



City of Atascadero

## POLICE DEPARTMENT

# CARRY CONCEALED WEAPON LICENSE POLICY

## POLICY

The Atascadero Police Department is committed to fair and impartial consideration of all applications to carry concealed firearms, as per applicable law and our policy. Applications must adhere strictly to the guidelines outlined in this policy; any deviations will result in denial of the application.

## QUALIFIED APPLICANTS

To qualify for a license to carry a concealed firearm, the applicant must meet certain requirements, including:

- Be a resident of the City of Atascadero (Penal Code § 26150; Penal Code § 26155).
- Be at least 21 years of age (Penal Code § 29610).
- 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.
- Be free from criminal convictions that would disqualify the applicant from carrying a concealed firearm.
- Fingerprints will be required, and a complete criminal background check will be conducted.
- Are NOT a disqualified person to receive such a license, as determined by the standards outlined in Penal Code 26202 (see criteria below)
- Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
- Provide proof of ownership or registration of any firearm to be included on the license.
- Be free from any psychological conditions that might make the applicant unsuitable for carrying a concealed firearm (Penal Code § 26190).
- Complete required training (Penal Code § 26165).

## Disqualified Persons who cannot receive or renew a CCW License

Under Penal Code section 26202, unless a court makes a contrary determination pursuant to Penal Code section 26206, an applicant shall be deemed to be a disqualified person and cannot receive or renew a CCW license if the licensing authority determines that the applicant:

1. Is reasonably likely to be a danger to self, others, or the community at large.
2. Has been convicted of contempt of Court under Penal Code section 166.
3. Has been subject to any restraining order, protective order, or other type of Court order issued pursuant to the statutory provisions listed in Penal Code section 26202, subdivision (a)(3), unless that order expired or was vacated or otherwise canceled more than five years prior to the licensing authority receiving this completed application.

4. In the ten years prior to the licensing authority receiving this completed application, has been convicted of an offense listed in Penal Code sections 422.6, 422.7, 422.75 or 29805.
5. Has engaged in an unlawful or reckless use, display, or brandishing of a firearm.
6. In ten years prior to the licensing authority receiving this completed application, has been charged with any offense listed in Penal Code sections 290, 667.5, 1192.7, 1192.8 or 29805 that was dismissed pursuant to a plea or dismissed with a waiver pursuant to People V. Harbey (1979) 25 Cal3d 54.
7. In the five years prior to the licensing authority receiving this completed application, has been committed to or incarcerated in county jail or state prison for, or probation, parole, post-release community supervision, or mandatory supervision as a result of, a conviction of an offense, an element of which involved controlled substances (as described in Health and Safety Code sections 11053 to 11058, inclusive) or alcohol.
8. Is currently abusing controlled substances (as described in Health and Safety Code sections 11053 to 11058, inclusive), or alcohol.
9. Within the ten years prior to the licensing authority receiving this completed application, has experienced the loss or theft of multiple firearms due to the applicant's lack of compliance with federal, state, or local law in storing, transporting, or securing the firearm.
10. Failed to report a loss of a firearm as required by Penal Code section 25250 or any other state, federal, or local law requiring the reporting of the loss of a firearm.

## NEW APPLICATION PROCESS

The application process for a license to carry a concealed firearm will be conducted in two phases. Successful completion of each phase will allow the applicant to progress to the next stage until the process is finalized and the license is either issued or denied.

### Phase One

#### 1. Fill out the application.

- a. Print or download the most updated version of the California Department of Justice Bureau of Firearms Standard Initial and Renewal Application for a CCW License form (BOF 4012).
- b. Notes regarding the application:
  - i. The application will include substantial personal information, much of which may be subject to public access.
  - ii. The applicant should thoroughly review and complete all sections of the Standard Application **except** for the two signatures and dates required on sections 7 and 8. This must be signed in the presence of the licensing authority.
  - iii. Additional pages may be used and inserted if more space is necessary to complete the application.
  - iv. Only 3 Firearms may be listed on page 9 of the application.
  - v. As part of the background investigation, we will be contacting the 3 references listed on page 9 of your DOJ application.
    1. Please note that one of your references must meet one of these requirements: be your spouse or former spouse, your cohabitant or former cohabitant, your fiancée, or someone with whom you have, or previously had an engagement or dating relationship, or the mother or father of your child, if applicable.

2. Please notify your references to expect a phone call from our department. If one of your references fails to respond to our department you may be asked to provide additional references.

**Please note: 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.**

**2. Schedule an appointment to turn in your application.**

- a. Contact the CCW Coordinator at 805-470-3200 or email [kcarlon@atascadero.org](mailto:kcarlon@atascadero.org) to schedule a time to turn in your application and other required documents.

**3. Collect required documents to bring to your appointment.**

- a. Proof of ownership and registration of each weapon to be licensed for concealment (**limit of 3**). Any firearms you wish to be listed on your CCW permit must meet these requirements:
  - i. The handgun must be registered/DROS to the applicant.
  - ii. The handgun must be concealable upon the person or purse.
  - iii. The handgun, magazines, and ammunition must comply with applicable state laws.
  - iv. Registered assault weapons as defined in California Penal Code Sections 30510 and 30515 are not permitted for a CCW license.
  - v. Any handgun or pistol that has the capacity to accept a magazine outside of the pistol grip is not permitted for a CCW license.
- b. Proof of Residency Documents (both required)
  - i. Your Real ID or Driver's License (we will make a copy for you). If you do not have a Real ID, a second form of identification will be required.
  - ii. A document showing your current address within the City of Atascadero city limits (examples of accepted documents include Utility Bill (latest); Lease/Rental Agreement; Telephone Bill (latest); Tax Bill or Voter Registration Card.)

