



INFORMATION BULLETIN:

HOW TO APPLY FOR A CCW IN ORANGE COUNTY **An Updated Guide Regarding the Initial and Renewal Application Process**

JULY 14, 2020

As a result of former Sheriff Sandra Hutchens changing the Orange County Sheriff Department's ("OCSD's") policy regarding the issuance of Concealed Carry Weapon ("CCW") permits to effective "shall issue" in 2014, and thanks to current Sheriff Don Barnes continuation of that policy, the number of active CCW permits issued by OCSD is nearly 20,000.¹ In the years following, CRPAF is unaware of a single instance where a OCSD CCW holder unlawfully used their firearm in self-defense. In fact, the opposite has been proven to be true. One OCSD CCW holder [was even honored by the City of Belflower](#) for his heroic actions.

The experiment has been tried, and the verdict is in. "Shall-issue" policies do not lead to increased violence as anti-Second Amendment activists would have you believe. Indeed, there is both strong anecdotal and statistical evidence that violent crime in Orange County remains largely unaffected following the change in OCSD policy—especially when compared to neighboring counties like Los Angeles with more restrictive "may issue" policies. To that end, CRPAF encourages gun owners and law-abiding residents of Orange County to apply for a CCW permit. The following information has been prepared to assist with understanding the requirements and overall application process.

Be aware that due to the large number of active permits in Orange County, OCSD is advising renewal applicants to apply at least 90-120 days before the expiration of their license to avoid any lapse in coverage. What's more, ongoing issues related to COVID-19 have temporarily changed how OCSD processes both initial and renewal applications. Be sure to review these changes before submitting your application by visiting OCSD's [CCW webpage](#).

I. CCW APPLICATION PROCESS – IN GENERAL

¹ A significant reason for the change in policy was a result of CRPAF supported litigation titled [Peruta v. San Diego](#), which challenged San Diego's restrictive "good cause" requirement for the issuance of a CCW as unconstitutional. Follow up lawsuit titled [Flanagan v. Becerra](#).

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Specific details regarding the criteria for the issuance of a CCW by a local licensing authority such as OCSD are typically found in a written policy, which California law requires to be published and made available to members of the public.² OCSD has published their [policy](#) and documents related to that policy on their website at https://www.ocsd.org/about_ocsd/services/ccw. In general, a person applying for a CCW must meet the following criteria:

- Be of “good moral character”;
- Demonstrate “good cause” for the issuance of the CCW;
- Be a resident of the county or a city within the county (or have a principal place of employment or business in the county or city within the county)³; and,
- Complete a course of training as required by state law.⁴

II. OCSD Policy Details

OCSD’s policy expands upon the statutory requirements for purposes of clarity and consistency with other applicable laws. The policy begins by stating OCSD is given the statutory discretion to issue, and that all applications will be fairly and impartially considered. Specifically, OCSD’s policy lists the following requirements for applicants to qualify for a CCW:

- Be a resident of Orange County;
- Be at least 21 years of age⁵;
- Fully complete the CCW application⁶;

² Pen. Code § 26160.

³ For purposes of the residency requirement, nothing precludes the sheriff from entering into an agreement with the chief or other head of a municipal police department of a city to process all CCW applications in lieu of the sheriff. Pen. Code § 26150(c). But this only applies to applicants who reside within the city which has agreed to process application.

⁴ Pen. Code § 26150(a).

⁵ Although not expressly stated in the statutory requirements for the issuance of a CCW, California law prohibits minors from possessing a pistol, revolver, or other firearm capable of being concealed. Pen. Code § 29610. What’s more, California law prohibits the sale, loan, or transfer of a handgun to an individual under the age of 21, and prohibits California licensed firearm dealers from selling, supplying, delivering, or giving possession or control of a firearm to any person who is under 21 years of age, absent limited exceptions. Pen. Code §§ 27505-27510.

⁶ OCSD’s policy notes that much of the information in the application may be subject to public access under the Public Records Act.

