
Retiree Concealed Firearms

208.1 PURPOSE AND SCOPE

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

208.2 POLICY

It is the policy of the La Mesa Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

208.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this Department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this Department as an officer.
- (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.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this Department where the officer 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.

[See attachment: Police Department ID Card "Concealed Carry" Status Form.pdf](#)

[See attachment: Retired Officer Firearms Qualification Waiver and Release Agreement.pdf](#)

[See attachment: Retired Sworn Officer Firearms Qualification Certification.pdf](#)

208.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the La Mesa Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

208.3.2 AUTHORIZATION

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

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- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - (a) 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.
 - (b) 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.

208.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

Any full-time sworn officer 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.
- (b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

208.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer 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) Have a December 31st expiration date that is at least one year from their last successful firearms qualification (i.e., if the retired sworn member qualifies in October of one year their card will have an expiration date of December 31st the following year).
- (f) 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."

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208.4.2 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The La Mesa Police Department 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.

208.4.3 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).

208.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Watch Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions policy.

208.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer 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.

208.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

- (a) Qualify annually with the authorized firearm at a course approved by this Department at the retired officer'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.

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- (d) Only be authorized to carry a concealed firearm inspected and approved by the Department.

208.6 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 officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

208.7 DENIAL, SUSPENSION, OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

A CCW endorsement for any officer retired from this Department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired peace officer compromises public safety (Penal Code § 25470).

- (a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
 3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization, and one selected jointly (Penal Code § 26320).
 1. The decision of such hearing board shall be binding on the Department and the retiree.
 2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege."
- (d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Watch Commander as soon as practicable. The Watch

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Commander should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.

1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
2. The Watch Commander should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.
3. The personal and written notification should be as follows:
 - (a) The retiree's CCW endorsement is immediately and temporarily suspended.
 - (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
 - (c) The 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.
4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

208.8 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers 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.

Retired officers may also provide written out of county or state certification to the Department that they have successfully qualified on an approved course of fire with a Department approved firearm. Such written certification must be made on a form provided by the Department and completed by a representative of the law enforcement agency who conducted the firearms qualification.

Attachments

**Police Department ID Card
“Concealed Carry” Status Form.pdf**

Retired Officer Firearms Qualification Waiver and Release Agreement.pdf

**Retired Officer Firearms Qualification
Waiver and Release Agreement**

Name of Retired Peace Officer: _____
(Please Print Name)

I am a retired peace officer of the La Mesa Police Department and have read the federal requirements as described in the Law Enforcement Officers Safety Act of 2004 (18 U.S. Code § 926C).

I have read the State of California requirements to carry a concealable firearm as it pertains to a retired peace officer (Penal Code § 25450, 25455, 25460, 25475, 26305).

I recognize that the La Mesa Police Department is not legally required to provide me with firearms instruction or a firearms qualification course. In consideration of my participation in any La Mesa Police Department firearms instruction or firearms qualification course, I agree as follows:

I agree to indemnify, defend, and hold harmless the La Mesa Police Department, its agents, and employees, for any injury caused by my participation in their or any other qualification process. I further waive any claim for damages against the La Mesa Police Department, its agents, or employees, for any injury suffered by me while participating in a qualification process.

Further, I hereby specifically agree to indemnify, defend, and hold harmless the La Mesa Police Department, its agents, or employees, from any and all liability resulting from my carrying and/or use of any weapon allowed under the Law Enforcement Officers Safety Act of 2004, including, but not limited to, civil litigation.

Name of Retired Officer (print)	Signature	Date
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Name of La Mesa Official (print)	Signature	Date
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Retired Sworn Officer Firearms Qualification Certification.pdf



**LA MESA POLICE DEPARTMENT
RETIRED SWORN OFFICER
FIREARMS QUALIFICATION CERTIFICATION**

Retiree name:

Date of qualification:

Firearm (copy additional sheets for more than three firearms):

Make: _____

Model: _____

Caliber: _____

Law enforcement agency conducting the qualification:

Qualification course type (attach description of the course of fire):

- Duty weapon
- Off-duty weapon
- "Carry Concealed Weapon" Permit
- Other (please describe)

Law enforcement agency representative:

Name: _____ Phone: _____

Address: _____

I certify that I am an authorized representative of the listed law enforcement agency and that the listed individual successfully completed a course of firearms qualification, as described in the attached information.

Signature of law enforcement agency representative: _____

Police Department ID Card “Concealed Carry” Status Form

FRONT of CARD

REAR of CARD

Name of Officer	Physical Description
Title/Rank	CCW Category
Date of Issue or Retire Date	“18USC926 B or C Qualified”
“Retired” printed in red (retirees only)	“Qualified Through” date (retirees only)
Signature of the Chief of Police	

“CCW Category” definitions

Regular Officers

“18USC926B Qualified”

For sworn personnel currently employed and in good standing.

Retired Officers

“18USC926C Qualified”

For sworn personnel who retired in good standing and meet the requirements of the act, as determined by the Chief of Police.

“CA CCW Approved”

Retirees who choose not to qualify or have not qualified within the past year but have not had their CCW privilege otherwise revoked.

“No CCW Privilege”

Retirees who have had their CCW privilege denied or revoked in accordance with California law.