218.1 PURPOSE AND SCOPE
The Sheriff is given the statutory discretion to issue a license to carry a concealed firearm to residents within Stanislaus County. This policy will provide a written process for the application and issuance of such licenses. Pursuant to Penal Code 26155, this policy shall be made accessible to the public.

218.1.1 APPLICATION OF POLICY
Nothing in this policy shall be construed to require the Sheriff to issue a Concealed Weapon License at any time. The issuance of any such license shall only be pursuant to the terms and conditions of this policy and applicable law. Each application will be reviewed on a case-by-case basis.

218.2 QUALIFIED APPLICANTS
In order to qualify for a license to carry, the applicant must meet the following requirements:

a. Be a permanent resident of Stanislaus County. This must be a verifiable physical address. To merely have a Stanislaus County P.O. Box does not meet the verifiable requirement.

b. Be at least 21 years of age at the time of application.

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. Should this office request such information related to CCW permit/application, we will advise active permit holders in writing or by email with the requestor's name and contact information. Notification will be done when the applicant completes a form requesting to be notified at the time of application.

d. Be free from criminal convictions that would disqualify the applicant from carrying a concealed weapon. Fingerprints and a photo will be required and a complete criminal background will be conducted.

e. Be of good moral character. Pursuant to Penal Code 26150 (a) (1).

f. Show good cause for the issuance of the license. Pursuant to Penal Code 26150 (a) (2).

1. Criteria that may establish good cause, but are not limited to the following:

    Self Protection
    Business Owner
    Rancher

g. Each applicant for a new license or renewal of a license shall pay at the time of filing the application fee determined by the Department of Justice. The Department of Justice fee shall not exceed the application processing costs for the direct costs of furnishing the report required by Penal Code 26185. Stanislaus County shall charge an additional fee in an amount equal to the actual costs for processing the application for a new or renewal application, excluding fingerprint and training costs pursuant to Penal Code 26190 (b) (1). These fees are set by statute and may not be refunded if the application is

denied. The Stanislaus County Board of Supervisors and Department of Justice approved fee structure can be located on our web site – www.scsdonline.com

h. Be free from any medical and psychological conditions that might make the applicant unsuitable for carrying a concealed weapon.

i. Complete required course of training as described in Penal Code 26165.

218.3 APPLICATION PROCESS

The application process for a license to carry a concealed weapon shall consist of two phases. Upon the successful completion of each phase, the applicant will advance to the next phase until the process is completed and the license is either issued or denied.

218.3.1 PHASE ONE (TO BE COMPLETED BY ALL NEW APPLICANTS)

a. Any individual applying for a license to carry a concealed weapon shall first fully complete a Concealed Weapons License Application to be signed under penalty of perjury at the time of appointment. It is against the law to knowingly make any false statements on such an application and such statements are subject to automatic denial. (Penal Code 26180)). The standard DOJ application can be located on www.scsdonline.com.

b. The individual applying for the permit will then call 525-7134 or go to www.scsdonline.com to schedule an appointment to begin the application process.

c. At the time the completed application is submitted, the applicant shall submit a payment to "Stanislaus County Sheriff's Department" for the required DOJ Live Scan application processing costs and the Stanislaus County portion allowed by law for application processing. This nonrefundable amount at the time of application is the first 20% of the application fee to cover the cost of processing by the Stanislaus County Sheriff's Department. Pursuant to Penal Code 26190 (2). The County's application fee does not include any additional fees required for fingerprinting or training. Full payment of the remainder of the County's application fee will be required upon issuance of a license in phase two.

1. The background Live Scan process shall be completed by the Stanislaus County Sheriff's Department for all applicants. Alternate Live Scan locations will not be accepted.

2. No person determined to fall within a prohibited class described in Penal Code 26150-26225 or Welfare and Institutions Code 8100 or 8103 may be issued a license to carry a concealed weapon.

3. The applicant shall not be required, but is recommended to provide proof of ownership and registration of each weapon to be licensed for concealment with the Department of Justice Automated Firearms System. Voluntary manual registration forms may be located on our web site – www.scsdonline.com.

4. The applicant shall be contacted and scheduled for an interview with a Department representative following initial review of the application and

the response from the DOJ Live Scan system. During this stage, there will be further discussion of the applicant's statement of good cause and any potential restrictions or conditions that might be placed on the license.

The background investigation can include a psychological examination. The applicant may be charged for the actual cost of the testing in an amount not to exceed One Hundred Fifty Dollars ($150.). Pursuant to Penal Code 26190 (f) (1).

Once the Sheriff or authorized designee has reviewed the completed application package and relevant background information, the application will either be advanced to phase two or denied. In the event that an application is denied at the conclusion of or during phase one, the applicant shall be notified in writing within ninety (90) days of the initial application or within 30 days after receipt of the applicant's criminal background check from the Department of Justice, whichever is later (Penal Code 26205). If the applicant is denied the denial letter shall state the reason from the Sheriff's Department policy (Penal Code 26200). The Stanislaus County Sheriff's Department doesn't offer an appeal process on any denial.

218.3.2 PHASE TWO-NEW APPLICANTS

This phase is to be completed only by those applicants successfully completing phase one.

