

STATE OF CALIFORNIA
Budget Change Proposal - Cover Sheet
DF-46 (REV 07/23)

Fiscal Year 2025-26	Business Unit Number 0820	Department Department of Justice
Hyperion Budget Request Name 0820-041-BCP-2025-GB		Relevant Program or Subprogram Division of Law Enforcement – Bureau of Firearms, California Justice Information Services Division – Operations Support Program/ Bureau of Criminal Information and Analysis

Budget Request Title

Law Enforcement Notification Section – Carry Concealed Weapon Program

Budget Request Summary

The Department of Justice (DOJ) requests \$3,210,000 (\$2,691,000 General Fund and \$519,000 Fingerprint Fees Account) and 26.0 positions in 2025-26 and ongoing to address workload increases resulting from the *New York State Rifle & Pistol Association v. Bruen* United States Supreme Court decision.

Requires Legislation (submit required legislation with the BCP) <input type="checkbox"/> Trailer Bill Language <input type="checkbox"/> Budget Bill Language <input checked="" type="checkbox"/> N/A	Code Section(s) to be Added/Amended/Repealed N/A	
Does this BCP contain information technology (IT) components? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <i>If yes, departmental Chief Information Officer must sign.</i>	Department CIO Click or tap here to enter text.	Date Click or tap to enter a date.

For IT requests, specify the project number, the most recent project approval document (FSR, SPR, S1BA, S2AA, S3SD, S4PRA), the approval date, and the total project cost.

Project No. Click or tap here to enter text. **Project Approval Document:** Click or tap here to enter text.

Approval Date: Click or tap to enter a date. **Total Project Cost:** Click or tap here to enter text.

If proposal affects another department, does other department concur with proposal? ☐ Yes ☐ No

Attach comments of affected department, signed and dated by the department director or designee.

Prepared By Elizabeth Troxel and Christa McCarthy	Date 1/10/2025	Reviewed By Stephen Woolery, DLE Chief Veronica Gillard, Chief/CIO	Date 1/10/2025
Department Director Chris Ryan	Date 1/10/2025	Agency Secretary Click or tap here to enter text.	Date Click or tap to enter a date.

Department of Finance Use Only

Additional Review: ☐ Capital Outlay ☐ ITCU ☐ FSCU ☐ OSAE ☐ Dept. of Technology

Principal Program Budget Analyst Mark Jimenez	Date submitted to the Legislature 1/10/2025
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A. Problem Statement

The Department of Justice (DOJ) lacks sufficient resources and associated funding to address critical and time-sensitive firearm workloads within the Bureau of Firearms (BOF) Carry Conceal Weapon (CCW) Program. The positions requested in this proposal are necessary to provide support to BOF's well established stakeholders, including law enforcement agencies (LEAs) and the public.

DOJ has experienced a 34 percent increase in new CCW applications and a 15 percent increase in subsequent licenses received since June 23, 2022, primarily due to the United States Supreme Court's decision in *New York State Rifle & Pistol Association v. Bruen*. The tasks and responsibilities associated with processing new CCW applications and licenses are not absorbable with the current resources allocated to DOJ.

As part of the 2023 Budget Act, BOF received resources to support 22.0 two-year limited-term (LT) positions to address the anticipated increase in workload due to the *Bruen* decision. This new proposal seeks permanent position authority and continued funding for 16.0 LT positions and for 6.0 new permanent positions, bringing the total position authority and funding need to 22.0 positions to support BOF's CCW Program. At this juncture, given the increased workload for the CCW Program, BOF has determined that the ongoing permanent and increased position authority are necessary to help ensure the timely processing of CCW applications and licenses, which will help avoid costly litigation and complaints from LEAs and CCW applicants and promote public safety.

Given the contentious nature of new legislation associated with CCWs, it is imperative that BOF has the necessary resources to timely process applications. If BOF does not receive the resources requested in this BCP, BOF may be unable to process its projected CCW workload. Without the additional 22.0 positions, 51 percent of the New CCW LiveScan and Renewal Applications (background checks) and 90 percent of the New and Renewal CCW Licenses (data entry) from 2024-25 could become a backlog. This backlog could compound over the years, causing significant public safety and potential litigation repercussions for the state.

