



# **Alameda County Sheriff's Office**

## **Concealed Carry Weapon Licensing Policy**

The Sheriff is given the statutory discretion to issue a license to carry a concealed firearm within the State of California. This policy provides a written process for the application and issuance of such licenses and is made accessible to the public, pursuant to Penal Code Section 26160 and subdivisions (a) and (b) of Penal Code Section 26155.

### **Introduction**

A Concealed Carry Weapon (CCW) license authorizes the license holder to carry a pre-approved firearm concealed on their person in some situations outside their home or place of business. California Penal Code Section 26155 provides the Sheriff of Alameda County with the authority to approve or deny CCW licenses to applicants who reside within the County of Alameda. A CCW license can be issued for up to two years, or three years if the licensee is a judge, court commissioner or magistrate. The Sheriff may also impose further conditions or restrictions on a license.

In California, the decision to issue a CCW license is discretionary. Penal Code Section 26155 provides that the Sheriff "may" issue, but is not required to issue, a CCW license if certain minimum statutory criteria are satisfied. The Sheriff's decision to issue a CCW license will depend upon the circumstances in each individually-processed case. There is no guarantee that an applicant will receive a CCW license, even if he/she satisfies all the criteria listed below. If the circumstances warrant, the Sheriff also has the discretion to waive some of the listed requirements.

Nothing in this policy shall be interpreted to require the Sheriff to issue a Concealed Carry 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 laws.

### **Basic Eligibility Requirements**

To be eligible for a CCW license, the applicant must meet the following requirements:

1. Be a resident of Alameda County.
2. A citizen or legal resident of the United States;
3. Be at least 21 years of age;
4. Be of good moral character;
5. Fully complete an application that will include personal information, including a background and criminal history check, and a psychological evaluation; and
6. Show good cause for the issuance of the license.

## **Good Cause for Issuance**

The applicant must establish that there is good cause for the Sheriff to issue a CCW license. The Sheriff has determined, on the basis of experience and judgment, good cause to issue a CCW license to Alameda County residents will exist only in conditions of necessity. Therefore, applicants should be able to supply credible evidence of the following:

1. There is a documented, presently existing, clear and present danger to life, or great bodily harm to the applicant and/or his or her spouse, domestic partner, or dependents.
2. The danger of harm is specific to the applicant, or his or her immediate family, and is not generally shared by other similarly situated members of the public.
3. Existing law enforcement resources cannot adequately address the danger of harm.
4. The danger of harm cannot reasonably be avoided by alternative measures.
5. Licensing the applicant to carry a concealed weapon is significantly likely to reduce the danger of harm.

While each of the above factors is considered in the decision-making process, the Sheriff makes a good cause determination based upon the totality of the circumstances presented in each individual case.

## **Good Moral Character**

Once an eligible applicant makes a preliminary showing of good cause, the Alameda County Sheriff's Office Concealed Carry Weapon Licensing Unit will conduct a background investigation to determine whether the applicant is of good moral character. To demonstrate good moral character, the applicant must, at a minimum:

1. Pass a background check performed by the Department of Justice (DOJ) using the applicant's fingerprints and the information provided on the standard application form.
2. Be qualified under state and federal law to possess, receive, own, and/or purchase a firearm.
3. Have no disqualifying history of citations, arrests, convictions, civil lawsuits, employment discharges, license denials, license revocations or other actions indicating a possible propensity for violence, moral turpitude, drug and/or alcohol abuse, carelessness with weapons and/or dishonesty.
4. Provide positive personal character references, preferably from community members who are not relatives, and who are aware the applicant seeks a license to carry a concealed weapon.

The Sheriff's moral character determination is discretionary and based on the totality of the circumstances presented in each individual case.

## **Personal Suitability**

The applicant must be free of any physical, psychiatric, and/or psychological conditions that might negatively impact his or her exercise of sound judgment and/or ability to handle a firearm safely. The Alameda County Sheriff's Office requires applicants to successfully complete a psychological examination by a psychologist approved by the Alameda County Sheriff's Office.

## **Firearms Training and Range Qualification**

The applicant must establish legal ownership and registration of the weapon he or she seeks to carry in a concealed manner. The applicant must successfully complete a course of firearms training of a minimum of eight hours, as determined by the Alameda County Sheriff's Office. In addition, the applicant must demonstrate proficiency and accuracy at the Sheriff's Office firing range with the weapon to be licensed.

