CCW Unit Order #1

CARRY CONCEALED WEAPON UNIT

UNIT ORDER

SUBJECT: **CARRY CONCEALED WEAPON – UNIT ORDER #1**

PURPOSE OF ORDER

The purpose of this unit order is to establish policies and procedures concerning the review and issuance of licenses to carry a concealed weapon received before January 1, 2024, the effective date of Senate Bill 2.

Pursuant to Penal Code § 26160, this policy shall be made accessible to the public.

SCOPE OF ORDER

All personnel assigned to or working on a temporary basis at Carry Concealed Weapon (CCW) Unit.

ORDER

Application of Policy

The Sheriff is given the statutory discretion to issue a license to carry a firearm to residents within the community (Penal Code § 26150; Penal Code § 26155). Only residents of Los Angeles County are eligible for a Standard CCW. A non-resident of Los Angeles County may be eligible for a 90-Day (Employment) CCW.

If the applicant resides in an incorporated city not policed by this Department, they must apply to the Chief of police of their city of residence for a CCW license and have such application acted upon. Within 60 days after a denial of such application, such city resident may file a separate application with the Sheriff's Department, attaching a copy of the Letter of Denial by the Chief of police. The Undersheriff will exercise independent discretion in granting or denying licenses to such persons but may review, consider, and give weight to the grounds upon which such denial was made.

Policy

Applications submitted to the Los Angeles County Sheriff's Department will be fairly and impartially considered, in accordance with this policy and applicable law.

Qualified Applicants

To qualify for a license to carry a concealed weapon, applicants must meet certain requirements, including:

a. Be a United States citizen or possess a Permanent Resident Card.

b. Be a resident within our contract cities, or unincorporated communities that are patrolled by the Los Angeles County Sheriff's Department (Penal Code § 26150; Penal Code § 26155).

c. Be at least 21 years of age (Penal Code § 26200).

d. Submit a completed Department of Justice (DOJ) application.

e. Complete a Live Scan and a criminal background check.

f. Pay all associated application fees.

g. Provide proof of ownership or registration of any firearm(s) to be licensed.

h. Complete required training when instructed to do so (Penal Code § 26165).

a. Be of good moral character (Penal Code § 26150; Penal Code § 26155). A determination regarding whether an applicant satisfies the "good moral character" requirement will be based on objectively ascertainable criteria. An applicant may not meet the "good moral character" requirement if the objective facts identified in the application and investigation identify that the applicant:

Reasons for a Denial

- Is reasonably likely to be a danger to self, others, or the community at large, as demonstrated by anything in the application or investigation for a license. This may include but is not limited to demonstrating a past pattern of behavior or threats involving unlawful violence or obstructing or threatening members of the public or peace officers. In making this determination, the Sheriff's Department shall use an objective inquiry considering the facts and circumstances known at the time of the application or through the investigation.

- Make a materially false statement or omission on the application or during the interview, or otherwise fails to disclose required information. Any applicant who provides false information or statements on the application may be removed from further consideration and could be prosecuted for a criminal offense (Penal Code § 26180).

- Has an outstanding warrant for their arrest (pursuant to DOJ specifications).

- In the five years prior to the licensing authority receiving the completed application for a new license or a license renewal, has been committed to or incarcerated in county jail or state prison for, or on probation, parole, post release community supervision, or mandatory supervision as a result of, a conviction of an

offense, an element of which involves controlled substances, or alcohol.

- In the last 5 years, from the date the application was received has been convicted of any misdemeanor offense or infraction involving the unlawful, reckless, or negligent use, discharge, display, storage, brandishing, possession, sale, receipt, or transfer of a firearm. This subsection shall include convictions for attempt, conspiracy, resisting, delaying, or obstructing peace officer or EMTs who are performing in their duties, or solicitation of any firearm related offense.

- To the extent not covered above, has been convicted of any misdemeanor offense or infraction in the last 5 years from the date the application was received that involves: (1) the use or threat of violence or force, (2) unlawful possession, use, discharge, display, storage, brandishing, sale, receipt, or transfer of a weapon; (3) false imprisonment, (4) fraud, embezzlement, bribery, money laundering, or other crimes involving dishonesty; or (5) possession, the sale, distribution, manufacture, or trafficking of controlled substances; or this subsection shall include convictions for attempt, conspiracy, or solicitation of any such offenses.

