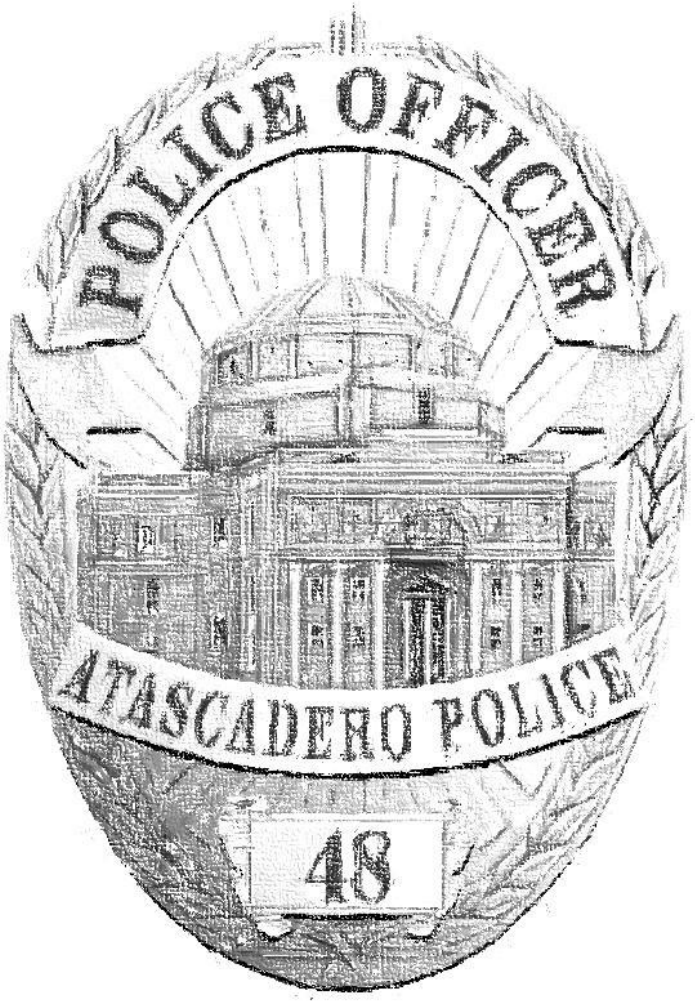
ATASCADERO POLICE DEPARTMENT



APPLICATION FOR CONCEALED WEAPONS LICENSE

APPLICATION FOR CONCEALED WEAPONS LICENSE 2015

NOTE:

Applications which do not follow the explicit guidelines within this application will be denied.

REQUIREMENTS:

Per California Penal Code Section 26155 the applicant must:

- Be of good moral character
- Establish that good cause exists for issuance of the license.
- Be a resident of the City of Atascadero
- Complete a course of training as described by Penal Code Section 26165
- Concealed weapons must be registered in California and in the name of the CCW applicant.

APPLICATION COMPLETION CHECKLIST:

- Read and fill out the entire application.
- Sign and date the application where applicable.
- Complete Section 7 "Investigator's Interview Notes"
- Attach a copy of your California Driver's License.
- Attach one item of cancelled postage confirming your physical street address. If no mail receptacle at your residence, include a copy of a utility bill that lists your residence address.
- Include 3 signed letters of character reference from individuals other than relatives. (only for new applicants)

COSTS: $675 this is approximate (applies to initial applicants only)

Payments will be made at different times throughout the process. Applicants will not be required to pay for training courses prior to the determination of good cause being made pursuant to Penal Code Section 26202. Applicants will not be required to pay the administrative costs until issuance of the license.

Cost breakdown:

- $93 Department of Justice Application fee (Non-refundable if denied)
- $32 to the City of Atascadero for fingerprint processing (Non-refundable if denied)
- $100 City of Atascadero administrative fee per Penal Code section 26190 (collected at time of issuance.

- $150 psychological testing. Paid to appointed psychologist.
- Approximately $300 for required training course. Payable to appointed trainers. (cost may vary depending on vendor)

PHASE ONE

- Read and complete entire application packet. Return completed packet to the Atascadero Police Department.
- You will be notified within 90 days if the application has been approved to move onto phase two or if the application has been denied, per penal code section 26205.
- If the Chief of Police or authorized designee has verified good cause exists per penal code section 26202 the applicant will receive a "tentatively approved" letter from the Atascadero Police Department.

PHASE TWO

- Schedule fingerprint process appointment with the Atascadero Police Department
    - Pay $93 fee to the City of Atascadero for the Department of Justice.
    - Pay $32 fee to the City of Atascadero
    - Be prepared to take a photograph
- Make an appointment to attend one of the pre-approved firearm safety courses pursuant to penal code section 26165. Applicants will be allowed only two guns approved for carry on the issued license.
- Make an appointment with the Chief of Police or authorized designee for an interview.
- Make an appointment with the authorized psychologist.

Upon successful completion of the above items and a return from the Department of Justice the applicant will be notified if approved or denied for the application. If approved the $100 City of Atascadero administrative fee will be collected and the license issued. Licenses are only good for two years and will require a new application within 90 days of expiration per penal code 26220. For renewals please see renewal application process for more information.

Return the entire application with all attachments to the Atascadero Chief of Police.

If you have you have any questions, please call 805-470-3200

ATASCADERO POLICE DEPARTMENT CCW POLICY

POLICY
The Atascadero Police Department will fairly and impartially consider all applications to carry firearms in accordance with applicable law and this policy.