The 2023 Budget Act also provided the California Justice Information Services Division (CJIS) with funding to support 5.0 one-year LT positions and 4.0 two-year LT positions to temporarily address the anticipated increase in workload due to the *Bruen* decision. CJIS has determined permanent positions are required to continue processing background checks and workload associated with the CCW application increase. CJIS will require 4.0 permanent positions beginning in 2025-26.

Resource History – Division of Law Enforcement - Bureau of Firearms

(Dollars in thousands)

Program Budget	2019-20	2020-21	2021-22	2022-23	2023-24
Authorized Expenditures	46,262	42,161	49,663	54,353	64,193
Actual Expenditures	40,801	40,660	44,090	50,441	59,314
Authorized Positions	290	285	295	299	316
Filled Positions	194	224	222	221	207
Vacancies	96	61	73	78	109

Resource History – CJIS Operations Support Program – CCW

(Dollars in thousands)

Program Budget	2019-20	2020-21	2021-22	2022-23	2023-24*
Authorized Expenditures	n/a	n/a	n/a	n/a	749
Actual Expenditures	n/a	n/a	n/a	n/a	316
Authorized Positions	n/a	n/a	n/a	n/a	0
Filled Positions	n/a	n/a	n/a	n/a	0
Vacancies	n/a	n/a	n/a	n/a	0

*CJIS CCW unit code was created in 2023-24

Resource History – Bureau of Criminal Information and Analysis

(Dollars in thousands)

Program Budget	2019-20	2020-21	2021-22	2022-23	2023-24
Authorized Expenditures	52,538	50,548	55,317	57,265	59,357
Actual Expenditures	51,877	49,394	56,408	56,379	57,699
Revenues	77,742	69,738	91,557	102,651	102,612
Authorized Positions	467	473	470	471	469
Filled Positions	397	397	401	398	404
Vacancies	70	76	69	73	69

Workload History

Workload Measure	2019-20	2020-23	2021-22	2022-23	2023-24
Received - New CCW LiveScan Applications (background checks)	19,817	39,325	33,159	49,970	45,741
Received – New (Initial) CCW Licenses (data entry)	17,605	28,258	30,722	38,006	38,763
Received - Renewal (Subsequent) CCW Applications (background checks)	26,195	12,220	32,153	61,313	50,616
Received – Renewal (Subsequent) CCW Licenses (data entry)	51,624	54,857	48,644	61,313	50,616

Note: The decrease in workload between 2022-23 and 2023-24 can be attributed to several factors. First, CCW issuing agencies are still adapting to the new requirements introduced by Chapter 249, Statutes of 2023 (Senate Bill 2), which include changes to CCW license formatting, new training mandates, and the implementation of a new hearing process. BOF has received feedback from multiple agencies in densely populated counties reporting that their license issuance has been slowed due to the need to purchase new equipment, familiarize themselves with the new license format, work with third party software companies, and authorize budgetary changes within their departments.

The new CCW license format was issued to agencies on March 12, 2024. Consistent with the feedback received from issuing agencies, license issuance in April, May and June 2024 have seen a significant decrease. Once these issues are addressed and resolved, it is expected that workloads will begin to increase in 2024-25 due to smoother operations, increased familiarity with the new CCW requirements, and a backlog of licenses that issuing agencies will be processing. In fact, the average renewal licenses issued in July and August 2024 have increased over 300 percent in comparison to the average licenses issued monthly April - June 2024 supporting this notion.

In addition, BOF was made aware that an issuing agency delayed the submission to DOJ of over 10,000 renewal licenses last year. The agency intends to forward those licenses to DOJ in 2024. These licenses were not accounted for in the above projections.

The CCW Program and its personnel are currently located under the Law Enforcement Notification Section within BOF. The CCW Program is a legislatively mandated program acquiring its regulatory authority under Penal Code (PC) sections 26150 – 26225, inclusive. The CCW Program's primary responsibility is to review criminal offender record information and other information of persons applying for licenses to carry a concealed weapon in California and to provide the results of the background checks to the licensing authorities of the county or city in which that person resides.