## **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. Applicants can either have the application packet mailed to them, or they can go to the Sheriff's official website [www.alamedacountysheriff.org](http://www.alamedacountysheriff.org), click on the links, and access the CCW Licensing Unit. If applicants choose to have the information mailed, they will receive a packet that will include a cover letter and Concealed Carry Weapon application forms from both the California Department of Justice (DOJ) and Alameda County Sheriff's Office (ACSO). Whichever process the applicant chooses, they shall fully complete the application forms truthfully, sign them under penalty of perjury and submit them to the Internal Affairs / Concealed Carry Weapon Licensing Unit. It is against the law to knowingly make any false statements on such an application, per Penal Code Sections 26180(a) and (b). False statements will be cause for denial of the application.
- B. The applicant shall also complete a Letter of Justification outlining their need for a CCW.
- C. As deemed necessary, especially if the justification is based on the applicant's profession, a Letter of Support from the applicant's employer and/or supervisor must be submitted along with his own Letter of Justification.
- D. Applications and the Letter of Justification and the necessary supporting correspondences will be reviewed by a member of the CCW Licensing Unit for content, thoroughness, and validity.
- E. A background check of the applicant will be conducted, which may include contact with the applicant's current or recent employers, landlords, or neighbors, as well as any business associated with the applicant, if pertinent to the CCW request. The individuals contacted for the background check will be notified of the purpose for the background check.
- F. The applicant will be called, a date will be set for an interview with a member of the CCW Licensing Unit to meet and review the application forms, Letter of Justification, and any other information provided therein.

- G. Letters shall be sent to respective Sheriffs and/or Chiefs of Police for information regarding the applicant's previous locations of residency, and any contacts made to and/or by law enforcement agencies.
- H. Once the respective Sheriffs and/or Chiefs of Police have returned the requested information regarding the applicant, the provided information shall be reviewed by the CCW Unit.
- I. A memorandum will be drafted by the CCW Licensing Unit, be addressed to the Sheriff via the Captain of Internal Affairs/CCW Licensing Unit. The memorandum will include information provided by the applicant, coupled with information collected from requested law enforcement agencies. Depending upon whether the applicant meets the minimum requirements to carry a concealed weapon, the memorandum will have a recommendation to either continue or discontinue the application process.
- J. If it is recommended the application process continue, the applicant will be scheduled to submit live scan fingerprints and a photograph to be taken at Eden Township Substation.
- K. The fingerprints will be sent electronically to the California Department of Justice (DOJ) and the Federal Bureau of Investigation (FBI) for criminal background checks. Persons determined to fall within a **prohibited** class, described in Penal Code Sections 29800-29875 (entire chapter) or Sections 29900-29905 (entire chapter), or Welfare and Institutions Code Sections 8100 or 8103, will not be issued a CCW license.
- L. If the applicant meets the requirements, and is not prohibited from carrying a CCW License, he/she will be scheduled to meet with ACSO's contracted psychologist for an interview and a written psychological exam.
- M. If the applicant has met all the aforementioned requirements, he/she will be notified and scheduled for a range qualification date. The applicant shall demonstrate his/her knowledge of firearm safety, and proficiency with handling the firearm intended to be licensed. The applicant must provide the CCW Licensing Unit a certificate indicating he/she has successfully completed a CCW firearm course recognized and approved by ACSO.
- N. If the applicant meets the qualifying range scores, a complete review of the applicant's entire file will be conducted.
- O. The final step in the process involves the applicant's file being submitted, via the Chain of Command, for final approval by the Sheriff.
- P. If the applicant is approved for a CCW License, the Internal Affairs Unit will send the applicant a letter informing them they successfully completed the process. The letter will advise the applicant to call and schedule an appointment to pick up his/her CCW License at the Internal Affairs Unit office.
- Q. Pursuant to Penal Code Section 26205, "The licensing authority shall give written notice to the applicant indicating if the license under this authority is approved or denied." If an application is denied, the applicant shall be notified in writing within ninety (90) days of the initial application, or within thirty (30) days after receipt of the applicant's criminal background check from the DOJ, whichever is later. The notice of denial shall state which requirement was not satisfied.

**Application and Licensing Fees**

Application and fingerprinting fees must be paid in cash, check or money order made out to the Alameda County Sheriff’s Office after the applicant’s interview and if his/her application would be approved by the Sheriff. The cost of psychological testing and firearm training is the applicant's responsibility.

<b>FEE SCHEDULE</b>				
<b>INITIAL LICENSE</b>	<b>2- YEAR STANDARD</b>	<b>3-YEAR JUDICIAL</b>	<b>4-YEAR RESERVE</b>	<b>90-DAY EMPLOYMENT</b>
County Fees	\$100	\$100	\$100	\$100
State Fees	\$95	\$117	\$139	\$73
Psychological Evaluation	\$150	\$150	\$150	\$150
Range Qualification	\$50	\$50	\$50	\$50
Handgun Safety Course	variable	variable	variable	variable
<b>RENEWAL LICENSE</b>	<b>2- YEAR STANDARD</b>	<b>3-YEAR JUDICIAL</b>	<b>4-YEAR RESERVE</b>	
County Fees	\$25	\$25	\$25	
State Fees	\$52	\$74	\$96	
Range Qualification	\$50	\$50	\$50	

*\*State fees cover the live scan and fingerprinting services.*

**Further Information**

Application forms and application instructions are available from the Alameda County Sheriff’s Office Internal Affairs/CCW Licensing Unit located at 1401 Lakeside Drive 7<sup>th</sup> Floor, Oakland, CA 94612 or on the Alameda County Sheriff’s Office website. Any questions regarding the application process and other CCW-related inquiries can be addressed by calling (510) 208-9890.