

<p><b>SAN FRANCISCO SHERIFF'S DEPARTMENT</b></p>  <p><b>POLICY AND PROCEDURE</b></p>	<p>Date Issued: <b>06/23/2011</b>      Policy #: <b>SFSD 01-15</b></p> <p>Last Revised: <b>09/07/2022</b></p> <p>Related Policies:</p> <p>Approved by:  Paul Miyamoto, Sheriff</p>
<p>Chapter: <b>01 Administration</b></p>	<p>Title: <b>Carry Concealed Weapon</b></p>

**PREAMBLE:** In accordance with the United States Supreme Court decision in *New York Rifle Association v. Bruen*, 597 U.S. \_\_\_ (June 23, 2022) (*Bruen*), the San Francisco Sheriff's Office (SFSO) will no longer use the "good cause" standard in processing applications for Concealed Carry Weapons ("CCW") licenses. In addition, following the *Bruen* decision, the California State Legislature introduced legislation to modify state law concerning issuance of CCWs. SFSO has received a rise in applications for CCWs. This interim policy will address CCWs and the processing of applications for the period following the *Bruen* decision and before any legislative modifications. SFSO will modify this policy and its application process if and when state law changes.

**POLICY:** It is the policy of SFSO to process all completed CCW applications in a timely manner, and to grant CCWs only to applicants who are law-abiding, responsible persons, including to those of good moral character.

**PURPOSE:** To establish a written policy setting forth the general license requirements and application procedures for the issuance and/or denial of CCW licenses.

**I. General:**

A. SFSO is authorized to issue CCW licenses to members of the general public as follows:

1. Resident:

- a. These licenses may be issued to applicants who reside within the City and County of San Francisco (CCSF), and are valid for a term not to exceed two years, except for those issued to qualifying state or federal judges, magistrates or court commissioners, are valid for a term of up to three years.

2. Employment:

- a. These licenses may be issued to applicants who reside in other counties whose principal place of employment or business is in the CCSF and who spend a substantial period of time in that place of employment or business. These licenses are valid only in CCSF and expire in 90 calendar days.

B. Applicants must:

1. Legally own and have registered the firearm for which the applicant seeks a license.
2. Pass a psychological test as administered by an SFSO approved psychologist.
3. Pass a background investigation that will determine if the applicant is a law-abiding, responsible person, and thus is of good moral character in accordance with state law.
4. Complete a firearms training course, as approved by the SFSO, with the firearm for which the applicant seeks a CCW license.

C. Application and Background Investigation:

1. The applicant must:
  - a. Complete the state (Department of Justice "DOJ") approved application (BOF 4012).
  - b. Appear in person for an interview.
  - c. Provide fingerprints for DOJ background check.
  - d. Pay all required fees.
  - e. Complete a psychological examination with an SFSO approved psychologist.
  - f. After notification that the applicant has met all eligibility requirements and passed the background investigation, provide proof of completion of an SFSO approved firearms course.
2. SFSO will conduct a DOJ criminal background check to determine if the applicant is eligible to possess a firearm and to confirm legal ownership of the firearm.
3. The SFSO will also review materials such as citations, arrests, convictions, civil lawsuits, employment discharges, military discharges, license denials, license revocations, other actions indicating a possible propensity for violence or moral turpitude, drug and / or alcohol abuse, carelessness with weapons, and / or dishonesty to determine whether the applicant is a law abiding, responsible citizen.

- D. The SFSO may place restrictions and conditions on a license, including reasonable restrictions on the time, place, manner and circumstances under which the licensee may carry the firearm for which the license is issued.
- E. The SFSO shall grant or deny an application within the statutory timelines, which are currently 90 days of the application, or 30 days after the SFSO's receipt of the applicant's DOJ criminal background check, whichever is later. If the SFSO denies the application, the SFSO shall inform the applicant of the reasons for the denial.
- F. Records that include information provided by the applicant and obtained by the SFSO in investigating and processing the application may be public records subject to disclosure, with redactions required by state law. (See Cal. Gov. Code § 6254, subd. (u).)
- G. CCW License renewals: To obtain a renewal of the CCW license, the applicant must:
  - 1. Prove continued residency and/or employment in CCSF. Applicants employed in CCSF but who do not reside in CCSF, must prove that the licensing authority in the applicant's place of residence concurs in the decision to renew.
  - 2. Prove continued lawful ownership of the firearm for which the license was issued.
  - 3. Continue to be a responsible, law-abiding person.
  - 4. Provide identification sufficient to provide positive identification to the DOJ.
  - 5. Attend an additional SFSO approved training course.
  - 6. If there is compelling evidence to indicate that an additional psychological test is necessary, undergo an additional psychological test.
  - 7. Pay all required fees for renewal.
- H. The SFSO may revoke the CCW license when:
  - 1. The licensee no longer meets the eligibility requirements.
  - 2. The licensee violates any of the conditions placed on the license.
  - 3. As required by law.

**II. Procedures:**

Not Applicable

**III. Forms:**

Not Applicable

**IV. Reference:**

Not Applicable