Upon successful completion of phase one,

a. The applicant shall complete a 16 hour training course from one of the Stanislaus County Sheriff's Department approved gun safety course providers. Once the Sheriff or authorized designee has verified the successful completion of phase two, the license to carry a concealed weapon will either be granted or denied. The gun safety course shall be taken within 6 months of the notification of tentative approval and the original course certificate(s) delivered to the Sheriff's Department. In the event the course has not been taken within the 6 months of the approval date, the application process background check will need to be started as a new applicant.

b. The applicant must return to the Sheriff's Department in person with the original certificate(s) of completion of the required training.

c. The applicant will be notified by phone when the permit is available for pick-up and final county fees due.

Whether an application is approved or denied at the conclusion of or during phase two, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the Department of Justice, whichever is later. (Penal Code 26205). The Stanislaus County Sheriff's Department does not offer an appeal process on any denial.

VENDORS FOR FIREARMS TRAINING COURSES

Vendors requesting acceptance of their course need to provide file copies of all written handouts, tests, certificates, and shooting requirements to the Sheriff's Department range master. The range master will make his written recommendation to the Sheriff or his designated employee for final approval. New vendors may submit training course materials to the Sheriff's Department for review during the period of July 1st-July 31st

annually. Current course providers will need to resubmit course materials for renewal every other year, during the period of July 1st-July 31st, in order to remain a course provider.

A Stanislaus County Sheriff's Department representative will attend and observe, free of charge, one class during a two year period for new and renewal courses provided by each approved gun safety course provider.

New applicant course requirements will be required to attend a 16 hour minimum course of training to include 6 hours of range weapon handling covering loading, unloading, cleaning, and demonstrating proficient shooting at a maximum of 10 yards effective July 1, 2012.

Renewal applicants will be required to attend a 4 hour training course to include demonstrating proficient shooting – covering loading, unloading, and demonstrating proficient shooting at a maximum of 10 yards effective July 1, 2012.

Instructors from any vendor must submit their background and training certified by recognized organizations such as but not limited to, National Rifle Association, California Rifle and Pistol Association, California Bureau of Firearms Safety. Training certifications provided by course instructors should be current and relevant training that is up to date (taken within the last five years).

The Stanislaus County approved vendor list can be located on the Sheriff's Department web site www.scsdonline.com.

218.4 LIMITED BUSINESS LICENSE TO CARRY A CONCEALED WEAPON

The authority to issue a limited business license to carry a concealed weapon to a non-resident applicant is granted only to the Sheriff of the county in which the applicant works. A chief of a municipal police department may not issue limited licenses. Therefore, such applicants may be referred to the Sheriff for processing.

An individual who is not a resident of Stanislaus County, but who otherwise successfully completes all portions of phases one and two above, may apply for and be issued a limited license subject to approval by the Sheriff and subject to the following:

a. The applicant physically spends a substantial period of working hours in the applicant's principal place of employment or business within Stanislaus County.

b. Such a license will be valid for a period not to exceed 90 days from the date of issuance and will be valid only in Stanislaus County.

c. The applicant shall provide a copy of the license to the licensing authority of the city or county in which the applicant resides.

d. Any application for renewal or re-issuance of such a license may be granted only upon concurrence of the original issuing authority and the licensing authority of the city or county in which the applicant resides.

218.5 ISSUED CONCEALED WEAPONS LICENSE

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, unless recognized by another State.

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 26200 (a) (b)).

c. The licensee shall be issued a laminated card bearing a photo of the licensee, along with the DOJ required paper permit with the expiration date, weapons, restrictions and other pertinent information clearly visible.

1. Each license shall be numbered and clearly identify the licensee.

2. All licenses shall be subjected to inspection by the Sheriff or any law enforcement officer.

d. The license will be valid for a period not to exceed two years from the date of issuance.

1. A license issued to state or federal magistrate, commissioner or judge will be valid for a period not to exceed three years. (Penal Code 26220)

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. The yearly firearms training shall meet the training course required for current Sheriff's Department employees.

e. The licensee shall notify this department in writing within ten days of any change of place of residency. If the licensee moves out of Stanislaus County, the license shall expire ninety (90) days after the licensee has moved (Penal Code 26210 (b)).

218.5.1 LICENSE RESTRICTIONS

The Sheriff may place special restrictions 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:

- Consuming any alcoholic beverage while armed
- Falsely representing himself or herself as a peace officer
- Unjustified or unreasonable displaying of a weapon
- Committing any crime
- Being under the influence of any medication or drug while armed
- Interfering with any law enforcement officer's duties

- Refusing to display his/her license or weapon for inspection upon demand of any
- peace officer
- The Sheriff reserves the right to inspect any license or licensed weapon at any time.

218.5.2 MODIFICATIONS/AMENDMENTS TO LICENSES
Any licensee may apply to modify a license during the period of validity by contacting the Sheriff's Records Division to accomplish one or more of the following:

a. Add or delete authority to carry a firearm listed on the license (Penal Code 26215 (a) (1)).

b. Change the address or other personal information of the licensee
In the event that any modification to a valid license is approved by the Sheriff or his designee, a new license will be issued reflecting the modification(s). A modification to any license will not serve to extend the original expiration date and an application for a modification will not constitute an application for renewal of the license.

c. Modifications/Amendments do not extend the original expiration date of the license and the license shall be subject to renewal at the time as if the license had not been amended (Penal Code 26215 (d)).