QUALIFIED APPLICANTS
In order to qualify for a license to carry a firearm, the applicant must meet certain requirements, including:

- Be a resident of the City of Atascadero (Penal Code § 26150; Penal Code § 26155).
- Be at least 21 years of age (Penal Code § 29610).
- Fully complete an application that will include substantial personal information. Much of the information in the application may be subject to public access under the Public Records Act.
- Be free from criminal convictions that would disqualify the applicant from carrying a firearm.
- Fingerprints will be required and a complete criminal background check will be conducted.
- Be of good moral character (Penal Code § 26150; Penal Code § 26155). The applicant shall provide at least three letters of character reference.
- Show good cause for the issuance of the license (Penal Code § 26150; Penal Code § 26155).
- Pay all associated application fees. These fees are set by statute and may not be refunded if the application is denied.
- Provide proof of ownership or registration of any firearm to be licensed.
- Be free from any psychological conditions that might make the applicant unsuitable for carrying a firearm (Penal Code § 26190).
- Complete required training (Penal Code § 26165).

APPLICATION PROCESS
The application process for a license to carry a firearm shall consist of two phases. Upon the successful completion of each phase, the applicant will advance to the next phase until the process is completed and the license is either issued or denied.

<u>PHASE ONE (TO BE COMPLETED BY ALL APPLICANTS)</u>

- Any individual applying for a license to carry a firearm shall first fully complete a California Department of Justice (DOJ) application to be signed under penalty of perjury. Any applicant who provides false information or statements on the application will be removed from further consideration and may be prosecuted for a criminal offense (Penal Code § 26180).
    - If an incomplete application package is received, the Chief of Police or authorized designee may do any of the following:

    - Require the applicant to complete the package before any further processing.
    - Advance the incomplete package to phase two for conditional processing pending completion of all mandatory conditions.
    - Issue a denial if the materials submitted at the time demonstrate that the applicant would not qualify for a license to carry a firearm even if the package was completed (e.g., not a resident, disqualifying criminal conviction, absence of good cause).
- When requested, the applicant shall submit a check to the City of Atascadero for the required California DOJ application fee.
- Additional fees may be required for fingerprinting, training or psychological testing, in addition to the application fee.
- Full payment of the remainder of the application fee will be required upon issuance of a license.
- Payment of related fees may be waived if the applicant is a duly appointed reserve peace officer as defined in Penal Code § 830.6 (a) or (b) (Penal Code § 26170).
- The applicant shall be required to submit to fingerprinting and a complete criminal background check by the California DOJ. A second set of fingerprints may be required for retention in department files. No person determined to fall within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100 or Welfare and Institutions Code § 8103 will be issued a license to carry a firearm. A license shall not be issued if the California DOJ determines that the applicant is prohibited by state or federal law from possessing, receiving, owning or purchasing a firearm (Penal Code § 26195).
- The applicant shall submit at least three signed letters of character reference from individuals other than relatives.
- The applicant shall submit proof of ownership or registration of each firearm to be licensed.
- Once the Chief of Police or authorized designee has reviewed the completed application package and relevant background information, the application will either be advanced to phase two or denied.
- In the event that an application is denied at the conclusion of or during phase one, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later. If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

PHASE TWO

This phase is to be completed only by those applicants who have successfully completed phase one.

- The applicant shall be scheduled for a personal interview with the Chief of Police or authorized designee. During this stage, there will be further discussion of the applicant's statement of good cause and any potential restrictions or conditions that might be placed on the license.

  - The determination of good cause should consider the totality of circumstances in each individual case.
  - Any denial for lack of good cause should be rational, articulable and not arbitrary in nature.
  - The Department will provide written notice to the applicant as to the determination of good cause (Penal Code § 26202).
  - During this interview applicants will provide fingerprints to be sent to the Department of Justice.
- The Chief of Police requires that the applicant be referred to an authorized psychologist used by the Department for psychological testing. The cost of such psychological testing (not to exceed $150) shall be paid by the applicant. The purpose of any such psychological testing is intended only to identify any outward indications or history of psychological problems that might render the applicant unfit to carry a firearm. This testing is not intended to certify in any other respect that the applicant is psychologically fit. If it is determined that the applicant is not a suitable candidate for carrying a firearm, the applicant shall be removed from further consideration (Penal Code § 26190).
- The applicant shall complete a course of training approved by the agency, which complies with Penal Code § 26165. The applicant will not be required to complete and pay for any training courses prior to any determination of good cause (Penal Code § 26165; Penal Code § 26202).
- The applicant shall submit any firearm to be considered for a license to the Rangemaster or other departmentally authorized gunsmith, at no cost to the applicant, for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).
- The applicant shall successfully complete a firearms safety and proficiency examination with the firearm to be licensed and provide proof of successful completion of departmentally approved firearms safety and proficiency examination, including completion of all releases and other forms. The cost of any outside inspection/examination shall be the responsibility of the applicant.
- Once the Chief of Police or authorized designee has verified the successful completion of phase two, the license to carry a firearm will either be granted or denied.
- Whether an application is approved or denied at the conclusion of or during phase two, the applicant shall be notified in writing within 90 days of the initial application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later.
- If the license is denied, the notice shall state which requirement was not satisfied (Penal Code § 26205).

ISSUED FIREARMS PERMITS

In the event a license to carry a firearm is issued by the Chief of Police, the following shall apply:

- The license will not be valid outside the state of California.

