

## Why Orange County Residents Are Concerned About CCW

In regards to CCW, Sheriff Hutchens has stated she will 'follow the law'. While this may seem a perfectly appropriate answer, those who have followed the issue of CCW in California recognize it as code for 'You had better be someone special if you want a CCW.'

Sheriff Hutchens' law enforcement experience comes from Los Angeles County. She has given indications that her new CCW policy will be more restrictive. It is not beyond reason to anticipate that it will resemble what exists in Los Angeles County. Orange County residents do not want to see that. Why? The statistics below may provide some insight.

### **The Los Angeles Factor**

As of late 2006 (the latest figures obtained by a Public Records Act Request), the Los Angeles Sheriff's Department has issued 387 CCW Licenses. Have they issued those fairly? Do the issuances represent the community?

-Of the 387 CCWs issued, only 22 have gone to women, and most of those are judges.

-Residents of Compton, one of the poorest and most dangerous cities in Los Angeles County, have been issued zero (0) CCWs. Residents of Malibu, one of the richest and safest cities in Los Angeles County, have been issued ten (10) CCWs.

-Lynwood, Commerce, Hawaiian Gardens, South El Monte, Bellflower, Paramount, with a combined 60 murders and 118 rapes, have zero (0) CCWs issued. Rancho Palos Verdes, Pacific Palisades, San Marino, Manhattan Beach, Palos Verdes Estates, with a combined 2 murders and 10 rapes, have thirty-two (32) CCWs.

### **Being Prepared**

In a recent interview, Sheriff Hutchens stated that she feels safe in Orange County, and that, even though she is permitted to carry a concealed weapon, she often doesn't. But she has that option to do so if she so chooses, something many in Orange County will not have if a more restrictive policy is put into place.

And we all know that we do not get to choose when and where crime will occur. The incident where a woman was raped along Interstate 5 in San Juan Capistrano highlights this clearly. Rapists and murderers do not make appointments. A call to 911 can be nothing more than the report of a dead body, or a sexual assault already committed.

In addition, residents of Orange County often travel out of county, to areas which are far less safe. These are realities because of work or family commitments. Even when wanting to avoid potential threats, something responsible CCW Licensees do as a matter of practice, we cannot bring a safe bubble with us when away from home.

Sheriff Hutchens also recently made statements saying South County residents should not be complacent even though they live in a safe area. Not allowing law abiding citizens the ability to adequately defend themselves flies in the face of this warning against complacency.

### **Fairness and Trust**

California requires that a person establish 'Good Cause' for issuance of a CCW. The discretion as to what constitutes Good Cause is left to individual County Sheriffs and Chiefs of Police. Many California Sheriffs accept 'for personal protection' as sufficient Good Cause, including those from Kern and San Bernardino counties. In other words, a resident of Chino Hills who commutes to Orange County can legally carry a concealed weapon here with their San Bernardino CCW, as well as throughout the state. Should law abiding residents of Orange County be trusted any less than those of San Bernardino? Or Kern? Or any of the other counties that issue for personal protection?

A restrictive system, by its very nature, creates a 'special class' of residents who will be issued, most notably judges. The *Salute vs Pitchess* ruling in 1976 clearly directed that no special class of citizens can exist for issuance, and that a Sheriff must exercise discretion equally. Beyond any legal reasoning, the basic issue of fairness comes into play. Should a judge's life, or the lives of his or her loved ones, be considered of greater value than those of truck drivers, or single mothers, or realtors?

### **The Big Question**

Will Orange County lead, or lag? With forty states falling into the 'shall issue' category where CCWs must be issued to non-prohibited persons, and in light of the recent Supreme Court ruling which states that the Second Amendment guarantees an '*individual right to possess and carry weapons in case of confrontation*', California's arbitrary and capricious application of CCW issuance via a patchwork of varying levels of discretion at the county level is bound to be challenged in Federal Court in the near future. The Sheriff is within her rights to ignore this and perpetuate a system that may very well be found in violation of both the Second and Fourteenth Amendments. Or she can take the lead and recognize that the law abiding residents of Orange County value these rights, and are trustworthy stewards of them.

In light of Supervisor Moorlach's greatly appreciated statements supporting both the Second Amendment, and the current CCW issuance system in Orange County, which he said "is working well," we hope that he will be a forceful advocate for the rights of those citizens he represents in this matter of great concern to us all.