



**SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA**

**SANDRA HUTCHENS
SHERIFF-CORONER**

**UNDERSHERIFF
JOHN L. SCOTT**

**EXECUTIVE COMMAND
JACK ANDERSON
JOHN B. DAVIS
RICK DOSTAL
MICHAEL R. HILLMANN
MIKE JAMES**

550 N. FLOWER STREET
P.O. BOX 449
SANTA ANA, CA 92702-0449
(714) 647-7000

March 24, 2009

The Honorable Kim Dunning
Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92702

Subject: Response to the Orange County Grand Jury Report "Let the Sheriff Do Her Job."

Judge Dunning:

In accordance with California Penal Code sections 933 and 933.05, enclosed please find the Orange County Sheriff's Department response to the above referenced FY 08-09 Grand Jury Report.

If you have any questions regarding this response document, please contact Assistant Sheriff Jack Anderson at (714) 647-1801.

Respectfully,


SANDRA HUTCHENS
Sheriff-Coroner

cc: James R. Pe'rez, Grand Jury Foreman
Members, Board of Supervisors
Thomas G. Mauk, County Executive Officer

PROUDLY SERVING THE UNINCORPORATED AREAS OF ORANGE COUNTY AND THE FOLLOWING CITIES AND AGENCIES:

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RANCHO SANTA MARGARITA • SAN CLEMENTE • SAN JUAN CAPISTRANO • STANTON • VILLA PARK
OC PARKS • DANA POINT HARBOR • JOHN WAYNE AIRPORT • OCTA • SUPERIOR COURT

**DRUG USE
IS
LIFE ABUSE**



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March 23, 2009

James R. Perez
Grand Jury Foreperson
700 Civic Center Drive West
Santa Ana, CA 92701

Dear Mr. Perez:

The Orange County Sheriff's Department (OCSD) has received your report dated February 24, 2009 titled, "Let The Sheriff Do Her Job." After reviewing your findings and recommendations the OCSD is providing the following response.

F. 1

The California Penal Code gives the Sheriff the power to establish both a policy and an application process for the issuance of concealed weapons permits/licenses. This includes the power to revoke prior licenses/permits not issued in conformity with the code.

Response

Agree with the finding.

The California Penal Code, section 12050 gives the Sheriff the authority to issue licenses to carry concealed weapons (CCW) to citizens of the County who meet the requirements set forth therein. As an elected official the Sheriff fully understands the penal code requirements and issues CCW licenses consistent with California Law.

However, the authority and discretion provided to the Sheriff should not be used as a means to subvert or circumvent California law, which prohibits the carrying of a concealed firearm in a public place. As Sheriff, I have implemented a policy in compliance with the law and determined that the majority of current CCW license holders in fact do possess the necessary good cause to retain their license under the new policy.

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Some current CCW license holders will not retain their licenses because they lack the good cause requirements. Such reasons such as transporting a firearm to a public shooting range or doing business in certain cities of the County where the crime rate is higher are a couple of the good cause arguments put forward by some current holders who will not retain their licenses. All persons subject to losing their CCW licenses have been provided with the opportunity to further justify their good cause.

As Sheriff, I have and will continue to issue CCW licenses to applicants who possess a safety risk greater than the general public. The current CCW policy has not nor will it impact a person's second amendment right to own or possess a firearm.

R. 1

Allow the Sheriff to continue her legally permissible actions in establishing a CCW license permit policy and the adherence to an application process. This includes the possible revocation of permits issued by the prior Sheriff and the review of each applicant to insure compliance with the mandates of the penal code as to "good cause", training, good moral character and residency.

Response

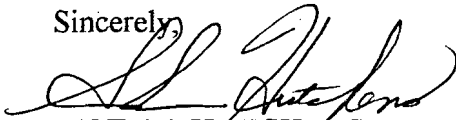
The recommendation has been implemented.

To ensure fair and equitable distribution of CCW licenses, I have established a policy that allows for consistency in the CCW licensing process. The policy was developed in consultation with policy subject matter experts and County Counsel. Industry standards and past issuance criteria were also considered.

The current policy establishes clear guidelines for the issuance and/or the renewal of CCW licenses that are consistent with California law while keeping the needs and protection of the citizens of Orange County in mind. All CCW license applications and renewals are and will be thoroughly reviewed to ensure that application process requirements are met, to include meeting the necessary good cause standard.

The CCW policy requirements will apply to all CCW license holders and applicants regardless of political, social or other non-relevant reasons.

Sincerely,


SANDRA HUTCHENS
Sheriff-Coroner