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July 27, 2022

By U.S. Mail and E-Mail

C.D. Michel
Michel & Associates, P.C.
80 East Ocean Blvd., Suite 200
Long Beach, CA 90802
cmichel@michellawyers.com

Re: Response to June 24, 2022 Notice of Ruling and Pre-Litigation Demand

Dear Mr. Michel:

I write in response to your June 24, 2022 letter to Sheriff Laurie Smith regarding the U.S. Supreme Court's ruling in *New York State Rifle & Pistol Association, Inc. v. Bruen* and its impact on California's concealed carry licenses.

Your letter demands that the Santa Clara County Sheriff's Office immediately stop enforcing the "good cause" requirement in California's concealed carry permit statute in light of *Bruen*. The Sheriff's Office has already done so. Immediately after the *Bruen* decision, the Sheriff's Office removed the "good cause" requirement from the Office's concealed carry license policy, which is available on the Sheriff's Office website.¹ The Office is no longer requiring a showing of "good cause" when considering concealed carry permit applications.² The Office is also monitoring pending bills in the California Legislature that will amend the concealed carry permitting process in light of *Bruen*, including SB 918, and will be prepared to timely implement any changes should those laws be enacted.

¹ Santa Clara County Sheriff's Office Concealed Weapons (CCW) Licensing Policy, <https://countysheriff.sccgov.org/sites/g/files/exjcpb406/files/policy/CCW%20policy%20%282022%20draft%29.pdf>.

² Under Penal Code section 26175, the Sheriff's Office is required to use the uniform state-wide concealed carry application form, which still includes references to the "good cause" requirement. However, the Sheriff's Office is not requiring that applicants demonstrate good cause for a concealed carry license.

Letter to C.D. Michel

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In addition to revising its policy in light of *Bruen*, the Office has taken other steps to improve the transparency and efficiency of the concealed carry permitting process. For example, the Sheriff's Office recently procured a software called Permittium that will allow for electronic submission and processing of applications. The Sheriff's Office is also evaluating its staffing options in order to ensure timely processing of concealed carry permit applications.

While your letter does not identify any specific deficiencies in the Sheriff's Office's concealed carry permitting policy or process other than the good cause requirement—which the Sheriff's Office has already addressed, as discussed above—if you do have any other specific concerns, please feel free to contact me. Further, absent such other purported deficiencies in the Sheriff's Office's concealed carry permitting policy or process, there does not appear to be any basis for a lawsuit to compel the Sheriff's Office compliance with the recent *Bruen* decision, as noted above. If you disagree or, if you have any other suggestions for further improvement, the Sheriff's Office welcomes a productive dialogue with you on ways to improve its concealed carry permitting process in a manner that protects both public safety and individuals' Second Amendment rights.

Very truly yours,

JAMES R. WILLIAMS
County Counsel

DocuSigned by:
Karun Tilak

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KARUN TILAK
Deputy County Counsel