VENTURA COUNTY SHERIFF'S OFFICE NON-CALIFORNIA RESIDENT LICENSE TO CARRY CONCEALED WEAPONS POLICY

Ventura County Sheriff's Office (VCSO) policy titled **"Non-Resident Carry Concealed Weapons License (CCW)"**, is hereby revised and re-adopted as of April 22, 2025, by Sheriff Jim Fryhoff and shall constitute the policy and practices of the VCSO relating to licenses and applications for non-California resident licenses to carry firearms per the U.S. District Court Order issued in *California Rifle & Pistol Association, Inc., et al. v. Los Angeles County Sheriff's Department, et al.,* No. 2:23-cv-10169-SPG (the "Order").

1. PURPOSE AND SCOPE

Under the Order, the Sheriff upon poof that the person applying is not a disqualified person, as determined in accordance with the standards set forth in Cal. Penal Code § 26202, that the applicant is at least 21 years of age, and has completed a course of training (as set forth in this policy) may issue to that person a **carry concealed weapons license (CCW)**. This policy will serve as the Office's written process for the application and issuance of such licenses. Pursuant to Cal. Penal Code § 26160, this policy shall be made accessible to the public.

2. QUALIFIED APPLICANTS

In order to be approved for Non-resident Concealed Weapons License, the applicant **must** meet the following requirements:

- a. Be a resident of the states, and/or U.S. territories outside of California
- b. Attest to Under Oath that the applicant intends to spend time in Ventura County within the subsequent twelve months.
- c. Be a member and provide proof of current membership to one of the following organizations:
 - i. The California Rifle & Pistol Association, Inc.
 - ii. Gun Owners of America, Inc.
 - iii. Gun Owners of California, Inc., or
 - iv. The Second Amendment Foundation
- d. Be not otherwise prohibited from possessing firearms under Federal or California law.
- e. Be not a disqualified person to receive such a license, as determined in accordance with the standards set for in Cal. Penal Code § 26202(a)(1-10).
- f. Be at least 21 years of age and presents clear evidence of the person's identity and age, as defined in Cal. Penal Code § 16400.
- g. Currently own a firearm that can legally be carried within the State of California.
- h. Complete an application that will include substantial personal information, much of which may be subject to disclosure under the California Public Records Act.
- i. Provide fingerprints and successfully complete a criminal background check.
- j. Pay all required fees in the manner prescribed in this policy.
 - i. Note: Fees are non-refundable in the event disqualifying information is discovered.
- k. Complete the required training.

3. APPLICATION PROCESS

The application process for a CCW shall consist of **four phases**. The applicant shall promptly complete all requirements of one phase before proceeding to the next;

- a. PHASE ONE APPLICATION AND INITIAL FEES
 - i. New Non-resident applicants (those who live in a State outside of California or in U.S. territories outside of California), shall fully complete a DOJ standard application form (BOF 4012, Revised 01/2024) and pay the initial fees.
 - A. Non-resident Standard Application forms will be completed and submitted on VCSO's website at: <u>www.venturasheriff.org</u>.
 - B. The VCSO will not accept incomplete applications. Additionally, applicants must provide a valid driver's license or identification card from their State of residence. If applicant's driver's license or identification card does not set for the applicant's current address, the applicant can consistent with policy for state resident applicants submit other reliable documentation, including current utility bills, current out-of-state CCW license with a correct address, or other reasonable indica of ongoing residency matching the address provided on the application.
 - C. Any person who files an application knowing that statements contained therein are false is guilty of a misdemeanor/felony.
 - D. Any person who knowingly makes a false statement on the application regarding any of the following shall be guilty of a felony:

The denial or revocation of a license, or the denial of an amendment to a license, issued pursuant to Cal. Penal Code § 26150, et seq.; a criminal conviction; a finding of not guilty by reason of insanity; the use of a controlled substance; a dishonorable discharge from military service; a commitment to a mental institution; a renunciation of United States citizenship.

- E. The applicant shall be required to pay an initial application fee in the amount of \$220 when the application is completed online. Fees are to be paid online and are subject to a service fee.
- F. The remaining balance of the local fee of \$220 shall be required to be paid online only if the application is approved and prior to the license being mailed to the applicant.
- G. For the purposes of this policy, all fees are to be paid through the VCSO's website and are subject to a service fee.
- ii. Non-resident Renewal applicants who have an active CCW issued by the VCSO, and whose fingerprints and DOJ fee HAVE BEEN previously sent to the DOJ shall apply for a CCW as follows:
 - A. Submit 120 days prior to the expiration of their license,
 - a. Non-resident Standard Renewal Application forms will be completed and submitted on VCSO's website <u>www.venturasheriff.org</u>
 - B. The applicant shall submit with the renewal request their payment in the amount of \$152.00 for the renewal fees, which includes a \$100.00 local fee in addition to a \$52.00 DOJ background check fee. Fees are to be paid through VCSO's website and are subject to a service fee.