**4. During your appointment.**

- a. Pay required fees
- b. Initial applicants must pay \$20.00 payable by cash or check only.
  - i. You will review your application, and sign in sections 7 and 8 of the application with the witness present.
  - ii. Complete the Livescan form (given at the appointment) and complete the fingerprinting process, or make an appointment to return for a live scan.

***PLEASE NOTE: These fees will not be refunded, even if the application is later denied.***

Once the CCW Coordinator or authorized designee has reviewed the completed application package and relevant background information, and we have received Criminal History information from both DOJ and FBI as well as the Bureau of Firearms Eligibility to Possess Firearms letter, the application will either be advanced to phase two or denied.

## Phase Two

*To be completed only by those applicants who have successfully completed phase one.*

Once the Department has verified the successful completion of phase two, the license to carry a concealed weapon will be granted or denied and you will receive written notification within 90 days of the initial application, or within 30 days after receipt of the applicant's criminal background check from DOJ, whichever is later.

### **1. Appointment with the Administrative Commander**

Upon successful completion of phase one the CCW Coordinator or authorized designee will call or email the applicant to schedule an appointment for a personal interview.

### **2. Make an appointment with an approved DOJ Firearms Instructor**

Once you have completed your interview with the Administrative Commander and have been approved to continue the process you will need to submit a certificate indicating you attended a sixteen (16) hour CCW instruction course. The course will include range qualification, mental health resources, legal methods to transport firearms and securing firearms in vehicles, laws governing where permiss holders may carry firearms, firearms safety, and written proficiency examination, and a weapon/s and ammunition inspection. You must go to one of the following CCW DOJ Certified Instructors.

Name	Address	Phone Number	Email
Central Coast Tactical, LLC	Los Osos, CA	650-380-4267	<a href="mailto:centralcoasttactical@gmail.com">centralcoasttactical@gmail.com</a>
RangeMaster	11 South Higuera St. San Luis Obispo	805-545-0322	<a href="mailto:rangemastertacticalgear@gmail.com">rangemastertacticalgear@gmail.com</a>
Advantage Personal Defense & Tactics	1450 15 <sup>th</sup> St. Los Osos, CA	805-310-3003	<a href="http://www.selfdefensedynamics.com">www.selfdefensedynamics.com</a>

### **3. Submit your Certificate of Completion**

Upon successful completion of the DOJ-approved Firearms class, you will submit your certificate of completion to the Atascadero Police Department. (this does not require an appointment.) The CCW Coordinator will contact you via phone or email once the certificate is received and schedule an appointment for a firearms inspection.

### **4. Firearms Inspection appointment**

Applicant must bring firearm(s) in a LOCKED case UNLOADED with empty magazines.

### **5. Appointment will be scheduled to Issue CCW License**

You will be notified once the firearms inspection paperwork has been received and you will need to submit a current photo with a white or gray background.

If your license is granted you will be given an appointment date and time, in which you will need to submit the remaining \$143.00, payable with cash or check only, of the application fee when you pick up your license.

**\*\*PLEASE NOTE: Once you have been approved to move to Phase Two and have had your interview with the Administrative Commander, you have 90 days to complete the firearms course unless there are extenuating circumstances that have been communicated to our department. Failure to meet this requirement could result in termination of the approval process.**

## **LICENSE RENEWAL**

No later than 90 days prior to the expiration of any valid license to carry a concealed firearm, the licensee may apply for a CCW renewal by doing the following:

1. Complete the entire application packet and submit to the Atascadero Police Department (no appointment required). Proof of ownership or registration of the firearm(s) must be attached.
2. Complete a department-approved training course pursuant to Penal Code §26165.
3. Administrative Commander will contact your references listed in your application.
  - a. Please note that one of your references must meet one of these requirements: Be your spouse or former spouse, your cohabitant or former cohabitant, your fiancée, or someone whom you have, or previously had an engagement or dating relationship with, or the mother or father of your child, if applicable.
  - b. Please notify your references to expect a phone call from our department. If one of your references fails to respond to our department, you may be asked to provide additional references.
4. Once the certificate of completion is received, you will be notified to make an appointment with the Armorer for a full safety inspection.
  - a. The Chief of Police 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).
5. You will be notified to make an appointment to get the renewal license, paying a non-refundable renewal application fee. (\$52.00 to the Department of Justice, and \$33.00 renewal fee to the City of Atascadero), cash or check only.

Prior to issuance of a license shall not entitle any licensee to any property or liberty right to renewal. Whether a renewal application is approved or denied, the applicant shall be notified in writing within 90 days of the renewal application or 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later (Penal Code § 26205).

If no renewal application is submitted and the last issued CCW license has expired for 30 days, DOJ will be notified as “no longer interested”. If 30 days have passed from the expiration date of the license, a new application process will have to be done to get a new CCW license.

## 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 (BOF 4502 form) along with the current processing fee of \$13.00 to the City of Atascadero (Penal Code § 26190):

1. Add or delete the authority to carry a concealed firearm listed on the license.
2. Change restrictions or conditions previously placed on the license.
3. Change the address or other personal information of the licensee (Penal Code § 26210).
4. In the event that any amendment to a valid license is approved by the Chief of Police, a new license will be issued reflecting the amendment. 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.

## REVOCACTION OF LICENSES

Any license issued pursuant to this policy may be immediately revoked by the Chief of Police for any of the following reasons:

- The licensee has violated any of the restrictions or conditions placed upon the license.
- The licensee becomes psychologically unsuitable to carry a firearm.
- 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.
- The licensee engages in any conduct that involves a lack of good moral character or that might otherwise remove the good cause for the original issuance of the license.

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