Sheriff’s CCW Policy Following Court’s Grant of Rehearing in Peruta Case

SANTA ANA, Calif. – (March 27, 2015) – On Thursday, March 26, 2015, the Ninth Circuit Court of Appeals voted to rehear “en banc” the case of Peruta v. County of San Diego. In February 2014, a three-judge panel split 2 – 1 and held that a Sheriff’s policy requiring more than “self-defense” or “personal protection” to meet the “good cause” requirement for a concealed weapon license violates the Second Amendment’s right to keep and bear arms.

In remaining consistent with the law and respecting the court’s previous opinion, Sheriff Hutchens has been issuing CCW Licenses and citing the three-judge panel opinion as authority for the “good cause” requirement. Based on yesterday’s vote to rehear the case, the three-judge panel opinion can no longer be cited as authority. In response to the court’s decision, Sheriff Hutchens will require all new applicants and those applicants currently in the process to articulate their safety concerns and provide supporting documentation in accordance with Orange County Sheriff’s Department Policy #218 – License to Carry a Concealed Weapon. CCW Licenses issued under the previous Peruta standard of “good cause” are lawful and will NOT be recalled; however, supplemental “good cause” may be required at time of renewal.

Prospective CCW License applicants are required to submit “good cause” statements and supporting documentation with their application in accordance with Policy #218. Applicants currently in the process will be contacted by the Sheriff’s Department’s CCW Unit to request additional information, if required. Applications approved after Thursday, March 26, 2015 will be subject to the “good cause” requirement in Policy #218.

Sheriff Hutchens is committed to remaining consistent with the law while respecting the opinion and decisions of the court. The Department will remain vigilant in monitoring the progression of this case through the court process as we remain unwavering in our commitment to deliver service to the citizens of Orange County.

For additional information and Orange County Sheriff’s Department Policy #218:

http://ocsd.org/about/info/services/ccw

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