- The license will be subject to any and all reasonable restrictions or conditions the Chief of Police has deemed warranted, including restrictions as to the time, place, manner and circumstances under which the person may carry the firearm.
    - All such restrictions or conditions shall be conspicuously noted on any license issued (Penal Code § 26200).
    - The licensee will be required to sign a Restrictions and Conditions Agreement.
- Any violation of any of the restrictions and conditions may result in the immediate revocation of the license.
    - All licenses shall be subjected to inspection by the Chief of Police or any law enforcement officer.
- The license will be valid for a period not to exceed two years from the date of issuance (Penal Code § 26220).
    - A license issued to a state or federal magistrate, commissioner or judge will be valid for a period not to exceed three years.
    - A license issued to any reserve peace officer as defined in Penal Code § 830.6(a) or (b), or a custodial officer employed by the Sheriff as provided in Penal Code § 831.5 will be valid for a period not to exceed four years, except that such license shall be invalid upon the individual's conclusion of service as a reserve officer.
- If the licensee's place of residence was the basis for issuance of a license and the licensee moves out of the county of issuance, the license shall expire 90 days after the licensee has moved (Penal Code § 26210).
- The licensee shall notify this department in writing within 10 days of any change of place of residency.

LICENSE RESTRICTIONS

The Chief of Police may place special restrictions limiting time, place, manner and circumstances under which any license shall be valid. In general, these restrictions will prohibit the licensee from:

- Consuming any alcoholic beverage while armed.
- Falsely representing him/herself as a peace officer.
- Unjustified or unreasonable displaying of a firearm.
- Committing any crime.
- Being under the influence of any medication or drug while armed.
- Interfering with any law enforcement officer's duties.
- Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
- Loading the permitted firearm with illegal ammunition.
- The alteration of any previously approved firearm including, but not limited to adjusting the trigger pull, adding laser sights or modifications shall void any license and serve as grounds for revocation.

The Chief of Police or authorized designee reserves the right to inspect any license or licensed firearm at any time.

AMENDMENTS TO LICENSES

Any licensee may apply to amend a license at any time during the period of validity by completing and submitting a written Application for License Amendment along with the current processing fee to the Department in order to (Penal Code § 26215):

- Add or delete authority to carry a firearm listed on the license.
- Change restrictions or conditions previously placed on the license.
- Change the address or other personal information of the licensee (Penal Code § 26210).
- In the event that any amendment to a valid license is approved by the Chief of Police, a new license will be issued reflecting the amendment. An amendment to any license will not serve to extend the original expiration date and an application for an amendment will not constitute an application for renewal of the license.
- Amendments to license will cost a fee of $10 per Penal Code 26190.

REVOCATION OF LICENSES

Any license issued pursuant to this policy may be immediately revoked by the Chief of Police for any of the following reasons:

- The licensee has violated any of the restrictions or conditions placed upon the license.
- The licensee becomes psychologically unsuitable to carry a firearm.
- The licensee is determined to be within a prohibited class described in Penal Code § 29800, Penal Code § 29900, Welfare and Institutions Code § 8100, Welfare and Institutions Code § 8103 or any state or federal law.
- The licensee engages in any conduct which involves a lack of good moral character or that might otherwise remove the good cause for the original issuance of the license.

If any license is revoked, the Department will immediately notify the licensee in writing and the California DOJ (Penal Code § 26225).

LICENSE RENEWAL

No later than 90 days prior to the expiration of any valid license to carry a firearm, the licensee may apply to the Chief of Police for a renewal by:

- Verifying all information submitted in the original application under penalty of perjury.
- Completing a department-approved training course pursuant to Penal Code § 26165. The applicant shall not be required to pay for a training course prior to the determination of good cause (Penal Code § 26165).
- Submitting any firearm to be considered for a license renewal to the Rangemaster for a full safety inspection. The Chief of Police reserves the right to deny a license for any firearm that has been altered from the manufacturer's specifications or that is unsafe (Penal Code § 31910).
- Paying a non-refundable renewal application fee.

- Once the Chief of Police or authorized designee has verified the successful completion of the renewal process, the renewal of the license to carry a firearm will either be granted or denied.
- Prior issuance of a license shall not entitle any licensee to any property or liberty right to renewal. Whether an application for renewal is approved or denied, the applicant shall be notified in writing within 90 days of the renewal application or within 30 days after receipt of the applicant's criminal background check from the California DOJ, whichever is later (Penal Code § 26205).

I HEREBY CERTIFY UNDER THE PENALTY OF PERJURY THAT I HAVE READ AND UNDERSTAND THE ABOVE INFORMATION AND AGREE TO THE PROVISIONS, CONDITIONS, AND RESTRICTIONS HEREIN OR OTHERWISE IMPOSED. THE ANSWERS I HAVE GIVEN WITHIN THIS DOCUMENT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE

_____ _____

Applicant Signature Date

_____ _____

Witness Signature / Badge Number Date

When the application is fully completed, please return entre application package to:

Atascadero Police Department
Attn: Chief of Police
5505 El Camino Real
Atascadero, CA 93422

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Authority

California Penal Code sections 26150 and 26155 provide that a sheriff of a county or the chief or other head of a municipal police department of any city or city and county may issue a license to carry a pistol, revolver, or other firearm capable of being concealed upon the person (CCW license). Penal Code section 26175 requires the Attorney General to prescribe a statewide standard application form for a CCW license.

Who May be Issued a License

The licensing authority specified in Penal Code sections 26150 and 26155 (a sheriff or the chief or other head of a municipal police department) may issue a license to persons who are of good moral character, who have completed a course of training, and where good cause exists for issuance of the CCW license. All applicants for a CCW license will be fingerprinted and state and federal records will be checked to determine if they are eligible to possess firearms. The attachment to this application list all categories that would prohibit a person from possessing firearms and being granted a CCW license. These attachments are updated annually to reflect new legislation and other changes in the law.

