



RESOLUTION NO. 196-2009
OF THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO
Concealed Carry Weapons License (CCW)

WHEREAS, the Second Amendment of the Constitution of the United States states, “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.”; and

WHEREAS, the Fourteenth Amendment of the Constitution of the United States sets forth, “no state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws”; and

WHEREAS, the El Dorado County Sheriffs’ Office can not be expected to respond in a meaningful timeframe to prevent a criminal attack on its citizens due to the expansive nature of our county; and

WHEREAS, the El Dorado County Sheriffs’ Office is facing recession related budget cuts and a reduction in the number of patrol deputies available to respond in emergency situations, such as criminal attacks; and

WHEREAS, California State law (12050 PC) allows county sheriffs and chiefs of police to issue a license to law abiding citizens to carry a concealed weapon (CCW); and

WHEREAS, El Dorado County applicants for a CCW license that have met all statutory requirements may be issued a CCW license solely at the discretion of the El Dorado County Sheriff; and

WHEREAS, The El Dorado County Sheriff has begun imposing new restrictions and conditions beyond those restrictions and conditions stated in California State law; and

WHEREAS, Current El Dorado County CCW license holders have met all statutory requirements and have held their CCW license without any evidence of abuse or misuse; and

WHEREAS, the current “May Issue” policy of the El Dorado County Sheriff’s Office for the issuance of CCW licenses is perceived by many citizens as arbitrary and subjective; and

WHEREAS, a “Shall Issue” policy has been adopted by the majority of States in the Union for the issuance of CCW licenses fairly removes politics from this life saving process; and

WHEREAS, the El Dorado County Board of Supervisors recognizes the Sheriff’s statutory discretion in defining the policy controlling the issuance and renewal of CCW licenses; and

WHEREAS, The El Dorado County Board of Supervisors has supported citizens rights to keep and bear arms with previous resolutions to support Friends of NRA Day and Bill of Rights Day.

NOW, THEREFORE, BE IT RESOLVED that the El Dorado County Board of Supervisors requests that the duly elected or appointed El Dorado County Sheriff adopt and maintain a fair and equitable policy for the issuance of CCW licenses that is in compliance with California State Law in order to ensure that our citizens' Constitutional rights are protected.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held the 25 day of August, 2009, by the following vote of said Board:

Ayes: Sweeney, Nutting, Knight, Briggs, Santiago

Noes: none

Absent: none

Attest:

Suzanne Allen de Sanchez

Clerk of the Board of Supervisors

By: _____

Deputy Clerk

Vice Chairman, Board of Supervisors

Raymond Nutting

I CERTIFY THAT:

THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE.

Attest: Suzanne Allen de Sanchez, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By: _____

Deputy Clerk

Date: _____