The CCW Program also carries out peripheral duties contingent on the approval or denial of the applicant. This requires CCW Program staff to monitor subsequent arrest notifications to ensure licensees remain firearms eligible, as well as receive licenses and maintain the repository of licensing information filed by licensing authorities under PC section 26225, subdivision (b). The specific duties required to fulfill these responsibilities entail personnel receiving copies of issued and amended licenses for entry into the CCW Program database. Staff notify agencies when an applicant becomes prohibited from owning or possessing firearms, and process notifications sent by licensing authorities to cancel, deny, or revoke an issued license. All these mandated duties are integral to public safety, and therefore, it is critical that the CCW Program is properly resourced to handle the increase in workload.

Lastly, within the Quality Support Program resides the Quality Assurance Unit (QAU). QAU is responsible for training new analysts within the CCW Program on conducting firearm eligibility

analyses and determinations. The QAU is also responsible for training the Eligibility Clearance Unit (ECU) and Armed and Prohibited Persons Unit (APPU). New employee training is an extensive six-month training that covers a multitude of state and federal firearm prohibition laws with various lengths of prohibition terms and requires QAU to conduct 100 percent verification of all determinations made by the trainees during the training period. In addition, QAU is responsible for conducting ongoing firearm and ammunition eligibility training for all BOF staff that conduct eligibility checks, and for completing quality assurance of 10 percent of all eligibility checks conducted by ECU and APPU staff. As a result of the request for additional Crime Analyst (CA) I positions in the CCW Program, QAU will require additional positions to sufficiently conduct training, complete quality assurance reviews, and provide oversight of the unit.

California law authorizes local law enforcement officials—sheriffs and chiefs of police—to issue licenses allowing license holders to carry concealed a pistol, revolver, or other firearm capable of being concealed upon the person. These licenses exempt the holder from many generally applicable restrictions on the carrying of firearms in public. Prior to *Bruen*, the relevant statutes authorized local officials to issue such licenses “upon proof of all of the following”: “(1) The applicant is of good moral character; (2) Good cause exists for issuance of the license; (3) The applicant is a resident of the county or a city within the county, or the applicant’s principal place of employment or business is in the county or a city within the county and the applicant spends a substantial period of time in that place of employment or business; (4) The applicant has completed a [firearms safety] course of training.”. An applicant must also pass a background check to confirm the applicant is not prohibited under state or federal law from possessing or owning a firearm.

Bruen considered the constitutionality of the State of New York’s “proper cause” requirement to obtain a public-carry license. New York courts had interpreted “proper cause” to mean a “special need for self-protection distinguishable from that of the general community.” The United States Supreme Court concluded that the requirement was unconstitutional “in that it prevents law-abiding citizens with ordinary self-defense needs from exercising their right to keep and bear arms.” The Court also highlighted other states with “analogues” to the “proper cause” requirement, including California, and made clear that California’s similar “good cause” requirement is unconstitutional.

California subsequently revised the conditions for obtaining a CCW license to comply with *Bruen*. Under Chapter 249, Statutes of 2023 (Senate Bill 2), an applicant must meet the following conditions: “(1) The applicant is not a disqualified person to receive such a license, as determined in accordance with the standards set forth in Section 26202. (2) The applicant is at least 21 years of age . . . (3) The applicant is a resident of the county or a city within the county, or the applicant’s principal place of employment or business is in the county or a city within the county and the applicant spends a substantial period of time in that place of employment or business. . . . (4) The applicant has completed a [firearms safety] course of training. . . . (5) The applicant is the recorded owner, with the Department of Justice, of the pistol, revolver, or other firearm for which the license will be issued.”

B. Justification.

The CCW licensing process has been impacted by *Bruen*. Over the past 26 months since the court’s ruling, DOJ has experienced a 34 percent increase in requests for new CCW licenses and a 15 percent increase in renewal licenses. If the proper allocation of resources is not received, BOF may be unable to process the increased CCW workload that local LEAs rely upon to fulfill their legal obligations, placing DOJ at risk of receiving complaints from criminal justice partners and the public. Furthermore, BOF’s inability to complete the CCW Program’s workload could place DOJ at a greater risk of liability. Additionally, public safety may be impacted should BOF not meet its mandates due to a lack of staff resources.

As mentioned earlier, the 2023 Budget Act provided BOF with 22.0 two-year LT positions to address the increase in workload due to the *Bruen* decision. Because the impact was not temporary and is continuing to increase, the importance of supporting the CCW Program and this critical workload with LT positions and overtime cannot be overstated. The CCW Program is requesting multiple positions to support the initial and renewal license workload and for the program to fulfill its mandate; as such, these positions remain a necessity.

