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Honorable Judge Harry Pregerson  
9<sup>th</sup> US Court of Appeals  
95 7<sup>th</sup> Street  
San Francisco, California 904103

26 June 2015

Re: Edward Peruta vs. County of San Diego #10-56971

Honorable Judge Pregerson

I have been following this case for a while and have not really contributed any input to this however I think that I should let you know of the following which may help out in your decision.

I had a similar incident in June of 1987 when I moved to Orange County California. I was issued in 1975 a concealed carry permit in Shasta County since I was involved in the Volunteer Sheriffs and Search and Rescue programs. I held that permit until June of 1987 when I had to move to Orange County to find work in my profession as a licensed mortician.

When I moved to Orange County I went to the Sheriff's office to have the permit transferred since it was still valid. I went through the process and qualified for the permit in all but one area. That area was the {Reasonable or Just Cause } description in the State law. The renewal of my permit was denied by the Sheriff who stated that his officers could protect me better than I could protect myself with a concealed weapon.

In his denial he also quoted the law that stated you must show just cause or actual cause to carry a concealed weapon. A few months after that I was assaulted on the 4<sup>th</sup> of July by a drugged up cab driver who hit me from behind with a pipe then jumped on me placing me in a strangle hold that I could not break free from. I had no way to defend myself and of course there were no police officers available to help me. The only way I was able to get free from him was an old lady with a cane came to my aid and started striking the man on the head until he let go.

No one else in the crowd that had gathered even lifted a finger to help or to call the police. Since the mans intention was to kill me if I had a weapon on my person at the time I could have easily and effectively using my lawenforcment training utilized the weapon to disable the man and to get free of his intent to kill me for some reason.

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After I was able to get away with the ladies help. I called the police they responded to the hospital that I was taken to because I complained of severe pain in my neck. I gave them the mans description and the patrol officer was able to locate the man within a few hours..

To my disbelief the man turned out to be a police informant and no charges were ever filed against him for assaulting me and I was denied his personal information so I could not pursue legal litigation against him for m y medical bills etc.

I reapplied after that for a concealed weapons permit and was again denied a permit because I could not show Just Cause for the permit to carry a concealed weapon. I then did some research and found that all but 2 Sheriffs in California had a rule of denying permits for this reason simply because the law states you have to show Just Cause for the permit.

This part of the law is what is giving Elected Sheriffs the ability to manipulate their issuance of concealed carry permits to only those who they feel need them or to those who support their election to their positions. It seems to me that because this part of the law is {Obsolete} because it allows Sheriffs and Police Chiefs to abuse the law and pick and choose who they issue permits to. This Law promotes corruption within the Law Enforcement Community as well as prevents law abiding citizens and residents of California from carrying a concealed weapon for self defense or any other reason that they feel they need to carry a concealed weapon since California Laws prevent them from carrying an exposed firearm in a public place.

It is my feeling that this sentence in the law should be eliminated or replaced with a new description that reduces the ability of elected sheriffs and police chiefs from manipulating the issuance of concealed carry permits to law abiding citizens and residents of California.

I hope that you and your fellow Justices will rule that this sentence in the current law is {Obsolete} and is too restrictive therefore it should be either removed from the current law or replaced with a new sentence that is more up to date with today's society and needs. If you should need more input from me let me know.

Thank you for your valuable time and consideration

Thank you

  
Bill R. Stelter

## California Concealed Weapons Carry Permit

In 1975 the law on concealed weapons permits was very simple to understand and to carry out.

There were only three qualifications to obtain a permit:

1. Be over the Age of 21
2. Have a clean and clear Background established by fingerprints and DOJ records.
3. Have a reason to be issued a concealed carry permit Normally accepted reason was { TO COMPLY WITH THE LAW }

After the local Sheriff or Police Chiefs Office did a background check on the applicant and the applicant was clean and no criminal record was found a permit was issued to the applicant for the particular weapon that he or she would normally carry. The permits were restricted to a maximum of three weapons. The permits were good for one year and could be renewed automatically by paying an annual fee.

One of the things about the permits was that if you were ever arrested for anything and booked into the local jail your permit was automatically revoked and no matter what the disposition was of your case your permit was never reissued to you.

At some point in time Legislatures added the requirement that each applicant take and pass a firearms safety class before they were issued a permit. At that time they also reworded requirement number Two to read as follows: { 2. That good cause exists for the issuance }

The Legislature never considered that each local Sheriff and Police Chief would develop their own definition of {Good Cause} to the point that only a few persons could qualify for a permit. After the change in the wording Sheriffs and Police Chiefs would not accept the reason {To Comply With The Law} as a valid reason to have a concealed weapons permit simply because at that time California Laws allowed people to carry an exposed firearm in a public place outside the home.

At the urging of Sheriffs and Police Chiefs and gun control supporters the Legislature passed a new law that prohibits citizens from carrying openly and not concealed a firearm in public thereby eliminating California's long standing Open Carry Laws. This did not make it safer for citizens nor did it make it safer for police officers since police shootings of unarmed citizens has increased and the danger to police has not been reduced or eliminated.

A recommendation to correct this would be to delete the wording {Good Cause} since it does not have a defined definition or any Legislative guidelines as to what warrants Good Cause and go back to the basics of the old law that allows anyone who wants a permit to obtain one on the grounds that they have to comply with the law. {To comply with the Law should be an acceptable {Good Cause} to issue a permit to anyone who meets the other requirements.

Sheriffs and :Police Chiefs should not be allowed to use the current law to restrict those who want permits to only those who are in Lawenforcment, Security professionals, Political friends and those who have actually been assaulted or in a position that their employment may put them in harm's way. The main purpose of having an ability to carry a concealed weapon is to be able to defend one's self or others from being subjected to criminal assaults that are intended to seriously harm or even kill them or others.

In looking at the tragedy in the church last week I can only wonder what would have happened if one of the people killed had a concealed weapon permit and was armed and able to respond against the shooter. The death toll may have been less and the shooter would not have been able to leave only to be caught by the police after an unarmed citizen spotted the man and followed him and alerted the police.

I am neither an NRA member nor a member of any organization that supports more guns on the streets. I am just a simple gun owner who had an active permit from 1975 to 1987 when I moved to Orange County and was denied a permit because the police could protect me better than I could protect myself according to the Sheriff and local Police Chief.

I believe that when criminals do not know who has a gun and who does not have a gun that the gun related crimes go down in an area where there are more concealed weapons permits. I also believe that Police response times are faster to calls for assistance when they know that people may have concealed weapons. I do know that if you call the police and tell them someone has a gun they will arrive usually within a few minutes and in force. To where if you just call them about a suspicious person they can take up to an hour or more to respond during which time if the person were a bad guy they would have time to commit their crime and leave knowing police take that long to respond.

So in the real world the police can not be everywhere and they certainly can not protect you better than you can protect yourself in most situations.