Format of CCW License

A CCW license may be issued in either of the following formats:

1. A license to carry concealed a pistol, revolver, or other firearm capable of being concealed upon the person.

2. Where the population of the county is less than 200,000 persons according to the most recent federal decennial census, a license to carry loaded and exposed in the county a pistol, revolver, or other firearm capable of being concealed upon the person.

Training Required

Penal Code sections 26150 and 26155 specify that new license applicants must complete a course of training. The training may consist of any course acceptable to the licensing authority. The licensing authority may require either a course not to exceed 16 hours which includes instruction on at least firearms safety and the law regarding the permissible use of a firearm, or a community college course not to exceed 24 hours certified by the Commission on Peace Officer Standards and Training. If the licensing authority requires the community college course, it must be uniformly required for all CCW license applicants. The licensing authority may also require annual qualification on the weapon(s) during the term for which the CCW license is granted.

For license renewal applicants, the course of training may be any course acceptable to the licensing authority, shall be no less than four hours in length, and shall include instruction on firearm safety and the law regarding permissible use of a firearm.

Psychological Testing

In addition to licensing requirements as specified by the licensing authority, jurisdictions may require psychological testing on the initial application. If required, the applicant shall be referred to a licensed psychologist used by the licensing authority for the psychological testing of its own employees. Any fees charged will be the responsibility of the applicant and such fees shall not exceed $150.00 for an initial test. Additional psychological testing of an applicant seeking license renewal shall be required only if there is compelling evidence to indicate that a test is necessary. (Pen. Code, § 26190, subd. (f).)

CALIFORNIA DEPARTMENT OF JUSTICE
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STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Completing the Application

Answering all the questions on this standard application does not guarantee the issuance of a CCW license. The determination whether to issue the license is at the discretion of the licensing authority. Pursuant to Penal Code section 26160, each licensing authority, in addition to using the state standard application form, will have a written policy summarizing what they require. Prior to issuing a CCW license, the statutes require proof that:

- The applicant is of good moral character;
- Good cause exists to issue the CCW license;
- The applicant meets residence requirements; and
- The course of training prescribed by the licensing authority has been completed.

The application on the following pages sets forth standardized questions to be used by the CCW licensing authority to determine whether a CCW license shall be issued. The applicant shall not be required to complete any additional application or form for a CCW license, or to provide any information other than that necessary to complete this standard application form except to clarify or interpret information provided herein. (Pen. Code, § 26175, subd. (g).)

The applicant will certify under penalty of perjury that all answers provided are true and correct to the best of their knowledge and belief. The applicant will also acknowledge that information disclosed on this application may be subject to public disclosure.

Important Instructions

1. Complete, read, and sign Sections 1 through 5, as directed. Use additional pages if more space is required.

2. Sections 6, 7, and 8 must be completed in the presence of an official of the licensing agency.

3. Review Section 7 and be prepared to answer these questions orally. Do not write anything in Section 7 unless specifically directed to do so by the licensing agency.

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Official Use Only
Type of License Requested
☐ Standard ☐ Judge
☐ Reserve Officer ☐ 90 Day

☐ **Initial Application** ☐ **Renewal Application**

Public Disclosure Admonition:

I understand that I am obligated to be complete and truthful in providing information on this application. I understand that all of the information disclosed by me in this application may be subject to public disclosure.

Applicant Signature _____ Date _____

Witness Signature _____ Badge Number _____ Date _____

Section 1 - Applicant Personal Information

Last Name _____ First Name _____ Middle Name _____

If Applicable, Maiden Name or Other Names(s) Used _____

City of Residence _____ County of Residence _____ Country of Citizenship _____

Date of Birth _____ Place of Birth (City, County, State) _____

Height _____ Weight _____ Eye Color _____ Hair Color _____ M/F _____

Section 2 - Applicant Clearance Questions

1. Do you now have, or have you ever had, a license to carry a concealed weapon (CCW)? If yes, please enter the issuing agency name, issue date and CCW license number. Use additional pages if necessary. ☐YES ☐NO

   Issuing Agency _____ Issue Date _____ CCW No. _____

2. Have you ever applied for and been denied a CCW license? If yes, please enter the agency name, date, and the reason for denial. ☐YES ☐NO

   Agency Name _____ Date _____

   Reason for Denial _____

3. Have you ever held and subsequently renounced your United States citizenship? If yes, please explain. ☐YES ☐NO

4. If you served with the Armed Forces, were you ever convicted of any charges or was your discharge other than honorable? If yes, please explain. ☐YES ☐NO

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5. Are you now, or have you been, a party to a lawsuit in the last five years? If yes, please explain. ☐YES ☐NO

6. Are you now, or have you been, subject to a restraining order(s) from any court? If yes, please explain. ☐YES ☐NO

7. Are you on probation or parole from any state for conviction of any offense including traffic? If yes, please explain. ☐YES ☐NO

8. List all traffic violations (moving violations only) and motor vehicle accidents you have had in the last five years. Use additional pages if necessary.

Date	Violation/Accident	Agency	Citation No.
Date	Violation/Accident	Agency	Citation No.
Date	Violation/Accident	Agency	Citation No.
Date	Violation/Accident	Agency	Citation No.
Date	Violation/Accident	Agency	Citation No.