- To the extent not covered above, has been convicted of any misdemeanor offense or infraction in the last 10 years from the date the application was received that involves (1) sexual abuse or exploitation, or (2) child or elder abuse or endangerment or (3) involvement in a criminal street gang.

- Has been convicted of any felony offense within the last 10 years from the date the application was received that would prohibit an applicant from possessing a firearm.

- Has been subject to any restraining order, protective order, or other type of court order issued pursuant to §§ 6240-6389 of the Family Code; § 136.2 and §§ 18100-18205 of the Penal Code; §§ 527.6, 527.8, and 527.85 of the Code of Civil Procedure; or §§ 213.5, 304, 362.4, 726.5, or 15657.03 of the Welfare and Institutions Code, unless that order expired or was vacated or otherwise canceled more than five years prior to the date the application was entered into the database.

- Has been adjudicated a ward of the court for a Welfare and Institutions Code section 707(b) offense.

- Within the last year from the interview date, has experienced the loss or theft of a firearm due to the applicant's lack of compliance with federal, state, or local law regarding storing, transporting, or securing the firearm.

- Is prohibited by state or federal law from carrying, possessing, receiving, owning, or purchasing a firearm (Penal Code § 26195).

- Further, an applicant must be free from any psychological condition(s) that might make the applicant unsuitable for carrying a firearm (Penal Code § 26190).

(1) Psychological Examination:

The Sheriff may require that the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing (not to exceed $150) shall be paid by the

applicant. The purpose of any psychological testing is intended only to identify any outward indications or history of psychological problems that might render the applicant unfit to carry a concealed firearm. This testing is not intended to certify in any other aspect that the applicant is psychologically fit. If it is determined that the applicant is not a suitable candidate for carrying a concealed firearm, the applicant shall be removed from further consideration (Penal Code § 26190(f)(1).

Application Process

Applications will be processed pursuant to legal mandates as outlined in Department procedure, and in the order, they were received.

Applications for a CCW shall be submitted online through Permitium by visiting www.lasd.org/ccw. Applicants residing in a municipality other than those served by the Sheriff's Department shall contact their local police department and apply for a CCW license with them.

- Unless applying for a Limited Business License to Carry a Concealed Firearm, applicants must reside within Los Angeles County Sheriff's contract cities or unincorporated communities.
- All applicants shall complete a standard State application form (California Department of Justice application) (Penal Code § 26175).
- The application shall be submitted and signed, under penalty of perjury under the laws of the State of California. Answering all the questions on the application does not guarantee the issuance of a CCW license.
- All steps of the CCW process must be completed in order to be issued a license.

The following supporting documentation must be uploaded during this process as proof of an applicant's residence or principal place of employment or business:

- Copy of valid California Driver's License, or state issued identification (an identification card will only be accepted if a driver's license from another state is not issued), which has a current address in Los Angeles County.
- One utility bill (water, electric, gas, cable/internet, or waste) must be in the applicant's name, depict the current residence address. If the utility bill is in the applicant's spouse name, proof of marriage or legal domestic partnership is required.
- Copy of an original United States birth certificate or Naturalization Certificate, Permanent Resident Card, or a valid United States passport.
- DD-214 (military only).
- Military applicants must provide current orders within Los Angeles County in order to qualify and provide documents mentioned above. Should military orders change and/or move outside Los Angeles County, the applicant will be withdrawn.

Applicants shall pay with a credit card and schedule their interview appointment online.

If at any step of the application process, the Sheriff or designee determines the application package is incomplete, the following may occur:

- Issuance of a withdrawal letter due to failure to meet the deadline provided to complete the CCW process (e.g., failure to provide required documents, failure to complete a Live Scan, failure to complete firearm training within 60 days of being instructed to complete).
- Be issued a 10-day withdrawal letter if unable to contact the applicant via phone number and addresses provided.
- A withdrawal letter may be issued for other circumstances (e.g., undetermined Live Scan results for the DOJ, applicant has an active warrant, etc.)

