

RETIRED/FORMER OFFICER CARRYING CONCEALED WEAPONS

Approved By: Geoffrey Jones Chief of Police

CALEA 6th Edition Standard: 22.1.8

220 RETIRED/FORMER OFFICER CARRYING CONCEALED WEAPONS

220.1 PURPOSE AND SCOPE

The purpose of this written directive is to establish policy, procedure and general guidelines for the issuance, denial, suspension or revocation of Columbia Police Department identification cards under the Law Enforcement Officer's Safety Act (LEOSA) (18 USC § 926C) and Missouri law (§ 571.030.12, RSMo and § 571.030.13, RSMo) for qualified former or retired Columbia Police Officers.

220.2 POLICY

It is the policy of the Columbia Police Department (CPD) to provide an identification card to qualified former or retired officers as provided in this policy.

220.3 CONCEALED CARRY OPTIONS

A retired officer of this department has the following options available for carrying a concealed weapon:

1. A former officer of this department may obtain a concealed carry endorsement from the state of Missouri pursuant to § 571.101, RSMo to § 571.121, RSMo.
2. A former officer of this department may obtain a concealed weapon permit from any other state.
3. A qualified former officer of this department (§ 571.030.12) who departs regular employment may carry a concealed weapon without a permit pursuant to § 571.030.2(1), RSMo. The former officer shall have in his/her possession (§ 571.030.13, RSMo):
 - a. A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or
 - b. A photographic identification issued by the agency from which the individual retired from service as a peace officer; and
 - c. A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards

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established by the state for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm.

4. A qualified former officer of this department may carry a concealed weapon without a permit if he/she meets federal qualified retiree requirements to carry a concealed weapon pursuant to 18 USC § 926C.

220.4 LEOSA

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

- a. Separated from service in good standing from this department as a law enforcement officer;
- b. Before such separation was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;
- c. Before such separation, served as a law enforcement officer for an aggregate of at least 10 years or more (If the officer is including time as an unpaid reserve officer as part of the aggregate time, it is the officer's responsibility to provide adequate proof of their service time); or
- d. Separated from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;
- e. During the most recent 12-month period has met, at the expense of the individual, the standards for training and qualification for active police officers to carry firearms;
- f. Has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health and as a result of this finding will not be issued the photographic identification as described in this policy.
- g. Has not entered into an agreement with the agency from which the individual is separating from service in which that individual acknowledges he or she is not qualified under this section for reasons relating to mental health and for those reasons will not receive or accept the photographic identification as described in this policy.
- h. Is not under the influence of alcohol or other intoxicating or hallucinatory drug or substance; and
- i. Is not prohibited by federal law from receiving or possessing a firearm.

The Chief of Police shall determine whether an officer has separated or retired in good standing. This determination is not subject to review.

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A former peace officer is not "in good standing" if he/she was discharged for cause or resigned prior to the final disposition of allegations of misconduct.

220.5 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 a law enforcement officer.

If the Columbia 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.

220.6 LEOSA 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:

- a. In possession of photographic identification issued by the agency from which the individual separated from service as a law enforcement officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or
- b. In possession of a photographic identification issued by the agency from which the individual separated from service as a law enforcement officer; and
- c. A certification issued by the state in which the individual resides or by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that State that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the State or a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that State to have met:
 1. The active duty standards for qualification in firearms training, as established by the State, to carry a firearm of the same type as the concealed firearm; or
 2. If the State has not established such standards, standards set by any law enforcement agency within the State to carry a firearm of the same type as the concealed firearm.

220.7 DEPARTMENT RESPONSIBILITIES

The Department will issue a LEOSA photo identification card to any qualified officer who has separated in good standing from service with the Department as a law enforcement officer pursuant to 18 USC § 926C.

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The Department will issue updated LEOSA identification cards that includes the LEOSA firearms certification to all qualified retired or separated officers who have passed the annual firearms qualification.

220.8 FORMER OFFICER RESPONSIBILITIES

A former officer with a LEOSA identification card issued under this policy shall immediately notify the Chief of Police of his/her arrest or conviction in any jurisdiction, or if he/she becomes the subject of a court order.

220.9 FIREARMS QUALIFICATIONS

To be qualified to carry a concealed firearm pursuant to § 650.030, RSMo, the retired officer must annually complete the firearms training and qualification courses approved by the Missouri Department of Public Safety.

220.9.1 LEOSA FIREARMS QUALIFICATION PROCEDURE

Annually, a department email will be sent to previously qualified separated or retired officers of this department, who have an email address on file, notifying them of an anticipated qualification date, any alternate dates and other pertinent information. To receive an updated LEOSA identification card the separated or retired applicant will be required to:

- a. Complete and submit the Columbia MO Police Department Separated Law Enforcement Officer Concealed Weapon Permit Application (LEOSA Request Form).
- b. Attend and successfully complete the required qualification course.
- c. Submit to a background check and be found free of any prohibitions of possessing a concealable firearm in the State of Missouri.

Qualifications of retired or separated officers will be conducted by an approved certified firearms instructor.

This department may offer law enforcement officers who separated or retired from other agencies the opportunity to obtain the firearms qualifications that are necessary for certification, as pursuant to this policy, at least twice per year. The Department may impose a fee in the amount necessary to pay the expenses for providing the firearms qualifications.

220.10 DENIAL, SUSPENSION OR REVOCATION OF A LEOSA IDENTIFICATION CARD

A Department issued 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.

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220.11

CARRYING FIREARMS OUT OF STATE

Qualified separated or retired officers of this department who meet the requirements and who carry the required identification and firearms qualification certificate outlined in 18 USC § 926C may be authorized to carry a concealed firearm in other states.