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- Be free from criminal convictions that would disqualify the applicant from carrying a concealed firearm⁷;
- Be of good moral character⁸;
- Show good cause for the issuance of the license;
- Pay all associated application fees;
- Provide proof of ownership or registration of any firearm to be licensed for concealment;
- Be free from any psychological conditions that might make the applicant unsuitable for carrying a concealed firearm; and,
- Complete a required course training.

Details regarding the above listed requirements are discussed below.

a. “Good Moral Character”

OCSD’s policy does not expressly identify what criteria it considers when determining an applicant’s moral character. That said, OCSD will likely determine an applicant’s moral character upon reviewing their criminal history and prior contacts with law enforcement, if any.

b. “Good Cause”

OCSD’s policy provides specific criteria and examples that illustrate what OCSD considers “good cause” for the issuance of a CCW. This includes:

- Specific evidence that there has been or is likely to be an attempt on the part of a second party to do great bodily harm to the applicant;
- The nature of the business or occupation of the applicant is such that it is subject to high personal risk and/or criminal attack, far greater risk than the general population;
- A task of the business or occupation of the applicant requires frequent transportation of large sums of money or other valuables and alternative protective measures or security cannot be employed;
- When a business or occupation is of high-risk nature and requires the applicant’s presence in a dangerous environment;

⁷ In general, any conviction that would prohibit you from carrying a concealed firearm would likely also prohibit you from possessing a firearm. If you are unsure if a prior criminal conviction would prohibit you from carrying or possessing a firearm, you can submit a “[Personal Firearms Eligibility Check](#)” to the California Department of Justice prior to submitting a CCW application. Additionally, should you wish to review your criminal records prior to submitting any application, visit <https://oag.ca.gov/fingerprints/record-review>.

⁸ Although not required, OCSD’s policy states that to help establish “good moral character” applicants are suggested to submit reference letters from individuals in the community who are not members of the applicant’s immediate family.

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- The occupation or business of the applicant is such that no means of protection, security or risk avoidance can mitigate the risk other than the carrying of a concealed weapon; and,
- Personal protection is warranted to mitigate a threat to the applicant that the applicant is able to substantiate.

OCSD’s policy also states that “good cause” can include documented instances of threats to the personal safety of the applicant, his or her family or employees.⁹ Individuals may also face threats to their safety by virtue of their profession, business, or status and by virtue of their ability to readily access materials that if forcibly taken would be a danger to society.

It is important to understand, however, that the above examples are not intended to be all inclusive. Rather, they are listed for reference and comparison only. During the interview process (discussed in more detail below), OCSD personnel will discuss with the applicant their “good cause” statement and advise them should the statement be insufficient, while also discussing potential means of supplementing their statement to satisfy OCSD’s policy requirements.

c. Residency

Although OCSD’s policy does not provide any specifics regarding the residency requirement, OCSD requires *at least two* documents demonstrating residency in the County of Orange accompany a CCW application. Such documents include a utility bill, lease or residential agreement, telephone bill, tax bill, or other document that OCSD deems acceptable proof of residency.¹⁰

d. Course of Training

To satisfy the training requirement, OCSD requires individuals to attend a pre-approved course that includes instruction on at least firearms safety and the law regarding the permissible use of a firearm.¹¹ California law mandates that this course be a minimum of 8 hours in length but need not exceed 16 hours.

Specifically, students will be required to understand and demonstrate adequate knowledge of:

- Handgun safety and handling (to include cleaning, disassembly and assembly) and handgun storage;

⁹ Threats to personal safety may be verbal or demonstrated through actual harm committed in the place of work, neighborhood or regular routes of travel for business. Applicants should articulate the threat as it applies personally to the applicant, his or her family, or employees.

¹⁰ If you are not sure whether a particular document will satisfy OCSD’s proof of residency requirement, you may contact OCSD by sending an email to ccwpermits@ocsd.org or by calling (714) 831-7229 for clarification. Alternatively, you may discuss possible alternative documents with the deputy assigned to review your application after it has been submitted for processing. What’s more, applicants for 90-day CCW permit need not provide proof of residency

¹¹ The current list of approved training providers, organized alphabetically by city, can be found on OCSD’s website at <https://www.ocsd.org/civicax/filebank/blobdload.aspx?BlobID=83410>.