- C. Renewal applicants who fail to submit their application on or before the date of permit expiration are subject to re-applying as a new applicant.
- iii. PREVIOUSLY DENIED APPLICANTS who's application denial was upheld during a hearing by a court, may file a subsequent application for a license no sooner than two years from the date of the hearing per Cal. Penal Code § 26206(g).

b. PHASE TWO - FINGERPRINTING & BACKGROUND CHECK

- i. Non-resident applicants should seek out fingerprinting services in their area such as local law enforcement agencies or local live scan providers in the applicant's state of residence as many of them may provide hard card fingerprinting. Each state may have different fingerprint providers. It is recommended the applicant seek out their state fingerprinting authority for a list of providers that provide hard card services.
 - A. Non-resident applicant's local law enforcement agency will supply the FBI Form FD-258 fingerprint card. <u>The card must be on cardstock</u> to avoid processing issues.
 - B. The Non-resident applicant will complete each required field on the FBI Form FD-258 by typing or legibly printing using blue or black ink. If the fields are not legible or not complete, VCSO may reject the form.
 - C. The required fields for FBI Form FD-258 are: Name, Originating Agency Identifier (ORI), Agency Name and Address, Date of Birth, Place of Birth, Sex, Miscellaneous No. (must provide Driver's License or Identification Number), Signature of Person Fingerprinted, Signature of Official Taking Fingerprints, Date Fingerprinted, Reason Fingerprinted (list CCW Applicant Type: Standard or Judicial and the Type of License: Concealed Weapon License), and proper completion of fingerprint impression boxes.
 - D. Non-resident applicants will enter the ORI CA0560000 on the FBI FD-258 fingerprint card to ensure the background results are sent to VCSO. <u>(An example of how the card should be filled out is pictured at the end of the policy.)</u>
- ii. Once complete, Non-resident applicants must mail the completed FBI Form FD-258 to VCSO. Pursuant to Cal. Penal Code § section 26190, Non-resident applicants must include the fees for the direct costs of furnishing the information and report required by Cal. Penal Code § 26185. VCSO will in turn mail the FBI Form FD-258 to DOJ.
 - A. Fees are to be paid by <u>personal check or money order</u>. Payable to "VCSO".
 - a. Fee for a Standard license is \$93.
 - b. Fee for a Judicial** license is \$115.

**Must be a judicial officer as described in Cal. Penal Code § 26220 (c)

- B. Fingerprint cards and payment are to be mailed to:
 - Ventura County Sheriff's Office CCW Unit 800 S. Victoria Ave., L#3300 Ventura, CA 93009

- iii. DOJ will mail to the Department a report of all data and information pertaining to any applicant, of which there is a record in its office, including information as to whether the person is prohibited by state or federal law from possessing, receiving, owning, or purchasing a firearm.
- iv. Subsequent to submission of the application and fingerprints, the applicant will be contacted for an interview appointment by the investigator to determine the completeness of the application and provide time to clarify and interpret the information provided. The interview will be conducted virtually by both audio and video. Please allow at least 45 minutes to one hour for the interview appointment.

c. PHASE THREE – DETERMINATION

- i. Non-resident applicants who are approved must pay the remaining balance of \$220 which is the local fee and complete the required training in accordance with Section 4, "Training", of this policy within 90 days from the date of the conditional approval letter. It shall be the applicant's responsibility to submit the original test and qualification scores by e-mail to: vcso.ccw@ventura.org
- ii. The issued license shall set forth the licensee's full name, driver's license number or identification number, Criminal Identification and Information number, occupation, residence and business address, the licensee's date of birth, height, weight, color of eyes and hair, and indicate the type of license issued as it relates to Cal. Penal Code § 26220, including license issuance and expiration date, and shall, in addition, contain the licensee's fingerprint, a picture of the licensee, and a description of the weapon or weapons authorized to be carried, detailing the name of the manufacturer, the model, the serial number, and the caliber.
 - A. A "standard" license is valid for a period not to exceed two years.
 - B. A "judicial" license issued to a state or federal magistrate, commissioner, or judge will be valid for a period not to exceed three years.
- iii. The licensee is required to always carry the license on their person when they are carrying an approved concealed firearm.
- iv. The licensee shall present the license to a Peace Officer upon request.
- v. A license may include any reasonable restrictions or conditions which the Sheriff deems warranted, including restrictions as to the time, place, manner, and circumstances under which the person may carry a pistol or revolver. Any such restrictions shall be indicated on the license issued.
- vi. The license shall be revoked at any time either the VCSO determines or is notified by DOJ that the licensee is prohibited by state or federal law from owning or purchasing a firearm, has breached any of the conditions or restrictions set forth or imposed in accordance with Cal. Penal Code § 26200, any information provided by a licensee in connection with an application for a new or renewal license is in accurate or incomplete, or a licensee has become a disqualified person and cannot receive such a license, as determined in accordance with the standards set forth in Cal. Penal Code § 26202.
- vii. If the VCSO revokes the license, the DOJ shall be notified of the revocation. The licensee shall also be immediately notified of the revocation in writing or electronic mail. Fees collected during the application process will not be refunded in case of revocation.