The workload continues to demand substantial overtime and external assistance to maintain it. Currently, the CCW Team is receiving assistance from four volunteers in addition to its team of 8.0 CA I (3.0 LT) and 2.0 Program Technician (PT) II (1.0 LT) who have been required to work mandatory overtime since 2022. Although the backlogs appear to have stabilized, the overtime and temporary assistance are the reason that the backlogs appear to be improving. However effective, the mandating of overtime and solicitation of temporary help was never intended to be a permanent solution. Therefore, it is imprudent to consider its effectiveness within this scope as it is unsustainable over the long run and undermines the severity and impact to the program.

LT positions are also less effective for recruitment and retention. There is turnover with temporary assistance, and excess overtime can affect employee morale, retention, and the overall reputation of BOF. If relying on overtime, temporary positions, and volunteers continues, it will risk the progress made thus far by the CCW Program. And if the LT resources were to expire and no additional resources were granted, the CCW Program will be required to continue using mandatory overtime to address backlogs.

Additionally, should the LT resources expire, the CCW Program's background-check-processing staff and data entry staff would be reduced by 58 percent and 66 percent, respectively. It is not possible for the CCW Program to address the increase in CCW applications received since *Bruen*, along with the increase anticipated because of SB 2, without sufficient staffing. If the CCW Program's background check and data entry staff are reduced to only 5.0 CA I, 3.0 PT II, 1.0 Office Technician (OT), and 1.0 CA III, mandatory overtime will need to be drastically increased to maintain backlogs. If mandatory overtime efforts were to increase, as may be necessary after losing over 60 percent of CCW's analyst and technician staff, recruiting and retention will become more difficult, and backlogs will grow despite exhausting all options to increase productivity. The amount of overtime required to compensate for the loss of staff is not sustainable or realistic.

If the LT Crime Analyst Supervisor (CAS) position was to dissolve, their contribution to maintaining background check backlogs, as well as their administrative, training, and support duties would need to be absorbed by lower-level analysts and management staff. These positions are inherently essential because their subordinate staff are essential, and neither a CA III nor the Staff Services Manager (SSM) I within the program would be able to absorb these workloads if the CAS and the analyst and technician positions are not approved concurrently.

It is imperative that staff conduct a thorough review of criminal history, restraining order, warrant, and mental health records and apply state and federal firearm prohibition laws during the firearm eligibility check for a CCW license. To prepare new staff in the CCW Program to conduct a thorough firearm eligibility check, the QAU must possess the necessary trainers to adequately provide the extensive six-month training. Without the requested resources, the quality of the training could diminish and impact staff's ability to make correct firearm eligibility check determinations. These determinations are critical to protect the public from individuals who are prohibited from possessing firearms/ammunition.

With the current volume of firearm eligibility check transactions that the QAU must review for quality assurance, the extensive training that QAU provides, frequent updates to firearm eligibility check procedures, and redirection of analysts within QAU to assist other units, QAU has required an average of 13 hours of overtime a week per analyst to maintain the quality assurance review workload. The overtime hours have fluctuated as high as 18 hours per week. Due to the impact of excessive amounts of overtime hours, BOF struggles to recruit new staff for the QAU. Without the

requested resources, the only option for the QAU to complete its workload would be to increase the mandatory overtime hours.

The tasks and responsibilities associated with processing current and expected CCW licenses are not sustainable or absorbable with the current resources allocated to BOF and will require 16.0 LT positions to be made permanent, 6.0 new positions, and the associated ongoing permanent funding to accommodate the workload.

Projected Workload	FY 2023-24	FY 2024-25*	FY 2025-26 and Ongoing**
New CCW LiveScan Applications (background checks)	45,741	61,156	81,765
New (Initial) CCW Licenses (data entry)	38,763	53,629	74,195
Renewal (Subsequent) CCW Applications (background checks)	50,616	58,218	66,961
Renewal (Subsequent) CCW Licenses (data entry)	50,616	58,218	66,961

*2024-25 and 2025-26 projections were figured using the average 26 months prior to and after *Bruen*, which resulted in a 34 percent increase in New CCW LiveScan Applications and an 15 percent increase to Renewal (Subsequent) CCW Licenses and Applications.