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- Techniques and equipment used to safely carry, retain control, and avoid unwarranted detection of weapons;
- California Penal Code sections relating to firearms and sections dealing with the permissible use of a firearm;
- Locations where firearm possession is prohibited (i.e. air travel); and,
- Civil and penal liability laws regarding firearms for the state of California.

OCSD also requires the training include a written examination and a practical application shooting examination. Prior to any live fire, each handgun must be checked for safe and mechanically sound condition. During the live fire portion, the student must demonstrate shooting proficiency and safe technique for all firearms they wish to have listed on their CCW.

e. Applicable Fees

Following the adoption of Assembly Bill No. 1297 in 2019, CCW licensing authorities are required to charge an initial application fee “equal to the reasonable costs for processing the application for a new license, issuing the license, and enforcing the license.”¹² This fee is in addition to the fee charged by the California Department of Justice (“DOJ”) in connection with the required Livescan, as well as any fee necessary for the required course of training or conditional psychological testing requirement.¹³ As a result of this change, OCSD has increased the fees associated with CCW licenses and has posted an updated fee schedule on its website.¹⁴

Pursuant to OCSD’s new fee schedule, initial 2-year license applications will require a fee payable to OCSD in the amount of \$169. OCSD also lists DOJ’s initial Livescan fee at \$93.¹⁵ Taken together, **initial applicants can be expected to pay \$289 in application processing fees** in addition to any fees required for the course of training, Livescan fingerprint rolling services, and conditional psychological testing.

Renewal applicants will be required to pay a total of \$81 in processing fees, but there will be no need for a new Livescan. What’s more, additional psychological testing shall only be required if there is compelling evidence to indicate that a test is necessary.¹⁶

f. Method of Application Submission

While not stated expressly in OCSD’s policy, all initial, renewal, and CCW license amendment applications must now be submitted through an online program called “Permitium” which can be accessed at <https://ocsd.permitium.com/ccw/start>. Completing an application using this program will generate a completed

¹² Cal. Penal Code § 26190(b)(1).

¹³ See Cal. Penal Code §§ 26190(a)(1), 26190(f)(1-2).

¹⁴ https://www.ocsd.org/about_ocsd/services/ccw/fee_schedule.

¹⁵ This does not include any fingerprint rolling fee charged by the Livescan operator. For a list of Livescan operators located in Orange County, visit <https://oag.ca.gov/fingerprints/locations?county=Orange>.

¹⁶ Pen. Code § 26190(f)(2).

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“Standard Initial and Renewal Application for License to Carry a Concealed Weapon” form that is generally required for all CCW applications. The application portal will also require the individual to upload copies of the following documents:

- Valid California Driver’s License or ID Card;
- Proof of Residency in Orange County, consisting of at least two of the following:
 - Utility bill, Lease/Rental Agreement, Telephone Bill, Tax Bill, etc.;
- Detailed Good Cause statement and supporting documentation;
- DD-214/Orders (If applicable);
- Certificate of Naturalization, Green Card and/or Passport;
- Existing CCW Permit if submitting a renewal application; and,
- Any additional documentation that may be requested.

g. Firearms and Magazine Capacity

OCSD’s CCW webpage states that any firearms sought to be carried in connection with a CCW “must be concealable on one’s person or reasonably sized bag/purse.” In effect, this means the firearm must be that of a typical handgun. It is also stated that modifications are allowed for approved CCW handguns “so long as the gun and all parts/modifications **are legal in the State of California.**”¹⁷ Regardless of any modifications, all firearms will be subject to inspection during the required course of training to ensure they are in safe working order.

Regarding ammunition magazines, OCSD’s webpage states that if the magazine and firearm are legal to possess in California, and the firearm is approved to be listed on the CCW license, a CCW permit holder may carry their magazine with their firearm. This includes magazines capable of holding more than 10 rounds. Individuals should be aware, however, that not all law enforcement agencies fully comprehend that California’s restrictions against “possession” of magazines capable of holding more than 10 rounds is currently enjoined as a result of a federal court order.¹⁸ What’s more, such magazines are still classified as “nuisances” which are potentially subject to confiscation.