9. Have you ever been convicted of any criminal offense (civilian or military) in the U.S. or any other country? If yes, please explain including the date, agency, charges and disposition. ☐YES ☐NO

10. Have you withheld any fact that might affect the decision to approve this license? If yes, please explain. ☐YES ☐NO

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STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Section 3 - Description of Weapons

List below the weapons you desire to carry if granted a CCW license. You may carry concealed only the weapon(s) which you list and describe herein, and only for the purpose indicated. Any misuse will cause an automatic revocation and possible arrest. Use additional pages if necessary.

Make	Model	Caliber	Serial Number
Make	Model	Caliber	Serial Number
Make	Model	Caliber	Serial Number

Section 4 - CCW License Conditions and Restrictions

The licensee is responsible for all liability for, injury to, or death of any person, or damage to any property which may result through any act or omission of either the licensee or the agency that issued the license. In the event any claim, suit, or action is brought against the agency that issued the license, its chief officer or any of its employees, by reason of, or in connection with any such act or omission, the licensee shall defend, indemnify, and hold harmless the agency that issued the license, its chief officer or any of its employees from such claim, suit, or action.

The licensee authorizes the licensing agency to investigate, as they deem necessary, the licensee's record and character to ascertain any and all information which may concern his/her qualifications and justification to be issued a license to carry a concealed weapon and release said agency of any and all liability arising out of such investigation.

While exercising the privileges granted to the licensee under the terms of this license, the licensee shall not, when carrying a concealed weapon:

- Consume any alcoholic beverage.
- Be in a place having a primary purpose of dispensing alcoholic beverages for on-site consumption.
- Be under the influence of any medication or drug, whether prescribed or not.
- Refuse to show the license or surrender the concealed weapon to any peace officer upon demand.
- Impede any peace officer in the performance of his/her duties.
- Present himself/herself as a peace officer to any person unless he/she is, in fact, a peace officer as defined by California law.
- Unjustifiably display a concealed weapon.
- Carry a concealed weapon not listed on the permit.
- Carry a concealed weapon at times or circumstances other than those specified in the permit.

Title 49, section 46505 of the United States Code states that a license to carry a concealed weapon does not authorize a person to carry a firearm, tear gas, or any dangerous weapon aboard commercial airlines. Further, a person must declare that he/she is carrying such firearm, tear gas, or any dangerous weapon BEFORE entering the boarding area of an air terminal where the security checks are made. Such violation can result in arrest by law enforcement.

Any violation of these restrictions or conditions may invalidate the CCW license and may void any further use of the license until reinstated by the licensing authority. Any arrest for a felony or serious misdemeanor, including driving under the influence of alcohol and/or drugs, is cause for invalidating the license.

CALIFORNIA DEPARTMENT OF JUSTICE
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STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Section 5 - Applicable California Penal Code Sections

The following Penal Code sections are of special importance to the holder of a CCW license regarding the use, carrying, and storage of firearms:

Penal Code section 26180 - False Statement on Application Form

(a) Any person who files an application required by Section 26175 knowing that statements contained therein are false is guilty of a misdemeanor.

(b) Any person who knowingly makes a false statement on the application regarding any of the following is guilty of a felony.
- (1) The denial or revocation of a license, or the denial of an amendment to a license, issued pursuant to this article.
- (2) A criminal conviction.
- (3) A finding of not guilty by reason of insanity.
- (4) The use of a controlled substance.
- (5) A dishonorable discharge from military service.
- (6) A commitment to a mental institution.
- (7) A renunciation of United States citizenship.

Penal Code section 192 - Manslaughter

Manslaughter is the unlawful killing of a human being without malice.

(a) Voluntary - upon a sudden quarrel or heat of passion.

(b) Involuntary - in the commission of an unlawful act, not amounting to a felony; or in the commission of a lawful act which might produce death, in an unlawful manner, or without due caution and circumspection. This subdivision shall not apply to acts committed in the driving of a vehicle.

Penal Code section 197 - Justifiable Homicide; Any Person

Homicide is also justifiable when committed by any person in any of the following cases:

1. When resisting any attempt to murder any person, or to commit a felony, or to do some great bodily injury upon any person; or,
2. When committed in defense of habitation, property, or person, against one who manifestly intends or endeavors, by violence or surprise, to commit a felony, or against one who manifestly intends and endeavors, in a violent, riotous or tumultuous manner, to enter the habitation of another for the purpose of offering violence to any person therein; or
3. When committed in the lawful defense of such person, or of a wife or husband, parent, child, master, mistress or servant of such person, when there is reasonable ground to apprehend a design to commit a felony or to do some great bodily injury, and imminent danger of such design being accomplished; but such person, or the person in whose behalf the defense was made, if he was the assailant or engaged in mutual combat, must really and in good faith have endeavored to decline any further struggle before the homicide was committed; or
4. When necessarily committed in attempting, by lawful ways and means, to apprehend any person for any felony committed, or in lawfully suppressing any riot, or in lawfully keeping and preserving the peace.

Penal Code section 198 - Justifiable Homicide; Sufficiency of Fear

A bare fear of the commission of any of the offenses mentioned in subdivisions 2 and 3 of Section 197, to prevent which homicide may be lawfully committed, is not sufficient to justify it. But the circumstances must be sufficient to excite the fears of a reasonable person, and the party killing must have acted under the influence of such fears alone.

Penal Code section 199 - Justifiable and Excusable Homicide; Discharge of Defendant

The homicide appearing to be justifiable or excusable, the person indicted must, upon his trial, be fully acquitted and discharged.

