

CCW Application Procedure

For Residents of the Unincorporated Areas
of Calaveras County

The authority to carry a concealed weapon (CCW) is set forth in California Penal Code Sections 26150 through 26225. These sections state in part:

PC 26150 The Sheriff of a County, upon proof that the person applying is of good moral character, that good cause exists for the issuance, and that the person applying is a resident of the County, may issue that person a license to carry a pistol, revolver, or other firearm capable of being concealed upon the person.

Per Sheriff Gary Kuntz: "It is the policy of the Calaveras County Sheriff's Department to review each application for a license to carry a concealed weapon. There is no state law which ENTITLES a person to be issued a license to carry a concealed weapon."

Under the Penal Code, the Sheriff of the County has the authority to issue a State of California permit to carry a concealed weapon. However, if you reside within an incorporated area in Calaveras County, your application for a CCW should be made with the highest ranking law enforcement official that has jurisdiction over your place of residence. In recent years, there have been several Court decisions that have made the Sheriff vicariously liable in civil cases where the holder of a concealed weapons permit used a weapon when not appropriately trained, or used it in an unlawful or unreasonable manner. Some law enforcement agencies have virtually stopped issuing CCWs. I do not intend on ceases to issue such permits.

"My policy regarding CCW permittees and alcohol/drug use is zero tolerance. Use of a controlled or illegal substance while in possession of a concealed weapon permit nullifies and voids the permit."

Who Does Not Need a CCW?

A citizen does not need a CCW in the following situations:

1. To possess a loaded firearm in one's residence, personal property or place of business.
2. To carry an unloaded weapon going to or returning from a shooting range, hunting, or sporting event involving firearms, provided it is in a locked container other than a glove compartment or utility box.
3. To possess or carry an unloaded rifle or shotgun.

Concealed Weapons License (CCW)

The Sheriff may issue a CCW under the following conditions:

1. The applicant is a full-time permanent resident of Calaveras County.
2. The applicant is of good moral character.
3. The applicant has good cause for carrying a concealed weapon.
4. The applicant has completed the required CCW training certification course.

Departmental Restrictions on Issuance of a CCW

An applicant will be refused a CCW under the following circumstances:

1. The applicant is not a full-time permanent resident of Calaveras County. (There are some exceptions for employees of the County)
2. The applicant is the subject of a restraining order issued by any court.
3. Conviction of Driving Under the Influence of Drugs/Alcohol within the past five (5) years.
4. Conviction of a felony.
5. Conviction of a misdemeanor offense which renders one unlawful to possess a firearm under PC 12021, as follows:

PC 136.5	PC 241	PC 246.3	PC 12034b
PC 140	PC 243	PC 247	PC 12034d
PC171b	PC 244.5	PC 417	PC 12100a
PC171c	PC 245	PC 427.2	PC 12320a
PC 171d	PC 245.5	PC 626.9	PC 12590

6. Convicted of PC 148 (resisting or interfering with a peace officer); or PC 242 (battery); within the past five (5) years.
7. Conviction of a drug offense under the Health & Safety Code within the past five (5) years.
8. Other cause to question residency, good cause for carrying a concealed weapon or suitability for carrying a concealed weapon.
9. A CCW will not be issued for any employment related purposes.

I. CCW License Initial Request:

Any omissions or false information given on the application is immediate cause for rejection of the application.

II. CCW Application Guidelines:

Applicant must be a current resident of Calaveras County and must be able to prove full-time permanent residency.

Applicant must be a minimum of 25 years of age.

At the time of the application, the applicant must present to the Sheriff's Department the following documentation:

- Valid California driver's license
- Proof of Residency
- **Non-refundable Application fee of \$ 20.00** (PC 26190(b)(2))

****The Sheriff's Department will not accept incomplete applications****

The application will be submitted to the Sheriff for review. If the Sheriff determines that good cause for issuance exists, the applicant will receive written notification to proceed with the required firearms training. (PC 26202)

If the Sheriff determines that good cause for issuance does not exist, the applicant will be given written notification of that determination. (PC 26202)

The applicant will be required to complete a Firearms Certification Course (8 to 16 hours) and provide proof of completion within 60 days of the Sheriff's good cause notification. Please contact the CCW Liaison to schedule an appointment for the inspection of the firearm(s) and applicant fingerprinting.

- **Non-refundable DOJ fee of \$93.00 due and payable** (PC 26190(a)(1))

Please allow up to 45 minutes for this appointment. The weapons to be listed on the CCW (maximum of two) must be brought to the Sheriff's Office unloaded.

Please allow up to 8-10 weeks for the clearance from the State Department of Justice. If/when clearance is received from the DOJ; the applicant will be assigned a CII number. At this time, the applicant's history is also received from the FBI and DMV. The firearms are then researched to verify ownership and status.

Upon completion of the applicant's background check, the file will be forwarded to the Sheriff for final review. If approved, the applicant will be contacted to take possession of the issued permit.

- **Final payment of \$ 80.00 due and payable** (PC 26190(b)(2))

If, for any reason, the applicant is denied, the applicant will be notified by mail within thirty (30) days from the time the Sheriff's Department received the DOJ data. The reason for the denial shall be stated.

The above procedures may be subject to change as this office is notified of new mandates/procedures/changes in fees, etc., from the State Department of Justice.

III. CCW License Renewal Procedures: The standard CCW is valid for two (2) years. Permit holders should not allow the permit to expire before applying for renewal. The renewal process can be initiated up to eight (8) weeks prior to the expiration date.

Applicants must apply for renewal in person and present proof of completion of a 4-Hour Firearms Course as required.

- **Non-refundable fee of \$ 77.00 due and payable** (PC 26190(c))

All applicants are responsible for notifying the Sheriff's Office of any changes on the CCW permit at time of renewal; including changes of address (physical or mailing), employment, weapons, etc.

All information will then be reprocessed as before, with the new dates as well as any changes entered into the system. Again, the applicant's driver's license record will be checked; and this updated information given to the Sheriff for his approval.

Applicants should allow approximately four (4) weeks for renewal of the CCW. When approved, the CCW will be mailed to the applicant.

If, for any reason, the applicant is denied renewal, the applicant will be notified by mail within thirty (30) days, and the reason for the denial will be stated.

IV. Transfer of CCW from One County to Another: A person holding a valid CCW who moves into Calaveras County must comply with all provisions as indicated in Section II (CCW Application Guidelines).

A person holding a valid CCW who moves out of Calaveras County must notify this office and surrender such permit immediately.

V. CCW Amendments/Modifications

Amendments/modifications to a CCW must be done in person. These include changes of address or other information, adding and/or deleting a firearm to an existing CCW.

If changes are made prior to the time of renewal; Form BCIA 4502 must be completed and the new or changed information input into the system. The CCW Coordinator must type the changes on the CCW holder's original (white) copy of the CCW, as well as the file copy. The original Form BCIA 4502 is sent to the Department of Justice, and a copy is placed in the holder's CCW file. A fee of \$10 will be payable at the time of modification for changes prior to renewal. (PC 26190(e)(1))

If changes are made at the time of renewal, the CCW Coordinator will note the changes on the CCW and in the CCW holder's file. No modification fee is payable if changes are made at the time of renewal.

Waiver of Requirements

No member of the Sheriff's Department staff, other than the Sheriff, may waive any of the above-listed requirements.

The Sheriff has the discretion to revoke or suspend a Concealed Weapons License (CCW) at any time.