218.5.3 REVOCATION OF LICENSES
Any license issued pursuant to this policy may be immediately revoked by the Sheriff for any reason, including but not limited to:

a. If the licensee has violated any of the restrictions or conditions placed upon the license; or

b. If the licensee becomes medically or psychologically unsuitable to carry a concealed weapon; or

c. If the licensee is determined to be within a prohibited class described in Penal Code 26150-26225 or Welfare and Institutions Code 8100 or 8103; or

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

If any license is revoked, the Sheriff's Department will immediately notify the licensee and the Department of Justice pursuant to Penal Code 26195 (3)).

218.5.4 LICENSE RENEWAL
It is recommended the licensee return to the Sheriff's Department to apply for a renewal 90 days prior to the expiration date of their current permit. The licensee may apply to the Sheriff for a renewal by completing the following:

PHASE ONE (TO BE COMPLETED BY ALL RENEWAL APPLICANTS)

b. Any individual renewing a license to carry a concealed weapon shall first 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 and such statements are subject to automatic denial. The standard renewal application can be located on www.scsdonline.com.

b. The individual applying for the permit will then call 525-7134 or go to www.scsdonline.com to schedule an appointment to begin the renewal process.

c. At the time the completed renewal application is submitted, the applicant shall submit a payment to "Stanislaus County Sheriff's Department" for the required Department of Justice processing fee and the Stanislaus County portion allowed by law for application processing. This nonrefundable amount at the time of application is the first 20% of the application fee to cover the cost of processing by the Stanislaus County Sheriff's Department. Pursuant to Penal Code 26190 (2). The County's application fee does not include any additional fees for training. Full payment of the remainder of the County's application fee will be required upon issuance of a license in phase two.

1. No person determined to fall within a prohibited class described in Penal Code 26165-26225 or Welfare and Institutions Code 8100 or 8103 may be issued a license to carry a concealed weapon.

2. The applicant shall not be required, but is recommended to provide proof of ownership and registration of each weapon to be licensed for concealment with the Department of Justice Automated Firearms System. Voluntary manual registration forms may be located on our web site – www.scsdonline.com

3. The applicant may be contacted and scheduled for an interview with a Department representative following initial review of the application and background checks. During this stage, there will be further discussion of the applicant's statement of good cause and any potential restrictions or conditions that might be placed on the license.

The background investigation can include a psychological examination The applicant may be charged for the actual cost of the testing in an amount not to exceed One Hundred Fifty Dollars ($150.). Pursuant to Penal Code 26190 (f) (1).

Once the Sheriff or authorized designee has reviewed the completed renewal application package and relevant background information, the application will either be advanced to phase two or denied. In the event that an application is denied at the conclusion of or during phase one, the applicant shall be notified in writing within ninety (90) days of the initial application or within 30 days after receipt of the applicant's criminal background check from the Department of Justice, whichever is later (Penal Code 26205). If the applicant is denied the denial letter shall state the reason from the Sheriff's Department

policy (Penal Code 26200). The Stanislaus County Sheriff's Department doesn't offer an appeal process on any denial.

218.3.2 PHASE TWO - RENEWAL
This phase is to be completed only by those applicants successfully completing phase one.

Upon successful completion of phase one,

a. The applicant shall complete a training course approved by Stanislaus County from a list of gun safety course providers and shall be no less than four hours and shall include instruction on at least firearm safety and the law regarding the permissible use of a firearm. Once course training has been verified the successful completion of phase two, the license to carry a concealed weapon will either be granted or denied. The gun safety course shall be taken within 6 months of the notification of approval and the original certificate(s) delivered to the Sheriff's Department.

b. The applicant must return to the Sheriff's Department in person with the original gun safety certificate(s) of completion of the required training.

c. Once the Sheriff or authorized designee has verified the successful completion of the renewal process, the renewal of the license to carry a concealed weapon will either be granted or denied. Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal.

d. Whether an application is approved or denied at the conclusion of or during phase two, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the Department of Justice, whichever is later. (Penal Code 26205). The Stanislaus County Sheriff's Department does not offer an appeal process on any denial.

e. The applicant will be notified by phone when the permit is available for pick up and final county fees due.

218.6 DEPARTMENT REPORTING AND RECORDS
Pursuant to Penal Code 26225, the Sheriff shall maintain a record of the following and immediately provide copies of each to the Department of Justice:

- The denial of license
- The denial of an amendment to a license
- The issuance of a license
- The modification of a license
- The revocation of a license

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

218.7 CONFIDENTIAL RECORDS
The home address 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)).

Much of the information in the new or renewal application may be subject to public access under the Public Records Act. Should this office request such information related to CCW permit/application, we will advise active permit holders in writing or by email with the requestor’s name and contact information. Notification will be completed when the applicant completes a form requesting to be notified at the time of application.