Workload (Received)	Projected Workload	Projected Workload that could be Completed with Current Positions (Current - Does not include limited term positions)	Projected Workload that could be Completed with Current and Total Requested Positions (Total Requested – Includes limited term and additional permanent positions)
Fiscal Year	2024-25	2024-25	2024-25
New CCW LiveScan Applications (background checks)	61,156	30,121 (49%)	61,156
New (Initial) CCW Licenses (data entry)	53,629	5,482 (10%)	53,629
Renewal (Subsequent) CCW Applications (background checks)	58,218	28,674 (49%)	58,218
Renewal (Subsequent) CCW Licenses (data entry)	58,218	5,799 (10%)	58,218

Division of Law Enforcement:

Bureau of Firearms

The following resources are required to address the associated workload increase in the CCW Program. This includes the allocation of additional administrative, supervisorial, and managerial personnel to implement the necessary organization and structure to support the program.

Limited Term Positions Requesting to Make Permanent, beginning 2025-26:

Classification*	Number of Positions
Crime Analyst I	5.0
Crime Analyst II	2.0
Crime Analyst III	1.0
Crime Analyst Supervisor	1.0
Program Technician II	6.0
Supervising Program Technician II	1.0
Total	16.0

New Positions Requested, beginning 2025-26:

Classification*	Number of Positions
Crime Analyst II	5.0
Crime Analyst Supervisor	1.0
Total	6.0

Crime Analyst (CA) I – 5.0 limited term positions to become permanent 2025-26

The CA Is will work independently, analyzing multiple resources to determine whether an applicant is prohibited from possessing, receiving, owning, or purchasing a firearm in accordance with regulations, state, or federal law. In addition, the CA Is will evaluate applications, forms and other documents submitted by stakeholders and determine if the information provided is accurate and/or complete. To accomplish these tasks, the CA Is will regularly interact with management and colleagues and have regular contact with internal employees and external stakeholders, such as licensing LEAs, courts, and other criminal justice agencies, via telephone or email.

CA II – 2.0 limited term positions to become permanent 2025-26; position authority for 5.0 new permanent positions beginning 2025-26

The CA IIs within the QAU will be the subject matter experts on background related processes and will be responsible for training new CCW Program analysts. The CA IIs will also conduct quality assurance of applicant records processed by staff by reviewing a portion of all backgrounds completed. The CA IIs will have active and ongoing communication with internal BOF staff and management regarding training progress, and changes in processes or legislation that impact eligibility checks.

CA III – 1.0 limited term position to become permanent 2025-26

As the lead analyst, the CA III will be responsible for training CCW technical staff on internal business policies and procedures in addition to providing instructions and guidance on the use of program tools and databases. The CA III is responsible for analyzing and identifying solutions for the most difficult licensing issues and conducting quality control of erroneous licenses and records generated from reports. The CA III will review local CCW licenses submitted by licensing LEAs and make a recommendation to management to approve/reject. The CA III will analyze criminal offender record information for retired sworn personnel applying for a CCW Endorsement to determine their firearms eligibility. Lastly, the CA III will lead the development and implementation of database enhancements to the CCW application databases. To accomplish these tasks, the CA III will regularly interact with management and colleagues and have consistent contact with internal employees, the CJIS Application Development Bureau, and external stakeholders, such as licensing LEAs, courts and other criminal justice agencies via telephone or email.

Crime Analyst Supervisor (CAS) – 1.0 limited term position to become permanent 2025-26; position authority for 1.0 new permanent position beginning 2025-26

The CAS within the CCW Program will supervise and direct subordinate CCW staff on the use and application of state and federal laws in relation to program policies and procedures. The CAS will evaluate and assign work to staff. The CAS will review the most complex background issues and advise subordinate staff on the appropriate resources or actions to take for resolution. The CAS will resolve escalated telephone calls and emails. The CAS will handle personnel matters of subordinate staff, such as coordinating hiring efforts, conducting disciplinary actions, maintaining employee training and work performance records and making recommendations to the Staff Services Manager (SSM) I. The CAS is responsible for coordinating training plans with the CCW Program and the QAU as well as providing management with new trainee progress reports. The CAS, as the subject matter expert, is responsible for engaging and performing information technology project tasks. To accomplish these tasks, the CAS will regularly interact with subordinate staff, management and colleagues and have regular contact with internal employees and the Application Development Bureau. The CAS will have some contact with external stakeholders, such as licensing LEAs, courts and other criminal justice agencies, via telephone or email.

