



CONTRA COSTA COUNTY OFFICE OF THE SHERIFF

DAVID O. LIVINGSTON

SHERIFF - CORONER

February 7, 2023

Via Email and U.S. Mail

Konstadinos T. Moros
Michel & Associates, P.C.
180 East Ocean Blvd., Suite 200
Long Beach, CA 90802
kmoros@michellawyers.com

Re: Update From the Contra Costa County Sheriff's Office on Its Concealed Carry
Weapons License Process

Dear Mr. Moros:

The Contra Costa County Sheriff's Office ("Sheriff's Office") received your November 9, 2022, communication regarding the concealed carry weapons ("CCW") license process in Contra Costa County and the United States Supreme Court's decision in *N.Y. State Rifle & Pistol Association v. Bruen* ("*Bruen*"). This is an update regarding the CCW process in the Sheriff's Office.

Following the *Bruen* decision, the Sheriff's Office was inundated with applications for CCW licenses. Before *Bruen*, the Sheriff's Office received an average of twenty license applications per month. These applications were processed by a small number of employees, who also handled license renewals for the over 500 existing CCW license holders in the County (as well as other non-CCW application functions).

Since the *Bruen* decision, the Sheriff's Office has received over 1,300 applications for CCW licenses, the processing and review of which has overwhelmed Sheriff's Office staff. While the *Bruen* case dispensed with the good cause requirement and other subjective determinations, the CCW application process is still an involved one, which includes verification of residency, a background investigation (a typical background investigation takes approximately one hour to complete), Department of Justice clearance, and satisfaction of training and qualification requirements. Despite the volume of applications and the limited number of staff, the Sheriff's Office has approved 142 new applications since June 2022.¹

¹ Please note that some of the applicants need to satisfy training requirements before the Sheriff's Office can issue the license.

The Sheriff's Office recognizes that efficient review and processing of CCW license applications is important. The Sheriff's Office also understands that applicants are entitled to a timely determination of their application. In this regard, as set forth below, the Sheriff's Office has taken the following steps to improve the CCW application process in an effort to reduce the number of pending applications and decrease the amount of time it takes to issue determinations on applications:

- Immediately after issuance of the *Bruen* decision, the Sheriff's Office updated its website to state that applicants are not required to demonstrate "good cause" as a prerequisite to the issuance of a license. Thereafter, the Sheriff's Office updated and expanded the CCW page on its website to better assist applicants regarding application requirements and the steps in the application process. The Sheriff's Office has also worked to make the process as simple as possible for applicants, including allowing applicants to drop off applications in person, without an appointment. Applicants may also mail or email the applications.

- Shortly after issuance of the *Bruen* decision, as an interim measure to work through the growing number of applications, the Sheriff's Office adjusted work assignments of several employees, enabling them to work on CCW application processing (in addition to their other work). In August 2022, the Sheriff's Office requested additional staffing to handle CCW license work. In early October 2022, the Sheriff's Office received approval from the Contra Costa County Board of Supervisors to hire additional staff to perform CCW license-related functions. The new staff, a Sergeant and a Sheriff's Specialist, will focus on CCW application review and processing. The Sergeant started in the CCW unit in November 2022. The Sheriff's Office anticipates the Specialist will start in the CCW unit in the next three to four weeks. The addition of these staff members should significantly decrease application waiting times. The Sheriff's Office is also evaluating additional staffing needs in connection with the 2023-24 budget cycle.

- The Sheriff's Office is in negotiations with a software company to use the company's electronic system for CCW application submission and processing. Once implemented, this online solution will further streamline the CCW application process. Applicants will be able to complete most of the CCW application process online.

- The Sheriff's Office previously required applicants to participate in in-house firearms training through the Sheriff's Office. The Sheriff's Office dispensed with this requirement, such that applicants now arrange their own training and provide proof of completion of the training to the Sheriff's Office. This allows applicants to satisfy the training requirements on their own schedule, which is not dependent on the availability of Sheriff's Office staff.

- The Sheriff's Office does not require psychological testing of applicants or the submission of references. In connection with the background investigation, the Sheriff's Office does not contact neighbors or employers of applicants and does not review applicants' social media posts. Thus, such tasks do not increase the length of the application process.

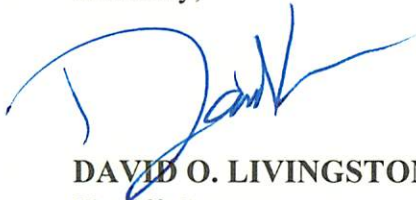
Other factors also impact the timing of application processing. The Sheriff's Office has been flooded with calls and emails from prospective applicants with questions about the CCW application process, as well as calls and emails from applicants with pending applications

requesting updates regarding application status. These communications can be particularly time-consuming, as many applicants believe that the Sheriff's Office will issue a license immediately upon receipt of the application. The Sheriff's Office has also received numerous requests for records and information. The Sheriff's Office appreciates that prospective applicants, applicants, and the public have a strong interest in obtaining this information. However, because it is the same staff who handle the CCW applications who also respond to such inquiries, handling the responses to these inquiries necessarily impacts the ability of staff to focus on the CCW license applications. In addition, many applications are incomplete. This requires staff to contact applicants and work with them to obtain the additional information, which is also a time-consuming process.

We hope you find this information helpful. As this communication demonstrates, the Sheriff's Office is devoting considerable resources and attention to the CCW application process, in a sincere effort to make the process as seamless and efficient as possible for applicants, while adhering to legal requirements following the *Bruen* decision. In addition, Sheriff Livingston publicly expressed concerns about Senate Bill 918, stating, "Recent rushed state CCW legislation proposed in response to last month's U.S. Supreme Court decision seems to create unfair and unnecessary burdens on law-abiding citizens who seek to lawfully obtain a CCW permit, yet it does nothing to address the thousands of guns carried illegally by criminals on our streets every day. What's wrong with this picture?"

If you have any questions, please let us know.

Sincerely,



DAVID O. LIVINGSTON
Sheriff-Coroner

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