Penal Code section 25100 - Criminal Storage of Firearm

(a) Except as provided in Section 25105, a person commits the crime of "criminal storage of a firearm of the first degree" if all of the following conditions are satisfied.
- (1) The person keeps any loaded firearm within any premises that are under the person's custody or control.
- (2) The person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian.
- (3) The child obtains access to the firearm and thereby causes death or great bodily injury to the child or any other person.

STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Section 5 - Applicable California Penal Code Sections - Continued

(b) Except as provided in Section 25105, a person commits the crime of "criminal storage of a firearm of the second degree" if all of the following conditions are satisfied:
  (1) The person keeps any loaded firearm within any premises that are under the person's custody or control.
  (2) The person knows or reasonably should know that a child is likely to gain access to the firearm without the permission of the child's parent or legal guardian.
  (3) The child obtains access to the firearm and thereby causes injury, other than great bodily injury, to the child or any other person, or carries the firearm either to a public place or in violation of Section 417.

Penal Code section 25105 - Exceptions

Section 25100 does not apply whenever any of the following occurs:
(a) The child obtains the firearm as a result of an illegal entry to any premises by any person.
(b) The firearm is kept in a locked container or in a location that a reasonable person would believe to be secure.
(c) The firearm is carried on the person or within close enough proximity thereto that the individual can readily retrieve and use the firearm as if carried on the person.
(d) The firearm is locked with a locking device, as defined in Section 16860, which has rendered the firearm inoperable.
(e) The person is a peace officer or a member of the Armed Forces or the National Guard and the child obtains the firearm during, or incidental to, the performance of the person's duties.
(f) The child obtains, or obtains and discharges, the firearm in a lawful act of self-defense for defense of another person.
(g) The person who keeps a loaded firearm on any premise that is under the person's custody or control has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premise.

Penal Code section 25200 - Storage of Firearm where Child Obtains Access and Carries Firearm Off-Premises

(a) If all of the following conditions are satisfied, a person shall be punished by imprisonment in a county jail not exceeding one year, by a fine not exceeding one thousand dollars ($1,000), or by both that imprisonment and fine:
  (1) The person keeps a pistol, revolver, or other firearm capable of being concealed upon the person, loaded or unloaded, within any premises that are under the person's custody or control.
  (2) The person knows or reasonably should know that a child is likely to gain access to that firearm without the permission of the child's parent or legal guardian.
  (3) The child obtains access to that firearm and thereafter carries that firearm off-premises.
(b) If all of the following conditions are satisfied, a person shall be punished by imprisonment in a county jail not exceeding one year, by a fine not exceeding five thousand dollars ($5,000), or by both that imprisonment and fine:
  (1) The person keeps any firearm within any premises that are under the person's custody or control.
  (2) The person knows or reasonably should know that a child is likely gain access to the firearm without the permission of the child's parent or legal guardian.
  (3) The child obtains access to the firearm and thereafter carries that firearm off-premises to any public or private preschool, elementary school, middle school, high school, or to any school-sponsored event, activity, or performance, whether occurring on school grounds or elsewhere.
(c) A pistol, revolver, or other firearm capable of being concealed upon the person that a child gains access to and carries off-premises in violation of this section shall be deemed "used in the commission of any misdemeanor as provided in this code or any felony" for the purpose of Section 29300 regarding the authority to confiscate firearms and other deadly weapons as a nuisance.
(d) As used in this section, "off-premises" means premises other than the premises where the firearm was stored.

Penal Code section 25205 - Exceptions

Section 25200 does not apply if any of the following are true:
(a) The child obtains the firearm as a result of an illegal entry into any premises by any person.
(b) The firearm is kept in a locked container or in a location that a reasonable person would believe to be secure.
(c) The firearm is locked with a locking device, as defined in Section 16860, which has rendered the firearm inoperable.
(d) The firearm is carried on the person within close enough range that the individual can readily retrieve and use the firearm as if carried on the person.
(e) The person is a peace officer or a member of the Armed Forces or National Guard and the child obtains the firearm during, or incidental to, the performance of the person's duties.
(f) The child obtains, or obtains and discharges, the firearm in a lawful act of self-defense or defense of another person.
(g) The person who keeps a firearm has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises.

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS

STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Section 6 - Agreement to Restrictions and to Hold Harmless

I accept and assume all responsibility and liability for, injury to, or death of any person, or damage to any property which may result through an act or omission of either the licensee or the agency that issued the license. In the event any claim, suit or action is brought against the agency that issued the license, its chief officer or any of its employees, by reason of, or in connection with any such act or omission, the licensee shall defend, indemnify, and hold harmless the agency that issued the license, its chief officer or any of its employees from such claim, suit, or action.

I understand that the acceptance of any application by the licensing authority does not guarantee the issuance of a license and that fees and costs are not refundable if denied. I further understand that if my application is approved and I am issued a license to carry a concealed weapon, that the license is subject to restrictions placed upon it and that misuse of the license will cause an automatic revocation and possible arrest and that the license may also be suspended or revoked at the discretion of the licensing authority at any time. I am aware that any use of a firearm may bring criminal action or civil liability against me.

I have read, understand, and agree to the CCW license liability clauses, conditions, and restrictions stated in this application and Agreement to Restrictions and to Hold Harmless.

I have read and understand the applicable Penal Code sections regarding false statements on a CCW Application, manslaughter, killing in defense of self or property, limitation on self-defense and defense of property, and child access and firearm storage, stated in this application.