Program Technician (PT) II – 6.0 limited term positions to become permanent 2025-26; position authority for 3.0 new permanent positions beginning 2025-26

The PT IIs are primarily responsible for reviewing documents for inaccurate or incomplete information based on policies and procedures; making determinations to enter, update or remove a record upon reviewing information submitted by licensing LEAs; reconciling record inaccuracies based on firearm error reports; and identifying the appropriate criminal justice contact and ascertaining disposition information. The PT IIs will collaborate often with colleagues and have regular contact with internal employees and external stakeholders, such as licensing LEAs, courts, and other criminal justice agencies, via telephone or email.

Supervising Program Technician (SPT) II – 1.0 limited term position to become permanent 2025-26

The SPT II will be responsible for the development and supervision of technical staff and works in coordination with the CCW Program's CA III to implement training and development strategies. In addition, the SPT II evaluates the workload of PT II personnel and is responsible for identifying and resolving the most technical licensing issues. The SPT II completes annual performance reports and probationary evaluations by assessing the staffs' execution of work responsibilities in addition to their progress during training. The SPT II will communicate and collaborate with other SPT IIs, the SSM I and the CCW Program's CA III. The SPT II will have regular contact with internal employees and external stakeholders, such as licensing LEAs, courts, and other criminal justice agencies, via telephone or email to resolve complex issues related to workload submitted under PC section 26225, subdivision (b).

California Justice Information Services (CJIS) Division:

Permanent Positions Requested, beginning 2025-26:

Classification	Number of Positions 2025-26 & Ongoing
Crime Analyst I	2.0
Program Technician	1.0
Program Technician III	1.0
Total	4.0

Bureau of Criminal Information and Analysis (BCIA)

The Bureau of Criminal Information and Analysis (BCIA) is responsible for implementing state and federal mandates to compile, maintain, and disseminate state summary criminal history information at the highest possible level of completeness, accuracy, and timeliness. State summary criminal history information consists of California arrest, disposition, and custody data for adults and juveniles. The BCIA maintains the central repository of finger and palm prints and administers the California Identification (Cal-ID) System through which positive identification of individuals can be determined. The BCIA also oversees DOJ's automatic record relief process that makes a notation on state summary criminal history information records, to be used for dissemination purposes, as well as electronically shares records granted relief with courts.

The BCIA disseminates state and federal criminal offender record information to regulatory agencies, ensures applicant cycles are designated "No Longer Interested" when the agency no longer has a statutorily mandated interest in the applicant, and disseminates subsequent arrest and disposition notifications to those agencies authorized to receive it. The BCIA also provides individuals, or a designated agency or law firm, with a copy of their state summary criminal history information record and handles claims of erroneous or inaccurate information contained on criminal history records.

Some of the state-level state summary criminal history information mandates that the BCIA is responsible for include:

- Penal Code sections 236.14, 236.15, 290.015, 295, 457.1, 653.29, 851.7, 851.8, 851.85, 851.86, 851.92, 851.93, 1170.9, 1202.1, 1203.425, 1203.45, 1331.5, 11076, 11077, 11077.1, 11101, 11102.1, 11102.2, 11105, 11105.3, 11105.7, 11106, 11109, 11112.1, 11115, 11120, 11121, 11122, 11123, 11124, 11125, 11126, 11127, 11164, 11165, 11165.1, 11165.11, 11165.12, 11165.13, 11165.14, 11165.15, 11165.2, 11165.3, 11165.4, 11165.5, 11165.6, 11165.7, 11165.8, 11165.9, 11166, 11166.01, 11166.02, 11166.05, 11166.1, 11166.2, 11166.3, 11166.4, 11166.5, 11167, 11167.5, 11168, 11169, 11170, 11170.5, 11171, 11171.2, 11171.5, 11172, 11174, 11174.1, 11174.3, 13000, 13100.1, 13125, 13150, 13151, 13152, 13202
- Civil Code section 1789.37
- Corporations Code section 14502
- Education Code sections 33192(e), 44830(d), 45125(b), 5125.1(e)
- Evidence Code sections 1560, 1561
- Government Code section 7920.000
- Health & Safety Code sections 11361.5, 11361.8, 11361.9
- Welfare and Institutions Code sections 389, 602.5, 781, 781.5, 786, 786.5, 793, 15660
- California Code of Regulations Title 11, Division 1, Chapter 7, Section 702

