

CITY COUNCIL

Pedro "Pete" M. Sanchez, Mayor
Jane Day, Mayor Pro-Tem
Sam Derting
Michael J. Hudson
Michael A. Segala



CITY COUNCIL MEETING

First and Third Tuesday
Every Month

CITY OF SUISUN CITY

701 Civic Center Blvd.
Suisun City, California 94585

Incorporated October 9, 1868

September 12, 2007

David E. Power
Presiding Judge of the Superior Court
Solano Superior Court
600 Union Avenue
Fairfield, CA 94533

Re: 2006-2007 Grand Jury Report Entitled:
Permission to Carry A Concealed Weapon
Report Date: May 12, 2007

Dear Honorable Judge Powers:

The Suisun City Police Department agrees with the findings and recommendation of the Solano Grand Jury regarding the concealed weapon permits.

Finding #1 – The process to obtain a concealed weapons permit is very involved and complex.

Recommendation #1 – Issuing authorities should provide a separate document clarifying and supporting the department's procedure necessary for citizens to obtain a Concealed Weapons Permit.

City/Department Action – The City of Suisun City Police Department routinely provides concealed weapons permit applicants the attached document which clarifies and supports the Department's procedure in approving and denying the request for the concealed weapons permit.

Sincerely,

Suzanne Bragdon
City Manager
City of Suisun City

Edmond W. Dadisho
Chief of Police
Suisun City Police Department

DEPARTMENTS: AREA CODE (707)

ADMINISTRATION 421-7300 ■ PLANNING 421-7335 ■ BUILDING 421-7310 ■ FINANCE 421-7320
FIRE 425-9133 ■ RECREATION & COMMUNITY SERVICES 421-7200 ■ POLICE 421-7373 ■ PUBLIC WORKS 421-7340
REDEVELOPMENT AGENCY 421-7309 FAX 421-7366

Suisun City Police Department
701 Civic Center Blvd.
Suisun City, CA 94585
707-421-7373

To: All Concealed Weapons Permit Applicants

Subject: **Instructions to completing the STANDARD APPLICATION FOR
LICENSE TO CARRY A CONCEALED WEAPON (CCW)** (DOJ Form
BCIA 4012)

Please follow the below outlined instructions for completing the STANDARD APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON (CCW). If any areas are left blank or information not provided, the application will be returned to you. Please keep in mind that completing this application does not give you the legal right to carry a concealed weapon.

1. Read the policy and procedure letter in this packet. It is on Suisun City Police Department letterhead. This information letter outlines the Policy of the Suisun City Police Department and the procedure for obtaining a CCW.
2. Read pages 1 & 2 of the Department of Justice STANDARD APPLICATION FOR LICENSE TO CARRY A CONCEALED WEAPON.
3. Completely fill in pages 3, 4, & 5 of this form.
4. Read pages 6 through 9.
5. Read page 10, but **DO NOT SIGN IT!**
6. **DO NOT** fill in any portion on pages 11 through 14.
7. Read pages 16 through 19.
8. When you have completed the entire packet, please give me a call to set up an appointment to meet with the background investigator.

If you have any questions about completing this packet, please give me a call. I can be reached at (707) 421-7373.

Sgt. Szmurlo

Suisun City Police Department
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707-421-7373

To: All Concealed Weapon Permit Applicants

Subject: To establish policy and procedures for issuance of permits enabling private citizens to carry concealed weapons pursuant to California Penal Code Sections 12050 through 12054 amended by the passage of Assembly Bill 2022 effective January 1, 1999.

In the best interests of safety for the community and our citizens, a procedure has been developed by the Suisun City Police Department for issuing Concealed Weapons Permits (CCW).

ADMINISTRATIVE POLICY

By operation of California law, Penal Code Sections 12050 through 12054, the Chief of Police of the Suisun City Police Department has the discretion to issue a permit to carry a concealed weapon to a resident of the City, provided that person is of good moral character and that good cause exists for the issuance of the permit.

Experience has revealed that concealed firearms carried for protection not only provide a false sense of security but further, that the permittee is often a victim of his own weapon or the subject of a civil or criminal case stemming from an improper use of the weapon.

It is the judgment of the Suisun City Police Department that utilization of standard commercial security practices furnishes a security, which is both safer and more secure than that which results from the carrying of a concealed firearm. This judgment is in accordance with the view of the California Peace Officers' Association, expressed formally on two occasions A. . . that all permits to carry concealed weapons by private individuals in the State of California be revoked and that the legislation authorizing issuance of such permits be repealed."

For these reasons and considering the dangers to society resulting from the possession and use of concealed firearms, it is the policy of the Suisun City Police Department that "good cause" for the issuance of any concealed weapons permits would exist only in the most extreme and aggravated circumstances.