Background Check:

Applicants will be required to complete a Live Scan at their own expense. A criminal background check will be completed as part of the application process**.**

Training and Firearm Safety

After a thorough background investigation, the applicant will be contacted by the CCW Unit to proceed with firearms training from a Los Angeles County Sheriff's Department approved training provider.

- Applicants should not complete firearms training until instructed to do so by the CCW Unit.
- The applicant shall pay for and successfully complete the course of training approved by the Sheriff's Department, which complies with Penal Code section 26165.
- The applicant will be required to submit the shooting proficiency form and certificate of completion by the approved vendor.
- The California POST approved firearms certification course, which meets or exceeds the minimum CCW training standards, may be accepted for active Los Angeles County Reserve Deputy Sheriff's in lieu of courses outlined on the approved vendor list.
- For a list of the approved vendors, please visit www.lasd.org/ccw.

Application Fees

The applicant shall pay all associated fees related to the CCW licensing process. Current fees can be located at www.lasd.org/ccw. The application fee shall be collected upon submission of the initial or renewal application. The remaining balance shall be collected upon issuance of the license. All fees paid are non-refundable.

Approval or Denial of Notification

The Sheriff or designee shall give written notice to the applicant indicating if the license is approved or denied. The licensing authority shall give this 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. Denied applicants who reside within our contract cities or unincorporated communities, may reapply one year from the date on the denial letter. If a denied applicant resides in a municipality other than those served by the Los Angeles County Sheriff's Department, they will have to contact their local police department to apply for a CCW license.

Limited Business License to Carry a Concealed Firearm

The authority to issue a limited business license to carry a concealed firearm to a non-resident applicant is granted only by the Sheriff of the county in which the applicant works (Penal Code § 26150). A non-resident applicant may apply for and be issued a limited business license subject to approval by the Sheriff and subject to the following:

(a) The applicant spends a substantial period of time working in the applicant's principal place of employment or business within the County of Los Angeles (Penal Code § 26150).

(b) 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 (Penal Code § 26220).

(c) 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. (Penal Code § 26220).

(d) Any application to renew or extend the validity of, or reissue, the license may be granted only upon the concurrence of the licensing authority that originally issued the license and the licensing authority of the city, county, or city and county in which the licensee resides (Penal Code § 26220).

Issued Firearms Permits

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

a. The license will be subject to all reasonable restrictions or conditions the Sheriff deems warranted, including restrictions as to the time, place, manner, and circumstances under which the person may carry the concealed firearm (Penal Code § 26200).

    1. All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).
    2. The licensee will be required to sign a Terms and Conditions Agreement. A violation of any of the restrictions and conditions may result in the immediate revocation or suspension of the license.

b. The license shall be laminated, with the expiration date, type of firearm, restrictions and other pertinent information clearly visible.

    1. Each license shall clearly identify the licensee and have their Criminal Identification Index (CII) displayed.
    2. All licenses shall be subjected to inspection by the Sheriff or any law enforcement officer.

c. The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).

    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. The federal magistrate, commissioner or judge must reside within Los Angeles County.
    3. A license issued to any reserve peace officer as defined in Penal Code § 830.6(a):

        a. Will be valid for a period of time not to exceed four years, except that such license shall be invalid upon the individual’s conclusion of service as a reserve peace officer.
        b. Pursuant to Penal Code § 831.5, Los Angeles County does not meet the requirement for custodial officers.

    4. For a license to be issued to an active or retired Los Angeles County Reserve Deputy, they must reside within Los Angeles County.

        a. If the licensee’s place of residence was the basis for issuance of a license, any license issued pursuant to Penal Code section 26150 or 26155 shall expire 90 days after the licensee moves from the county of issuance (Penal Code § 26210).
        b. Should an applicant move out of county, the applicant will have to reapply for a CCW license at his/her county of residence. Applicants will have 90 days before the CCW license becomes inactive/revoked.
        c. The licensee shall notify this office in writing within 10 days of any change in the licensee's place of residence (Penal Code § 26210).