The DOJ functions as the state central repository and is solely responsible for the submission of fingerprints and related information to the FBI. Some of the federal-level state summary criminal history information mandates that the BCIA is responsible for include:

- Public Law 92-544
- Section 2.2.2 A. of the Interstate Identification Index (III) National Fingerprint File (NFF) Manual, Title 28, Code of Federal Regulations (C.F.R.), Subpart B § 20.21
- Section 2.2.1 B of the Interstate Identification Index (III) National Fingerprint File (NFF) Manual, Title 28, Code of Federal Regulations (C.F.R.), § 20.37
- Section 2.2.2 D of the Interstate Identification Index (III) National Fingerprint File (NFF) Manual

Without the resources requested in this proposal, the BCIA may experience delays in meeting these mandates as well as additional state mandated services and programs that rely on complete, accurate, and timely state summary criminal history information, including carry concealed weapon permit background checks. As a result, the DOJ could see an increase in firearms record reviews, record challenges, and lawsuits. The following resources are required to address the associated workload increase in the CCW Program.

Applicant & Record Quality Services Branch (ARQSB):

To process the anticipated increase in fingerprint background check request submissions associated with the projected post-*Bruen* applications, BCIA, ARQSB is requesting permanent funding and position authority.

1.0 Program Technician III, permanent starting July 1, 2025

Record Quality Services Program, Problem Resolution Expedite Section: Annually, the Problem Resolution Expedite Section (PRES), within the BCIA, manually processes 6 percent of the 23 percent total fingerprint-based applicant background checks manually reviewed by the ARS for state level of service. This equates to additional applications for the PRES to conduct error resolution and chasing efforts, involving outreach to criminal justice agencies for missing and clarified criminal history information for 2023-24 and ongoing.

Records and Biometric Identification Branch (RBI):

To process the anticipated increase in fingerprint background check request submissions associated with the projected post-*Bruen* applications, BCIA, RBI is requesting permanent funding and position authority.

1.0 Crime Analyst I, permanent starting July 1, 2025

Cal ID Program: The RBI, Cal-ID Program, within the BCIA, would be required to process an increase in electronic Live Scan applicant fingerprint submissions for initial licenses and provide positive verification of a subject's identity via manual review of subsequent licenses.

1.0 Program Technician, permanent starting July 1, 2025

Pre-Scan Unit: The Imaging & Live Scan Program's Pre-Scan Unit is responsible for the intake process of all CCW renewals which includes opening mail, processing checks, money orders, and billing transmittals, reviewing for completeness, tracking inventory, stamping for receipt and approval, batching and prep for Cal-ID processing.

Record Management Branch (RMB):

To process the anticipated increase in fingerprint background check request, submissions associated with the projected post-*Bruen* applications, BCIA, RMB is requesting permanent funding and position authority.

1.0 Crime Analyst I, permanent starting July 1, 2025

Criminal Record Expedite & Support Program: The Criminal Record Expedite & Support Program is responsible for updating and sealing criminal history records based on requests from internal DOJ programs and external criminal justice agencies. This ensures that the review of new and renewal CCW applications are based on the most current and accurate criminal history records of the applicants.

Additionally, due to the increased Livescan applications, the BCIA would need an increased Fingerprint Fees Account authority required for the FBI background check passthrough fee.

C. Departmentwide and Statewide Considerations

DOJ anticipates local and state government agencies will support this proposal since the information provided by DOJ to local and state government agencies who rely on CCW information is vital in the pursuit of criminal and civil justice. The additional resources requested in this proposal will help ensure there is no delay in conducting the requisite background checks and

the entering of licensing information filed by licensing authorities pursuant to PC section 26225 subdivision (b).

Records filed by licensing authorities must be kept and entered in DOJ's registry (Automated Firearms System) pursuant to PC section 11106 subdivisions (a) and (b). Any delay of the entry of this information compromises public safety as files are maintained for the purpose of assisting criminal justice agencies in the investigation of criminal proceedings in the prosecution of civil actions, in addition to the recovery of loss, stolen, or found property.