4. TRAINING

- a. For new non-resident license applicants, course shall be performed by a VCSO approved CCW instructor and be no less than 16 hours in length and available online. The course shall include instruction on firearm safety, firearm handling, shooting technique, safe storage, legal methods to transport firearms and securing firearms in vehicles, laws governing where permit holder may carry firearms, laws regarding the permissible use of a firearm, and laws regarding the permissible use of lethal force in self-defense. The course shall include a component, no less than one hour in length, on mental health and mental health resources. Applicants will be required to pass a written examination to demonstrate their understanding of the covered topics.
- b. It is the non-resident applicant's responsibility to seek out a range near them for the livefire shooting qualification portion of the training. The course shall include live-fire shooting exercises on a firing range and shall include a demonstration by the applicant of safe handling of and shooting proficiency with each firearm that the applicant is applying to be licensed to carry (see section 7 for qualification standards).
- c. **For non-resident license renewal applicants**, the course shall be taught by a VCSO approved CCW instructor and be no less than 8 hours in length. The course shall meet all other requirements as described above for new license applicants.
- d. Proof of completion of the online training shall be submitted by the applicant to VCSO along with proof of completion of the live-fire shooting qualification. The live-fire shooting qualification form shall be **signed by both the range instructor and applicant**.
- e. Training qualifications are valid six months from the date of the course.
- f. A list of VCSO-approved CCW firearms trainers who have online training available shall be made available with each copy of the application provided by the VCSO as well as at its website at: www.venturasheriff.org

5. AMENDMENTS TO LICENSES

- Any licensee may apply to amend a license at any time during the period of license validity by completing and submitting a standard DOJ "Modification of License" form along with the local processing fee of \$10 payable online and subject to a service fee. The form must be submitted and paid online at: <u>www.venturasheriff.org</u>
- b. Licensees may apply for an amendment for any or all of the following reasons:
 - i. In the event of a damaged/lost/stolen firearm, licensee may request an amendment to add a different firearm. Licensee will need to contact VCSO for approval.
- c. In the event that any amendment to a valid license is approved by the Sheriff, a new license will be issued reflecting the amendment(s).
- d. An amendment to any license will not extend the original expiration date, and an application for an amendment does not constitute an application for renewal of the license.

6. AGENCY REPORTING AND RECORDS

- a. Pursuant to Cal. Penal Code § 26225, the Department shall maintain a record of the following and immediately provide copies of each to the DOJ:
 - i. The denial of a license;
 - ii. The denial of an amendment to a license;
 - iii. The issuance of a license;

- iv. The amendment of a license;
- v. The revocation of a license.
- b. The VCSO shall annually submit to the State Attorney General the total number of licenses issued to Reserve Peace Officers and Judges.
- c. Applications, licenses, and related documents may be public records and subject to disclosure under the California Public Records Act.

7. AGENCY QUALIFICATION STANDARDS

- a. Pursuant to Cal. Penal Code § 26165(3)(b), a licensing authority shall establish, and make available to the public, the standards it uses when issuing licenses with regards to the required live-fire shooting exercises.
 - i. Live-fire Qualification
 - A. Must pass complete course with each weapon approved for carry.
 - B. Target: NRA Standard B-27 or IPSC target.
 - C. Round Count: 16
 - D. Course of Fire: 4 rounds at each specified distance in 2 round intervals.
 - E. Time: 5 seconds at 3, 7, and 10 yards. 15 seconds at 15 yards.
 - F. Firing Distance: 3 yards, 7 yards, 10 yards, and 15 yards.
 - G. Passing score is all rounds on target, no complete misses.
 - H. The student shall be required to demonstrate the ability to safely load and unload their firearm.

8. REQUIRED DOCUMENTS

- a. At time of application submittal, applicant is required to provide the following documents:
- b. Current State of residence driver's license or identification card.
 - i. If the Non-resident applicant's driver's license or identification card does not set forth the applicant's current address, the applicant can—consistent with the policy for state resident applicants—submit other reliable documentation, including current utility bills, current out-of-state CCW license with a correct address, or other reasonable indicia of ongoing residency matching the address provided on the application.
- c. Proof of membership to one of the following organizations:
 - i. The California Rifle & Pistol Association, Inc.
 - ii. Gun Owners of America, Inc.
 - iii. Gun Owners of California, Inc., or
 - iv. The Second Amendment Foundation
- d. Photos of the firearms you wish to carry. The photos must clearly include the serial number of the firearm.
- e. A passport photo to be mailed with the FBI Form FD-258.
- f. It is the applicant's responsibility to ensure all required documentation is uploaded at the time of application submission. *Failure to upload any of the required documents could* result in the delay or denial of your application.

9. FIREARMS RESTRICTIONS

a. VCSO currently allows up to five firearms to be listed on a license. Applicant must qualify in the caliber in which they intend to carry.

- i. If a firearm can be carried in multiple calibers (i.e. 9mm/.40), applicant must qualify with each caliber they intend to carry.
- b. Firearms currently <u>not</u> allowed on licenses:
 - i. FN Five SeveN
 - ii. .22 caliber Derringers (including the North American Arms .22LR)
 - iii. .50 caliber Desert Eagles
 - iv. AR Pistols or Rifles
 - v. Anything that is a .454 Casull

EXAMPLE OF FBI FD-258