I have read and understand the Firearms Prohibiting Categories attachment to this application. I further acknowledge that these prohibiting categories can be amended or expanded by state or federal legislative or regulatory bodies and that any such amendment or expansion may affect my eligibility to hold a CCW license.

Applicant Signature	Date

Witness Signature	Badge Number	Date

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS

STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Section 7 - Investigator's Interview Notes

Applicant Last Name _____ First Name _____ Middle Name _____

Date of Birth _____ Age _____ Social Security No. _____ CA Driver License/ID No. _____

CA Driver License Restrictions _____

Residence Address _____ City _____ State _____ Zip Code _____ Telephone Number (Day) _____

Mailing Address (if different) _____ City _____ State _____ Zip Code _____ Telephone Number (Evening) _____

Spouse/Domestic Partner Last Name _____ First Name _____ Middle Name _____

Physical Address *(if different than applicant)* _____ City _____ State _____ Zip Code _____ Telephone Number _____

Applicant Occupation _____ Business/Employer Name _____

Business/Employer Address _____ City _____ State _____ Zip Code _____ Telephone Number _____

1. List all previous home addresses for the past five years. Use additional pages if necessary.

Address _____ City _____ State _____ Zip Code _____

Address _____ City _____ State _____ Zip Code _____

Address _____ City _____ State _____ Zip Code _____

Address _____ City _____ State _____ Zip Code _____

2. Have you ever been in a mental institution, treated for mental illness, or been found not-guilty by reason of insanity? If yes, please explain. ☐ YES ☐ NO

3. Are you now, or have you ever been, addicted to a controlled substance or alcohol, or have you ever utilized an illegal controlled substance, or have you ever reported to a detoxification or drug treatment program. If yes, please explain. ☐ YES ☐ NO

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS

STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Section 7 - Investigator's Interview Notes - Continued

4. Have you ever been involved in an incident involving firearms? If yes, please explain. ☐YES ☐NO

5. Have you ever been involved in a domestic violence incident? If yes, please explain. ☐YES ☐NO

6. List any arrest or formal charges, with or without disposition, for any criminal offenses within the U.S. or any other country (civilian or military) ☐YES ☐NO

If the CCW license is desired for self-protection, the protection of others, or for the protection of large sums of money or valuable property, you are required to explain and provide good cause for issuance of the license. For example, has your life or property been threatened or jeopardized? Explain incidents and include dates, times, locations, and names of police agencies to which these incidents were reported.

Details of Reason for Applicant Desiring a CCW license. Use additional pages if necessary.

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS

STANDARD INITIAL AND RENEWAL APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON

Section 8 - Release of Information and Declaration

I herby give permission to the agency to which this application is made to conduct a background investigation of me and to contact any person or agency who may add to or aid in this investigation. I further authorize persons, firms, agencies and institutions listed on this application to release or confirm information about me and statements I have made as contained in this application.

Notwithstanding any other provision of law and pursuant to the Public Records Act (Government Code section 6250 et seq.), I understand that information contained in this application may be a matter of public record and shall be made available upon request or court order.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Applicant Signature		Date
Witness Signature	Badge Number	Date

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
FIREARMS PROHIBITING CATEGORIES

State and federal law make it unlawful for certain persons to own and/or possess firearms, including:

- Any person who is convicted of a felony, or any offense enumerated in Penal Code sections 29900 or 29905
- Any person who is ordered to not possess firearms as a condition of probation or other court order listed in Penal Code section 29815, subdivisions (a) and (b)
- Any person who is convicted of a misdemeanor listed in Penal Code section 29805 (refer to List of Prohibiting Misdemeanors)
- Any person who is adjudged a ward of the juvenile court because he or she committed an offense listed in Welfare and Institutions Code section 707(b), an offense described in Penal Code section 1203.073(b), or any offense enumerated in Penal Code section 29805
- Any person who is subject to a temporary restraining order or an injunction issued pursuant to Code of Civil Procedure sections 527.6 or 527.8, a protective order as defined in Family Code section 6218, a protective order issued pursuant to Penal Code sections 136.2 or 646.91, or a protective order issued pursuant to Welfare and Institutions Code section 15657.03
- Any person who is found by a court to be a danger to himself, herself, or others because of a mental illness
- Any person who is found by a court to be mentally incompetent to stand trial
- Any person who is found by a court to be not guilty by reason of insanity
- Any person who is adjudicated to be a mentally disordered sex offender
- Any person who is placed on a conservatorship because he or she is gravely disabled as a result of a mental disorder, or an impairment by chronic alcoholism
- Any person who communicates a threat to a licensed psychotherapist against a reasonably identifiable victim, that has been reported by the psychotherapist to law enforcement
- Any person who is taken into custody as a danger to self or others under Welfare and Institutions Code section 5150, assessed under Welfare and Institutions Code section 5151, and admitted to a mental health facility under Welfare and Institutions Code sections 5151, 5152, or certified under Welfare and Institutions Code sections 5250, 5260, and 5270.15
- Any person who is addicted to the use of narcotics (state and federal)
- Any person who is under indictment or information in any court for a crime punishable by imprisonment for a term exceeding one year (federal)
- Any person who has been discharged from the military under dishonorable conditions (federal)
- Any person who is an illegal alien (federal)
- Any person who has renounced his or her US Citizenship (federal)
- Any person who is a fugitive from justice (federal)

CALIFORNIA DEPARTMENT OF JUSTICE
BUREAU OF FIREARMS
FIREARMS PROHIBITING CATEGORIES

Firearm prohibitions for misdemeanor violations of the offenses listed below are generally for ten years from the date of conviction, but the duration of each prohibition may vary. All statutory references are to the California Penal Code, unless otherwise indicated.

