon request, the applicant shall provide the weapon to a Sheriff's Office firearms instructor or armorer for a full safety inspection.

Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal.

Whether an application for renewal is approved or denied, the applicant shall be notified in writing within ninety (90) days of receipt of the renewal application.

11-10 SHERIFF'S OFFICE REPORTING AND RECORDS

Pursuant to Penal Code 26225, the Sheriff shall maintain a record of the following information and immediately provide copies of each to the Department of Justice:

- a. The denial of a license.
- b. The denial of an amendment to a license.
- c. The issuance of a license.
- d. The amendment of a license.
- e. The revocation of a license.

The Sheriff shall annually submit to the State Attorney General the total number of licenses to carry concealed weapons issued to reserve peace officers and judges.

11-11 CONFIDENTIAL RECORDS

The home addresses and telephone numbers of any peace officer, magistrate, commissioner or judge contained in any application or license shall not be considered public record. Government Code 6254 (u) (2).

Any information in any application or license which tends to indicate when or where the applicant is vulnerable to attack or that concerns the applicant's medical or psychological history or that of his/her family shall not be considered public record (Government Code 6254 (u)(1)).

11-12 CONCEALED WEAPONS INSTRUCTOR APPLICANT PROCESS

All persons and businesses applying to be authorized concealed weapons course instructors for the Yolo County Sheriff's Office are subject to approval by the Sheriff or his/her designee and are subject to the following procedures:

- a. Vendors' businesses and classes must be located within Yolo County or a contiguous county (Sacramento, Solano, Napa, Lake, Colusa and Sutter). This allows reasonable access by residents and allows us, if needed, to monitor and spot check vendors to make sure they are in compliance.

- b. Requests to become an authorized CCW vendor shall include resumes for all instructors, course outline, qualification course of fire, qualification certification form, and location of training.
- c. Vendors curriculum shall include training in Federal, State, and local laws as they relate to concealed weapons and use of force and must meet the minimum training and qualification course of fire requirements per 832 PC and Commission on Peace Officer Standards and Training (POST) as they relate to handguns and concealable firearms including:
 - 1. Firearms Safety
 - 2. Mechanical Functions
 - 3. Manipulations
 - 4. Judgment/Decision Making
 - 5. Basic Shooting Principles
 - 6. Combat Shooting Principles/Tactics
 - 7. Accuracy
- d. Courses for initial CCW applicants shall be 16 hours in length.
- e. Courses for renewal CCW applicants shall be no less than 4 hours in length.
- f. Vendors who are approved shall be authorized for a period of 3 years starting on January 1, following the date of approval.
- g. Between October 1st and November 30th in the year of expiration, vendors requesting renewal shall submit a request along with current resumes, course outlines, qualification course of fire, and location of training.
- h. Vendors who do not request a renewal by the due date or who no longer meet the requirements will no longer be accepted as an authorized trainer.