

SAN JOSE POLICE DEPARTMENT

TRAINING BULLETIN

TO: ALL DEPARTMENT PERSONNEL

FROM: Anthony Mata Chief of Police

SUBJECT: Concealed Carry License Civilian ID Card

DATE: February 16, 2023

Bulletin# 2023-010

On June 23, 2022, the United States Supreme Court issued its decision in New York State Rifle & Pistol Association v. Bruen, in which it expressly stated that it is constitutional for states to require a license to carry a firearm in public. Criminal statutes penalizing the unlicensed carrying of firearms in public remain valid and enforceable after Bruen. Bruen does not affect the validity of California's other firearms safety laws.

While the California State Legislature is considering amendments to the Penal Code, the United States Supreme Court decision is currently in effect.

On December 29, 2022, the Department revised Duty Manual Chapter L 8600--Carrying a Concealed Weapons License (CCW). The Permits Unit will be issuing two documents to residents who receive a CCW License. The first is a CCW Civilian ID card and the second is form FD 4501—Carry Concealed Weapon License.

The license number will be issued by the Permits Unit. The back of the card provides the licensee's description, residential address and two handguns that have been authorized to be carried. A sample card is available to view at the Permits Unit.

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Licensees must also carry and show form FD 4501, which lists the restrictions for carrying a concealed weapon. The San Jose Police Department CCW general restrictions, which are applicable to all licensees, prohibit the licensee from:

- 1. Consuming any alcoholic beverage while armed.
- 2. Falsely representing him/herself as a peace officer.
- 3. Unjustified or unreasonable displaying of a firearm.
- 4. Committing any crime.
- 5. Being under the influence of any medication or drug while armed.
- 6. Interfering with any law enforcement officer's duties.
- 7. Refusing to display his/her license or firearm for inspection upon demand of any peace officer.
- 8. Loading the permitted firearm with illegal ammunition.
- 9. No permitted weapon is allowed where weapons are prohibited by law.
- 10. No permitted weapon is allowed at locations where a sign is posted prohibiting weapons.
- 11. No permitted weapon is allowed at any City of San José operated building, facility, or workplace.
- 12. CCW Permit shall NOT be copied or altered in any manner or form.

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

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FD 4501 Example:



License Revocation:

Any license issued pursuant to this policy may be immediately seized by any police officer and returned to the San José Police Department, Office of the Chief of Police, for any of the following reasons:

1. The licensee has violated any of the restrictions or conditions placed upon the license.

2. The licensee becomes psychologically unsuitable to carry a firearm.

3. 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 other state or federal law prohibiting a person from owning or possessing a firearm.

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4. The licensee engages in any conduct which involves a lack of good moral character for the original issuance of the license.

Officers who have revoked a license should write a report and provide the case number to the Office of the Chief along with the CCW license and FD 4501 form. Officers may contact the Permits Unit with any questions regarding CCW Civilian licenses.

The CCW policy can be found on the Department's public website: <u>https://www.sjpd.org/records/documents-policies/ccw-procedures</u>

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Anthony Mata Chief of Police

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