License Restrictions

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

1. Consuming any alcoholic beverage while armed.
2. Falsely representing him/herself as a peace officer.
3. Unjustified or unreasonable display of a firearm.
4. Committing any crime(s).
5. Being under the influence of any medication(s) or drug(s) while armed, including prescription medication(s).
6. Interfering with a law enforcement officer's duties.
7. Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
8. Loading the permitted firearm with illegal ammunition.
9. Being in a place having a primary purpose of dispensing alcoholic beverages for on-site consumption.
10. Carrying a concealed weapon not listed on the permit.
11. Carrying a concealed weapon at times or in circumstances other than those specified in the license.
12. Using any illegal substance(s).
13. Failing to report any arrest to the Los Angeles County Sheriff's Department CCW Coordinator within 3 days of occurrence.

b. Refusing to allow law enforcement to inspect any license or licensed firearm at any time.
c. The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.

Amendments to Licenses

Pursuant to Penal Code section 26215, a person issued a CCW license may apply for an amendment to the license at any time during the period of validity by completing and submitting a DOJ Carry Concealed Weapon License amendment form (BOF 4502), along with the current processing fee to the Department in order to:

a. Add or delete authority to carry a firearm listed on the license.
b. Change any restrictions or conditions previously placed on the license
c. Reflect a change of address within 10 days, or a legal name change (Penal § Code 26210)
d. Should an applicant move out of Los Angeles County, the applicant will have to reapply for a CCW license at his/her county of residence. Applicants will have 90 days before CCW license becomes inactive/revoked.

If a license amendment is approved by the Sheriff, a new license will be issued to reflect the amendment. License amendments will not extend or change the original expiration date. An application for a license amendment will not constitute an application for renewal of the license.

Revocation of Licenses

A license issued pursuant to this policy may be revoked immediately by the Sheriff for any of the following reasons:

a. The licensee has violated any of the restrictions or conditions placed upon the license.
b. The licensee becomes psychologically unsuitable to carry a firearm.
c. The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103 or any state or federal law.
d. The licensee engages in any conduct which involves a lack of good moral character.
e. If the licensee is arrested for any criminal charge(s), whether or not convicted.
f. If the licensee, while armed, commits any act in an unsafe manner without due regard for public safety.
g. Any applicant who provides false information or statements on the application will be removed from further consideration and may be prosecuted for a criminal offense (Penal Code § 26180).

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 any license is revoked, the Department will immediately notify the licensee in writing and the California DOJ (Penal Code § 26225).

License Renewal

No earlier than 90 days prior to the expiration of any valid license to carry a firearm, the licensee may apply online to the Sheriff for a renewal by:

a. Verifying all information submitted in the original application under penalty of perjury.
b. Completing an approved firearm training course with an authorized vendor, pursuant to Penal Code § 26165. The applicant shall not be required to pay for a training course prior to being approved (Penal Code § 26165).
c. Submitting any firearm to be considered for a license renewal to one of the approved CCW training providers for a full safety inspection. The Sheriff reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).
d. Pay a non-refundable renewal application fee.
e. Provide all required documentation.

Once the Sheriff or authorized designee has verified the successful completion of the renewal application process, the renewal of the license to carry a firearm will either be granted or denied. Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal. The Sheriff allows a licensee to renew his or her license up to 6 months after the expiration date. Whether an application for renewal is approved or denied, the applicant shall be notified in writing within 90 days of the renewal application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later (Penal Code § 26205). Renewals with the Sheriff's Department do not require a new livescan to be completed as long as the initial livescan is valid with the correct application type.

Office Reporting and Records

Pursuant to Penal Code section 26225, the Sheriff shall maintain a record of the following:

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

Copies of each will immediately be provided to the California DOJ.

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

Confidentiality of Records

Completed applications will include a substantial amount of personal information. Much of the information in the application may be subject to public access disclosure under the Public Records Act. However, pursuant to Government Code section 7923.805, the home address and telephone numbers of any peace officer, public defender, prosecutor, magistrate, court commissioner or judge contained in an application shall not be considered public record. Further, under Government Code section 7923.800, the Public Records Act does not require disclosure of information that indicates 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 contained in an application for a license to carry a firearm.