



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



582.05 LEGAL CARRY INTERACTION 05-15-2025

PURPOSE

The purpose of this order is to establish guidelines when interacting with members of the public who are legally carrying firearms during police interactions.

POLICY

It shall be the policy of the Sacramento Police Department (SPD) that all officers interacting with members of the public legally carrying firearms are safe, professional, and respectful. Officers should remember that a person legally carrying a firearm has not committed a crime and lawfully exercising their Second Amendment right.

PROCEDURE

A. CONCEALED CARRY WEAPONS (CCW) LICENSE

1. California is a shall-issue state and a CCW license shall be granted after an applicant meets licensing criteria in accordance with Penal Code §§ 26150 and 26155. Licenses may be issued by the sheriff of the county or the chief of police of the city in which the applicant resides.
2. CCW applicants shall be at least 21 years of age, meet residence requirements, complete a course of training (Penal Code § 26165), be the recorded owner of the firearm listed on the CCW license, and not be a disqualified person Penal Code § 26202).
3. Prior to CCW license issuance, CCW applicants shall be required to submit to fingerprinting and a criminal history check performed by the California Department of Justice (DOJ). CCW licensing authorities may perform a background check and require the applicant to undergo psychological testing as a part of the application process (Penal Code § 26190).
4. In accordance with Penal Code § 26175(i), CCW license information includes personal identification information and description of the firearms authorized to be carried concealed (manufacturer, serial number, and caliber).
5. In accordance with Penal Code § 26230(b), a CCW licensee may transport a firearm and ammunition within their vehicle so long as the firearm is locked in a lock box in an area normally prohibited under Penal Code § 26230(a).
6. In accordance with Penal Code § 26200, CCW license holders shall not:
 - a. Consume or be under the influence of an alcoholic beverage, medication, or controlled substance as described in Health and Safety Code §§ 11053 to 11058.
 - b. Be in a place having a primary purpose of dispensing alcoholic beverages for onsite consumption.
 - c. Carry a firearm not listed on the license or a firearm for which they are not the recorded owner. This paragraph does not apply to a licensee who was issued a license pursuant to Penal Code §26170, in which case they may carry a firearm that is registered to the agency for which the licensee has been deputized or appointed to serve as a peace officer, and the licensee carries the firearm consistent with that agency's policies.
 - d. Falsely represent to a person that the licensee is a peace officer.
 - e. Engage in an unjustified display of a deadly weapon.
 - f. Fail to carry the license on their person.
 - g. Impede a peace officer in the conduct of their activities.
 - h. Refuse to display the license or to provide the firearm to a peace officer upon demand for purposes of inspecting the firearm.



SACRAMENTO POLICE DEPARTMENT

GENERAL ORDERS



- i. Violate any federal, state, or local criminal law.
- j. Carry a concealed firearm in violation of any restrictions listed on the authorized license or at any of the locations in accordance with Penal Code § 26230.
7. Procedures for obtaining a CCW license shall be in accordance with General Order 370.02 (Concealed Weapon License).

B. PRIVATE SECURITY GUARDS

1. The California Bureau of Security and Investigative Services (BSIS) is responsible for licensing and issuing firearms permit to private patrol operators, private security guards, alarm company employees, and private investigators in accordance with Penal Code § 26030(d).
2. The BSIS firearms permit only authorize permit holders to carry an exposed firearm of the caliber listed on the permit while performing their official duties. The firearms permit does not authorize the permit holder to carry a concealed firearm, carry an exposed firearm while not performing their official duties, or carry a firearm of a different caliber than that listed on their permit (Business & Professions Code §§ 7583.37[e], 7583.37[b][6], 7583.37[b][7]).
3. Penal Code § 26030(a)(10) allows security guards with a BSIS firearms permit and in uniform to carry an exposed, loaded firearm while in direct route to and from their residence and place of employment or to employer required range training.
4. When carrying an exposed firearm, the permit holder must carry a copy of their BSIS firearms permit and a copy of their security guard license (Business & Professions Code §§ 7583.3[a] and 7583.3[c]).
5. BSIS firearms permit holders may be searched by name and a notification of law enforcement contact made on the California Department of Consumer Affairs (www.breeze.ca.gov).

C. SAFETY CONSIDERATIONS

1. Contacting members of the public who are legally carrying firearms and have not committed a crime requires officers to balance officer safety and protection of constitutional rights of a legally armed person. Officers shall consider the following when contacting members of the public who are legally carrying firearms:
 - a. The nature of the contact, based on the type of interaction (e.g., traffic stops, calls for service, etc.) and the conduct and demeanor of the armed person.
 - b. A person's CCW license alone should not be a reason to detain the subject at gunpoint.
 - c. During required CCW license training, CCW licensees and private security guards are instructed to comply with all peace officer directions when contacted while armed.
 - d. An officer's tactics may vary based on the type of interaction, location, and accessibility of a firearm to the person (e.g., on the person, inside a vehicle, or inside a container).
 - e. Upon learning a person is in possession of a firearm, officers shall immediately establish clear expectations with the armed person by giving clear directions.
 - f. If necessary, officers may:
 - (1) Direct the person to keep their hands in plain sight and leave the firearm in place during the contact.
 - (2) Separate the person from the firearm during the contact.
 - (a) Direct the person away from the firearm if it is located inside a vehicle or container and not readily accessible.
 - (b) Direct the person to remove the firearm from their person and leave the firearm in the vehicle or other safe location.
 - (c) Conduct the remainder of the contact away from the firearm.
 - (3) Retrieve and secure the firearm from the person in a safe manner.
2. In accordance with Penal Code § 25400(f), peace officers may examine any CCW license to determine its validity and the identity of the person to whom it was issued.
 - a. CCW license information includes personal identification information and description of the firearms authorized to be carried concealed (manufacturer, serial number, and caliber). Carrying a



SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



concealed firearm not listed on the license is a violation of the license conditions.

- b. BSIS firearms permits are caliber specific and carrying a firearm of a caliber not listed on the permit is a violation of the permit and a violation of Business & Professions Code § 7583.37(b)(6).

D. ENFORCEMENT

1. If a CCW licensee is armed and involved in criminal activity, officers should take appropriate enforcement action including, but not limited to the following:
 - a. Complete necessary reports.
 - b. Book firearms as evidence if used in the commission of a crime.
 - c. Book firearms for safekeeping if the firearm was not involved in the criminal activity, but necessary to ensure the safety of all persons.
2. If a CCW licensee is found to be in violation of the terms of their CCW license and not involved in criminal activity, officers may generate an incident report and notify the issuing authority.
 - a. The Sacramento Sheriff's Office (SSO) Known Persons File (KPF) contains caution flags and CCW license notes for each SSO CCW licensee.