Without adequate resources allocated to address the increased workload, DOJ may be unable to complete background checks of new CCW applicants in a timely manner. This could delay a licensing authority's ability to issue new CCW licenses because PC section 26185, subdivision (a)(3) does not allow the issuance of a CCW license to applicants until after the licensing authority has received notification of the background check results from DOJ. Licensing authorities also rely on DOJ to monitor and notify them when an applicant who is issued a CCW license becomes prohibited. Delays during the subsequent notification process because of limited resources could impact licensing authorities who are required under California law to immediately revoke licenses from active license holders when they become prohibited.

DOJ also anticipates that the public will support this proposal, as it will further DOJ's mission to comply with and carry out state law.

This proposal complies with Buder Letter 24-21 as it addresses resource needs for existing services that are legislatively mandated by Penal Code section 26150 – 26225 and have a direct impact on public safety.

D. Outcomes and Accountability

If approved, the requested resources will help ensure that DOJ has the resources necessary to uphold public safety and serve the needs of citizens and local government entities of California according to its mission and fulfill its responsibilities in accordance with state and federal law.

The appropriation of resources will help ensure state and federal criminal history and firearms eligibility notifications are sent to licensing authorities for new applicants, agencies are notified if current applicants become prohibited, and licensing information sent to DOJ is immediately entered and maintained in statewide databases for use in the pursuit of criminal and civil justice. Further, the requested resources will help reduce the likelihood of litigation due to applications being delayed unnecessarily for reasons not related to an applicant's eligibility.

E. Implementation Plan

Upon approval of this proposal, DOJ will immediately begin the recruitment and hiring process for the permanent positions.

F. Supplemental Information (If Applicable)

Workload Justification Tables available upon request.

BCP Fiscal Detail Sheet

BCP Title: Law Enforcement Notification Section-Carry Concealed Weapon Program

BR Name: 0820-041-BCP-2025-GB

Budget Request Summary

Personal Services

Personal Services	FY25 Current Year	FY25 Budget Year	FY25 BY+1	FY25 BY+2	FY25 BY+3	FY25 BY+4
Positions - Permanent	0.0	26.0	26.0	26.0	26.0	26.0
Total Positions	0.0	26.0	26.0	26.0	26.0	26.0

Operating Expenses and Equipment

Operating Expenses and Equipment	FY25 Current Year	FY25 Budget Year	FY25 BY+1	FY25 BY+2	FY25 BY+3	FY25 BY+4
539X - Other	0	3,210	3,210	3,210	3,210	3,210
Total Operating Expenses and Equipment	\$0	\$3,210	\$3,210	\$3,210	\$3,210	\$3,210

Total Budget Request

Total Budget Request	FY25 Current Year	FY25 Budget Year	FY25 BY+1	FY25 BY+2	FY25 BY+3	FY25 BY+4
Total Budget Request	\$0	\$3,210	\$3,210	\$3,210	\$3,210	\$3,210

Fund Summary

Fund Source

Fund Source	FY25 Current Year	FY25 Budget Year	FY25 BY+1	FY25 BY+2	FY25 BY+3	FY25 BY+4
State Operations - 0001 - General Fund	0	2,691	2,691	2,691	2,691	2,691
State Operations - 0017 - Fingerprint Fees Account	0	519	519	519	519	519
Total State Operations Expenditures	\$0	\$3,210	\$3,210	\$3,210	\$3,210	\$3,210
Total All Funds	\$0	\$3,210	\$3,210	\$3,210	\$3,210	\$3,210

Program Summary

Program Funding

Program Funding	FY25 Current Year	FY25 Budget Year	FY25 BY+1	FY25 BY+2	FY25 BY+3	FY25 BY+4
0440046 - Firearms	0	2,691	2,691	2,691	2,691	2,691
0445037 - Criminal Justice Operational Support Program	0	519	519	519	519	519
Total All Programs	\$0	\$3,210	\$3,210	\$3,210	\$3,210	\$3,210

Personal Services Details

Positions

Positions	FY25 Current Year	FY25 Budget Year	FY25 BY+1	FY25 BY+2	FY25 BY+3	FY25 BY+4
-	0.0	0.0	0.0	0.0	0.0	0.0
VR00 - Various	0.0	26.0	26.0	26.0	26.0	26.0
Total Positions	0.0	26.0	26.0	26.0	26.0	26.0