



## OFFICE OF THE COUNTY COUNSEL

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February 10, 2023

### Via United States Mail

Konstadinos T. Moros  
MICHAEL & ASSOCIATES, P.C.  
Attorneys at Law  
180 East Ocean Boulevard, Suite 200  
Long Beach, CA 90802

RE: Threat of litigation by the California Rifle & Pistol Association

Dear Mr. Moros:

This letter responds to your correspondence, dated January 4, 2023, to newly-elected Sheriff Yesenia Sanchez. You initially requested the County respond within 14 days of receipt of the correspondence to avoid filing of litigation. On January 19, 2023, you granted the Sheriff an extension to February 10, 2023 to respond to your letter. As you are aware, Sheriff Sanchez has only been in office for a little more than one month.

The Alameda County Sheriff's Office ("ACSO") informed me of the following changes to the CCW process. On July 5, 2022, Sheriff Ahern announced that he had eliminated the "good cause" requirement from the application process and posted that decision on the Sheriff's website. The ACSO has since abandoned the use of the supplemental questionnaire and is now solely using the state Department of Justice ("DOJ") application, which is mandated by state law. Consequently, the **ACSO is no longer**:

- requiring applicants to furnish photographs of their firearm storage;
- inquiring about home security and cameras; asking for the number and storage location of the applicant's firearms;
- asking for information about the people who live in the applicant's home and the layout of that home;
- requiring proof of income;
- asking where an applicant intends to carry; or
- limiting CCW permits to a single firearm provided the applicant qualifies for each firearm.

The ACSO also informs me that it is changing the fee structure for the permit application. In abidance with the Penal Code, the ACSO is charging the DOJ fee at the time of the initial application and charging the local fee upon issuance of the license.

The ACSO will continue to use psychological examinations as state law allows. The ACSO has contracted with a provider that has more psychologists available to conduct the exams, which the ACSO expects will shorten the time required to complete this element of the application process. The ACSO has approved six local ranges to expand opportunities to complete range-qualification and is considering approval of another three providers.

The ACSO has added two additional deputy sheriffs to the unit processing applications on a full-time basis, and another deputy sheriff who works one day per week on the unit. The ACSO has

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also assigned a retired annuitant who works two days per week in the unit. These additions represent a substantial increase in staffing for the unit. All three of the assigned deputies and the retired annuitant will assist with processing the CCW permits, which should quicken the pace of processing applications. We do note, however, that some elements of the process that are outside the ACSO's control may impact the speed with which the ACSO may process applications. For instance, we are informed by the ACSO that the DOJ background check process can sometimes take more than three months to complete.

The ACSO has informed me that it has issued and delivered six permits already, with another nine that will be signed by Sheriff Sanchez this week. The ACSO estimates that by the end of this month, another thirteen permits should be issued with more applicants expected to complete the range-qualification next week.

The existing severe staffing shortages throughout the ACSO (and indeed, the County of Alameda as a whole) has made meeting the unprecedented increase in applications for CCW permits following the Supreme Court's decision in *Bruen* challenging. But the ACSO is making good faith efforts to satisfy the increased demand by increasing staffing, streamlining the application process, dropping the good cause and supplemental questionnaire requirements, and increasing the access to psychological exams and range-certification. And the ACSO has demonstrated a commitment to processing the applications it has received and will receive.

Thank you for your interest in the County of Alameda.

Very truly yours,

DONNA R. ZIEGLER  
County Counsel

By 

Clay J. Christianson  
Deputy County Counsel

CJC