In the exercise of its discretion under the law, the Suisun City Police Department will separately review each and every application to the department for a permit to carry a concealed weapon under California Penal Code Sections 12050 through 12054 and may impose any reasonable restrictions deemed warranted, as indicated in these sections.

To assist this agency in determining the competency and need for a person to carry a concealed weapon, the following procedures will be required:

1. Upon application to the Suisun City Police Department on the form (Form BCIA 4012) prescribed by the Attorney General, pursuant to California Penal Code Section 12051, extreme and aggravated circumstances shall not be deemed to exist unless all of the following conditions are attested to by the applicant in a signed statement presented to the Suisun City Police Department.
 - A. That the applicant is a bonafide permanent resident of the City of Suisun City.
 - B. A statement of facts from which the Suisun City Police Department could find that there is clear and present danger that the life or personal safety of the applicant is in serious and immediate danger.

Specific information regarding the need (reason) for the CCW permit must be given. "Hunting, fishing, self-protection" will NOT be an acceptable reason for issuing a CCW permit. California Penal Code Section 12027(g) specifically allows licensed hunters or fishermen, while engaged in hunting or fishing, or while going to or returning from such hunting or fishing expedition, to carry a concealed weapon (unloaded) without a CCW permit.

California Penal Code Sections 12031 (h) through 12031(1) specifically allows a person to possess a loaded weapon within a person's place of business, or in lawful possession of private property, or where it is lawful by a person who reasonably believes that the person or property of himself or another is in immediate danger and that the carrying of such weapon is necessary for the preservation of such person or property. Nor is it unlawful to have a loaded weapon at his place of residence, including temporary residence or campsite.

Therefore, unless there are "special" circumstances (good cause), a CCW permit will not be issued for "hunting, fishing, or self-protection" reasons.

- C. A concise statement of facts from which the Suisun City Police Department could make a determination that there is no other means whereby the personal safety of the applicant could otherwise be assured.
- D. That the applicant has successfully completed a course of training in the carrying and use of firearms established pursuant to either California Penal Code Section 832 or California Business and Professions Code Section 7514. 1, or has demonstrated knowledge and proficiency with the Firearm for which a permit is being sought and this has been certified by a recognized range master designated by the Suisun City Police Department.

- E. That the applicant has no history of mental or emotional condition, alcoholism, drug abuse or addiction.
 - F. That the applicant has never committed a felony or serious misdemeanor or engaged in any conduct from which the Suisun City Police Department could find that the applicant is not of good moral character.
 - G. That the applicant has never had a permit to carry a concealed weapon suspended or revoked by any issuing authority.
2. The term of the permit, if granted, shall not exceed one year and shall begin on the day that the applicant receives notification by the Suisun City Police Department that the application process has been completed and necessary approval granted.
3. Suisun City Police Department may attach such conditions in the reasonable exercise of its discretion as it deems appropriate, including, but not limited to:
- A. The type of firearm to be carried.
 - B. The type of ammunition to be permitted.
 - C. The times of day when the firearm may be carried and concealed.
 - D. Limiting the carrying of the concealed firearm to occurrence of those circumstances when a specified dangerous activity is to be encountered and for which the applicant has sought the permit.
4. In the event there are "special" circumstances and an application for a CCW permit is accepted and processed, and a CCW permit is subsequently issued, the following restrictions will apply to all CCW permits:

The carrying of a concealed firearm by authority of a CCW permit is **not authorized** when:

- A. Attending social or public functions.
- B. Consuming alcoholic beverages.
- C. Visiting premises where alcoholic beverages are sold or dispensed.
- D. Under medical or psychiatric care.
- E. At airports or on aircraft.
- F. At any location where firearms are prohibited.

5. The CCW permit does not excuse or justify any behavior, which might otherwise be in violation of any other law pertaining to weapons.
6. The permit, if granted, shall lapse by operation of law if the permittee is convicted by final judgment of a felony or a serious misdemeanor, including driving under the influence of alcohol or drugs.
7. The applicant may be required to furnish proof of applicant's medical and psychological fitness in a manner to be prescribed by the Police Department. This shall include certification of the applicant's eyesight to meet the standards established by the California Department of Motor Vehicles for issuance of driver's license.
8. If any section, subsection, sentence, clause, phrase or portion of this policy is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this policy.

NOTE: Applicants should understand that the processing of non-criminal fingerprinting submissions requires several weeks. A minimum of 90 days processing time can be anticipated on original applications. Your patience will be greatly appreciated since these are factors beyond our control.

Suisun City Police Department
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All Carrying Concealed Weapon applicants are required to furnish the following letters and Certifications.

- Letter from physician or psychiatrist stating of sound mind and not a threat to himself/herself or others.
- Letter from a member of the profession who is personally acquainted with applicant, attesting to applicants character
- Letter from employer
- Approval letters from C.O.P. and/or Sheriff of all outside agencies included in scope of C.C.W.

Copies of course completions. (832 P.C., 7514 B&P, Hunter Safety)