

RESOLUTION OF THE BOARD OF SUPERVISORS OF
EL DORADO COUNTY, CALIFORNIA

Date: August 25, 2009

WHEREAS, the Second Amendment of the Constitution of the United States guarantees the individual right of citizens to bear arms; and

WHEREAS, the Second Amendment of the Constitution guarantees the right of personal defense: and

WHEREAS, the Fourteenth Amendment of the Constitution of the United States guarantees that 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, credible studies, such as Professor John R. Lott, Jr., PhD "More Guns Less Crime", demonstrate a positive correlation between less restrictive "Shall Issue" policies for the issuance of Concealed Carry Weapon (CCW) licenses and lower crime rates; and

WHEREAS, the El Dorado County Sheriffs' Department can not be expected to respond in a meaningful timeframe to prevent a criminal attack; 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 licenses 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 pleasure 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 licenses 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 politically subjective; and

WHEREAS, a "Shall Issue" policy, as has been adopted by the majority of States in the Union, for the issuances of CCW licenses fairly removes politics from this live 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

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

“Shall Issue” policy for the issuance of CCW licenses that is no more restrictive than California State Law in order to ensure that our citizens’ Constitutional rights are protected.