

Retiree Concealed Firearms

207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Shasta County Sheriff's Office identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

207.2 QUALIFIED RETIREES

Any full-time sworn deputy of this department who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a "CCW Approved" endorsement upon honorable retirement (Penal Code § 25455).

- (a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement, however, shall not include any deputy who retires in lieu of termination.
- (b) No CCW Approved endorsement shall be issued to any deputy retiring because of a psychological disability (Penal Code § 26305).

207.2.1 QUALIFIED RETIREES FROM OTHER AGENCIES

The Shasta County Sheriff's Office shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

- (a) The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.
- (b) This department is in possession of the retiree's complete personnel records or can verify the retiree's honorably retired status.
- (c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

207.2.2 QUALIFIED RETIRED RESERVES

Qualified retired reserve officers who meet the department requirements shall be provided an identification card with a CCW Approved endorsement (Penal Code § 26300).

207.3 LEOSA

The Sheriff may issue an identification card for LEOSA purposes to any qualified former deputy of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as a deputy.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.

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- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the deputy acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.
- (f) Was authorized by law to engage in or supervise the prevention, detection, investigation, prosecution, or the incarceration of any person for any violation of law.
- (g) Had statutory powers of arrest or apprehension.
- (h) Has a nonforfeitable right to benefits under the retirement plan of the agency.

207.3.1 AUTHORIZATION

Any qualified former law enforcement officer, including a former deputy of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.
 2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- (c) Not prohibited by federal law from receiving a firearm.
- (d) Not in a location prohibited by California law or by a private person or entity on his/her property if such prohibition is permitted by California law.

207.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

Any full-time sworn deputy of this department who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW Approved," upon honorable retirement (Penal Code § 25455).

- (a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any deputy who retires in lieu of termination.
- (b) No CCW Approved endorsement shall be issued to any deputy retiring because of a psychological disability (Penal Code § 26305).

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207.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired deputy shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

- (a) A photograph of the retiree.
- (b) The retiree's name and date of birth.
- (c) The date of retirement.
- (d) The name and address of this department.
- (e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

207.4.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW approved endorsement on an identification card issued under California law, the retiree shall:

- (a) Qualify quinquennially with an authorized firearm at a course approved by this department at the retiree's expense.
- (b) Remain subject to all applicable Department policies and federal, state, and local laws.
- (c) Not engage in conduct that compromises public safety

207.4.3 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The Shasta County Sheriff's Office shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

- (a) The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.
- (b) This department is in possession of the retiree's complete personnel record or can verify the retiree's honorably retired status.
- (c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

207.5 IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired deputy shall be two inches by three inches and minimally contain the following (Penal Code § 25460):

- (a) Photograph of the retiree.
- (b) Retiree's name and date of birth.
- (c) Date of retirement.
- (d) Name and address of this department.
- (e) A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed (not more than one year). In the case in which a CCW

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endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege".

- (f) If applicable, a notation that "This person is in compliance with 18 USC § 926C(d)(1)."

207.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former deputy shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

207.6 DENIAL, SUSPENSION, OR REVOCATION OF A LEOSA IDENTIFICATION CARD

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended, or revoked, the former deputy may request a review by the Sheriff. The decision of the Sheriff is final.

207.6.1 WATCH COMMANDER RESPONSIBILITY

Employees who have reason to suspect a (Shasta County Sheriff's Office) retiree's conduct has compromised public safety should notify the Watch Commander as soon as practical. The Watch Commander should take the following steps in these instances:

- (a) Take appropriate steps to temporarily resolve the incident.
- (b) If warranted, the Sheriff or his/her designee will contact the SCSO retiree in person and advise him/her in writing of the following:
 1. The SCSO retiree's CCW endorsement is immediately and temporarily suspended.
 2. The SCSO retiree will have 15 days to request a hearing to determine whether the temporary revocation should become permanent.
 3. The SCSO retiree will forfeit his/ her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
- (c) A current copy of Penal Code § 26312 should be attached to the written notice.
- (d) In the event that personal contact with the SCSO retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the

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above notice of temporary suspension through another peace officer. For example, if an SCSO retiree was arrested or detained by a distant agency, the Watch Commander may request that a peace officer of that agency act as the Department's agent to deliver the written notification.

- (e) Notification of the temporary suspension should also be promptly mailed to the SCSO retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312(a)).
- (f) The Watch Commander shall document in a memo the investigation of the actions taken. The memo shall be promptly forwarded to the Sheriff.

207.7 FIREARM QUALIFICATIONS

The Rangemaster may provide former deputies from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.