¹⁷ The responsibility for determining a firearm’s legality lies solely with the owner. Should you have questions regarding your firearm, consult an experienced firearms attorney.

¹⁸ For more information regarding the effect of the federal injunction, refer to the information bulletin published on CRPAF’s website at <https://crpa.org/news/blogs/crpa-alert-moving-forward-with-large-capacity-magazine-court-ordered-stay/>.

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III. SUBMITTING AN **INITIAL** CCW APPLICATION – STEP BY STEP GUIDE

STEP 1

Complete the Application Form

The first step in obtaining a CCW from OCSD is to submit a completed application using OCSD’s online application system, which can be accessed at <https://ocsd.permitium.com/ccw/start> or by clicking on the “CCW Application, Amendments & Appointments” link on [OCSD’s CCW webpage](#). As noted above, the online system is used by OCSD to populate and complete a DOJ application form which is required to be used by every CCW licensing authority in the state.¹⁹

When completing the application, you will be asked if you have ever been convicted of any criminal offense (civilian or military) in the U.S. or any other county. Applicants with prior criminal convictions that have been expunged or otherwise dismissed should still answer “yes” to this question because the act of expungement and/or dismissal does not shield conviction records from official law enforcement background checks.²⁰ What’s more, a dismissal of a criminal conviction in California does not permit a person to own, possess, or have in his or her custody or control any firearm should the conviction carry with it a firearm prohibition otherwise.²¹ Failure to disclose such convictions will likely result in a disapproval of the CCW application.

You will also be asked to list the firearms which you desire to carry in connection with a CCW. As a threshold matter, OCSD’s CCW webpage states that these firearms must be “concealable on one’s person or reasonably sized bag/purse.” While not expressly stated, it has been reported that this means a typical handgun. What’s more, any handgun must have an Automated Firearm System (“AFS”) record associated with either the CCW applicant or their spouse/domestic partner. This generally requires the handgun to have been purchased at or through a California licensed firearms dealer.²²

Finally, you will also be asked to upload any required documents, including a copy of your California ID, proof of OC Residency, detailed “good cause” statement and any supporting documentation, proof of lawful U.S. presence, and any other documentation that may be required. Proof of completion of a required course of

¹⁹ Pen. Code § 26175(a)(1) (requiring CCW applications to be “uniform throughout the state, upon forms to be prescribed by the Attorney General”).

²⁰ See, generally, <https://www.courts.ca.gov/1070.htm> (noting that a dismissal still requires applicants for government employments or licenses to still answer “yes” to such questions).

²¹ Pen. Code 1203.4(a)(2). If you are unsure whether a prior criminal conviction prohibits you from owning or possessing firearms, and in turn obtaining a CCW, you can submit a “[Personal Firearms Eligibility Check](#)” to DOJ for a determination.

²² It is also possible for a handgun to have an associated AFS record if acquired from an immediate family member or through an estate, provided the acquisition was appropriately reported to DOJ. Should you be unsure if a handgun has an AFS record, you can request a copy of your AFS records from DOJ by submitting an “[Automated Firearms System \(AFS\) Request for Firearm Records](#)” form to DOJ. Be aware, however, that current processing times for such requests have been reported to be 3-4 months.

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training will only be required to be uploaded and submitted after OCSD has made a determination on the applicant's "good cause."

Be aware that even though it is possible to submit payment online, OCSD is instructing applicants to not pay using the online system. Instead, **applicants should select "Pay at Counter" when prompted for payment.** Should you mistakenly enter your credit card information, the system will automatically issue a refund.

Once the application has been completed and all required documentation at this time has been uploaded, you can then submit the application and proceed to Step 2.

STEP 2

Background Interview

At some point after submitting the application through OCSD's online system, OCSD will contact the applicant to schedule an appointment with OCSD's CCW Licensing Unit to conduct a background interview. As a result of the ongoing issues regarding COVID-19, it has been reported that OCSD is currently conducting these interviews online in a web-based meeting format. Additionally, all in-person transactions and public access to the OCSD CCW Unit have been temporarily suspended.