- Threatening public officers, employees, and school officials (Pen. Code, § 71.)
- Threatening certain public officers, appointees, judges, staff or their families with the intent and apparent ability to carry out the threat (Pen. Code, § 76.)
- Intimidating witnesses or victims (Pen. Code, § 136.1.)
- Possessing a deadly weapon with the intent to intimidate a witness (Pen. Code, § 136.5.)
- Threatening witnesses, victims, or informants (Pen. Code, § 140.)
- Attempting to remove or take a firearm from the person or immediate presence of a public or peace officer (Pen. Code, § 148(d).)
- Unauthorized possession of a weapon in a courtroom. Courthouse, or court building, or at a public meeting (Pen. Code, § 171(b).)
- Bringing into or possessing a loaded firearm within the state capitol, legislative offices, etc. (Pen. Code, § 171(c).)
- Taking into or possessing loaded firearms within the Governor's Mansion or residence of other constitutional officers (Pen. Code, 171(d).)
- Supplying, selling or giving possession of a firearm to a person for participation in criminal street gangs (Pen. Code, § 186.28.)
- Assault (Pen. Code, §§ 240, 241.)
- Battery (Pen. Code, §§ 242, 243.)
- Sexual Battery (Pen. Code, § 243.4)
- Assault with a stun gun or taser weapon (Pen. Code, § 244.5.)
- Assault with a deadly weapon other than a firearm, or with force likely to produce great bodily injury (Pen. Code, § 245.)
- Assault with a deadly weapon or instrument; by any means likely to produce great bodily injury or with a stun gun or taser on a school employee engaged in performance of duties (Pen. Code, § 245.5 .)
- Discharging a firearm in a grossly negligent manner (Pen. Code, § 246.3.)
- Shooting at an unoccupied aircraft, motor vehicle, or uninhabited building or dwelling house (Pen. Code, § 247.)
- Inflicting corporal injury on a spouse or significant other (Pen. Code, § 273.5.)*
- Wilfully violating a domestic protective order (Pen. Code, § 273.6.)
- Drawing, exhibiting, or using deadly weapon other than a firearm (Pen. Code, § 417, subd. (a)(1) & (a)(2).)
- Inflicting serious bodily injury as a result of brandishing (Pen. Code, § 417.6.)
- Making threats to commit a crime which will result in death or great bodily injury to another person (Pen. Code, § 422.)
- Bringing into or possessing firearms upon or within public schools and grounds (Pen. Code, § 626.9.)
- Stalking (Pen. Code, § 646.9.)
- Armed criminal action (Pen. Code, § 25800.)
- Possessing a deadly weapon with intent to commit an assault (Pen. Code, § 17500.)
- Driver of any vehicle who knowingly permits another person to discharge a firearm from the vehicle or any person who willfully and maliciously discharges a firearm from a motor vehicle (Pen. Code, § 26100, subd. (b) or (d).)
- Criminal possession of a firearm (Pen. Code, § 25300.)
- Firearms dealer who sells, transfers or gives possession of any firearm to a minor or a handgun to a person under 21 (Pen. Code, § 27510.)
- Various violations involving sales and transfers of firearms (Pen. Code, § 27590, subd. (c).)
- Person or corporation who sells any concealable firearm to any minor (former Pen. Code, § 12100, subd. (a).)
- Unauthorized possession/transportation of a machine gun (Pen. Code, § 32625)
- Possession of ammunition designed to penetrate metal or armor (Pen. Code, § 30315.)
- Carrying a concealed or loaded firearm or other deadly weapon or wearing a peace officer uniform while picketing (Pen. Code, §§ 830.95, subd. (a), 17510, subd. (a.)
- Bringing firearm related contraband into juvenile hall (Welf. & Inst. Code, § 871.5.)
- Bringing firearm related contraband into a youth authority institution (Welf. & Inst. Code, § 1001.5.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person receiving in-patient treatment for a mental disorder, or by a person who has communicated to a licensed psychotherapist a serious threat of physical violence against an identifiable victim (Welf. & Inst. Code, § 8100.)
- Providing a firearm or deadly weapon to a person described in Welfare and Institutions Code sections 8100 or 8103 (Welf. & Inst. Code, § 8101.)
- Purchase, possession, or receipt of a firearm or deadly weapon by a person who has been adjudicated to be a mentally disordered sex offender or found to be mentally incompetent to stand trial, or not guilty by reason of insanity, and individuals placed under conservatorship (Welf. & Inst. Code, § 8103.)

The following misdemeanor convictions result in a lifetime prohibition:

- Assault with a firearm (Pen. Code, §§ 29800, subd. (a)(1), 23515, subd. (a).)
- Shooting at an inhabited or occupied dwelling house, building, vehicle, aircraft, housecar or camper (Pen. Code, §§ 246, 29800, subd. (a)(1), 17510, 23515, subd. (b).)
- Brandishing a firearm in presence of a peace officer (Pen. Code §§ 417, subd. (c), 23515, subd. (d), 29800, subd. (a)(1).)
- Two or more convictions of Penal Code section 417, subdivision (a)(2) (Pen. Code § 29800, subd. (a)(2).)

* A “misdemeanor crime of domestic violence” (18 U.S.C. §§ 921(a)(33)(A), 922(g)(9).)

Note: The Department of Justice provides this document for informational purposes only. This list may not be inclusive of all firearms prohibitions. For specific legal advice, please consult with an attorney licensed to practice law in California.