During this interview, OCSD will review the application and ask questions regarding the information submitted. At minimum, applicants should expect and be prepared to discuss any criminal history and their "good cause" statement. If the applicant has any mental health issues that could affect their capacity to carry a firearm, OCSD will likely direct the applicant to undergo a psychological examination at this time.

STEP 3 (*CONDITIONAL*)

Psychological Examination

California law allows licensing authorities to require psychological testing for CCW applicants, provided such testing be conducted by a licensed psychologist used by the licensing authority for the testing of its own employees.²³ If such testing is required, CCW applicants may be required to pay an additional fee to cover the costs of such testing, but under no circumstances can that fee exceed \$150.²⁴

OCSD's policy does not specify what circumstances will trigger this requirement other than to say it may be required. According to OCSD, the purpose of the test is "is intended only to identify any ostensible indications or history of psychological problems that might render the applicant unfit to carry a concealed firearm," and not "to certify in any other aspect that the applicant is psychologically fit."

²³ Pen. Code § 26190(f).

²⁴ *Id.*

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STEP 4

Training and Livescan Following Determination of Good Cause

Following the required background interview (and any required psychological examination), OCSD will make a determination regarding the applicant's "good cause." Assuming OCSD's policy requirements have been met, the applicant will then be directed to proceed with the required course of training and Livescan background check.

To complete the required course of training, applicants must attend one of the specifically approved courses offered by authorized training providers. A full list of current authorized training providers can be found on OCSD's website at <https://www.ocsd.org/civicax/filebank/blobload.aspx?BlobID=83410>.

STEP 5

Payment of Fees and Obtaining CCW

Assuming the applicant completes all other applicable requirements, the final step in obtaining a CCW is to pay the associated application fee. Currently, OCSD is not conducting in-person delivery of any newly issued CCW. Instead, OCSD will mail applicants their CCW after collecting payment over the phone via credit card.

Applicants should expect to receive an email notification that their application has been approved and that their CCW is ready for issuance. This email will also inform the applicant that a member of OCSD's CCW unit will be contacting them by telephone between the hours of 8 A.M. and 3 P.M. on or after a set date to collect payment information. If OCSD's CCW Unit is unable to reach the applicant, they will continue to attempt calling the applicant the following day. For this reason, if you receive a call from an "unknown" number on or after the set date, be aware it might be OCSD's CCW unit attempting to contact you.

After paying all applicable fees, OCSD will then mail the applicant their newly issued CCW.

IV. SUBMITTING A **RENEWAL** CCW APPLICATION TO OCSD

As a threshold matter, it is important to submit a renewal application in a timely fashion to avoid any lapse in coverage. Renewal applications has significantly outpaced the number of initial CCW applications. And for this reason, OCSD is currently advising individuals to **submit CCW renewal applications no later than 90 days** prior to expiration. In fact, **it is advisable to submit a renewal up to 120 days** prior to your CCW expiring.

Otherwise, the process for submitting a renewal application is largely identical to that of submitting an initial application except for a few minor differences. In general, a background interview is not required. Nor are applicants required to submit to a new Livescan. Only in cases where a renewal applicant's "good cause" statement is insufficient for purposes of OCSD's policy will OCSD contact the individual for additional information.

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Regarding training, California law only requires a minimum four-hour renewal course.²⁵ But this course must still provide instruction on firearm safety, handling, shooting technique, laws regarding the permissible use of a firearm, and include live-fire exercises.²⁶

V. CONCLUSION

The above information has been prepared using the published CCW policy and related materials from OCSD as of July 13, 2020, and for that reason the information contained herein may be out of date. As a result, be sure to review the current policy posted on OCSD's website prior to submitting your CCW application.

To learn more about this topic, including the CRPAF supported lawsuit [Flanagan v. Becerra](#) which challenges California's open and concealed carry restrictions, [click here](#).

Should you have any questions regarding the CCW application process in Orange County or the above information, contact us by sending an email to contact@CRPA.org or by calling 1 (800) 305-2772.

²⁵ Pen. Code § 26165(d).

²⁶ *Id.*

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