



CONCORD POLICE DEPARTMENT STANDARD OPERATING PROCEDURE

LAW ENFORCEMENT OFFICER SAFETY ACT (HR218)

GENERAL ORDER: 10.05

CREATED: August 31, 2020

ISSUE DATE: August 31, 2020

CALEA STANDARD:

EFFECTIVE DATE: September 11, 2020

ACTION: Creates general order.

10.05.0

PURPOSE

The purpose of this general order shall be to establish policy and procedures by which retired sworn coworkers of the Concord Police Department may apply for participation in a Law Enforcement Officers Safety Act (LEOSA) qualification course and/or receive a Concord Police Department issued LEOSA certification card.

10.05.1

POLICY

It shall be the policy of the Concord Police Department to ensure that retired sworn coworkers wishing to carry a weapon concealed under LEOSA meet the firearms training and qualification standards established by the department and the North Carolina Criminal Justice Education & Training Standards.

10.05.2

DEFINITIONS

A. **QUALIFIED FORMER LAW ENFORCEMENT OFFICER (QFLEO)**

An individual who is retired or separated from the Concord Police Department in good standing as a qualified, active law enforcement officer for at least ten years or more, or separated due to a service-connected disability, as determined by the Concord Police Department, after completing any applicable probationary period.

10.05.3

APPLICANT ELIGIBILITY

- A. A Qualified Former Law Enforcement Officer (QFLEO) may request a Law Enforcement Officer Safety Act (LEOSA) certification card upon retirement from the Concord Police Department.
- B. It shall be confirmed that the applicant is not prohibited under federal or state law from possessing a firearm, as indicated by a search of the Division of Criminal Information (DCI) and the National Crime Information Center (NCIC).
- C. Furthermore, such QFLEO at the time of their separation must have been an active duty coworker who:
1. Was not the subject of an administrative or criminal investigation, which could have resulted in suspension or loss of police powers, at the time of separation;

2. Was not under discipline or pending discipline, which involved suspension or loss of police powers, at the time of separation;
3. Whose separation was not due to a finding by the Concord Police Department that the QFLEO was unqualified to be a law enforcement officer for reasons related to the former coworker's mental health and;
4. Whose separation was not part of a settlement agreement wherein the former coworker acknowledged that he/she was not qualified to be a law enforcement officer for reasons related to their mental health;
5. Is not under the influence of, or addicted to, alcohol or another intoxicating or hallucinatory drug or substance and;
6. Is not prohibited by federal or state law from possessing a firearm.

10.05.4 **CERTIFICATION PROCEDURES**

- A. A retired QFLEO in good standing with the department shall successfully complete the necessary training mandated by the North Carolina Criminal Justice Education & Training Standards.

NOTE: The Concord Police Department will periodically host LEOSA firearms qualification and training. No practice or remedial sessions will be conducted. Any QFLEO who fails the LEOSA firearms qualification may apply for a future LEOSA qualification course at an additional cost.

- B. All handguns shall be subject to inspection and approval by the department's lead certified firearms instructor prior to qualification attempts;
- C. All handguns shall be suitable for law enforcement usage to include both revolvers and semi-automatic pistols. Handguns shall be limited to calibers between .38 and .45 with a 6-inch barrel or less;
- D. Ammunition shall be suitable for law enforcement usage which shall be determined by a certified department firearms instructor prior to QFLEO attempting the qualification course of fire;
- E. Participants shall furnish 100 rounds of approved factory specified ammunition, at least one extra speed loader or magazine, an appropriate belt holster and flashlight;
- F. LEOSA certification course participants are limited to using one specific type of weapon (e.g. Glock .40 caliber), which should be the participant's normal carry weapon.

NOTE: LEOSA certification is firearm (serial #) specific.

- G. QFLEO shall score no less than 80% on both day and night qualification courses.

- H. QFLEO shall successfully complete a combat course. Both day and night stages of fire. Combat course shall be scored via Pass/Fail.
- I. QFLEO shall receive a minimum of two hours instruction on NC laws of self-defense and the use of force by private citizens, detention of persons by private persons, and assistance to LEO by private citizens.

NOTE: Prior to retirement, an officer may request to receive the mandated two hours of instruction.

- J. Certification is only valid for a period of one calendar year from the date on which certification was granted. A QFLEO must apply for certification each year. To avoid a lapse in certification, it is strongly recommended that within 30 days prior to expiration of certification, the QFLEO should:
 - 1. Successfully complete the firearms qualification course and;
 - 2. Submit a completed application form. Re-certification procedures shall be the same as those for initial certification.

NOTE: Upon retirement from the Concord Police Department, valid firearms qualification shall revert to the last in-service qualification date prior to retirement and not the date of retirement.

- K. All qualification scores shall be recorded on the Retired Law Enforcement Officers Firearms Qualifications Application (Form F-9R).
- L. The department intends to conduct QFLEO qualifications at least twice during a calendar year.

10.05.5

DISCLAIMERS

- A. Neither the City of Concord nor the Concord Police Department shall assume any liability regarding any false information provided by the QFLEO.
- B. Neither the City of Concord nor the Concord Police Department shall assume any liability, or provide legal representation or indemnification to a QFLEO, for any act arising from his/her use of a firearm.

10.05.6

FEES

- A. Those applying for the Concord Police qualification course and LEOSA certification card shall pay a non-refundable administrative processing fee of \$50.00.



GARY J. GACEK
CHIEF OF POLICE

North Carolina Concealed Handgun Chart – Prohibited Carry Areas

Carry Area	Individuals Authorized Pursuant to GS 14-269(b)	Out-of-State Officer HR 218	Concealed Carry Handgun Permittee GS 14-415.10	Out-of-State Reciprocal Concealed Carry Handgun
Educational Property	YES	YES--If Secured in Vehicle Unless Private Educational Property is Posted.	YES -- If Secured in Vehicle <u>Unless</u> Private Educational Property is Posted.	YES -- If Secured in Vehicle <u>Unless</u> Private Educational Property is Posted.
Where Alcoholic Beverages are sold and consumed	YES	YES--Unless Posted	YES -- Unless Posted	YES -- Unless Posted
Certain State Property & Courthouses (This does not address Legislative office properties.)	YES	YES-- If Secured in Vehicle	YES -- If Secured in Vehicle	YES -- If Secured in Vehicle
Parades or Funeral Processions	YES	YES -- Unless Posted	YES -- Unless Posted	YES -- Unless Posted
Picket lines, Private Health Care Facilities	YES	NO	NO	NO
Posted Property	see note below	NO	NO	NO
Law Enforcement or Correctional Facility	YES	NO	NO	NO
Federal Property	NO	NO	NO	NO
While consuming alcohol or while alcohol or controlled substance is in the blood	NO	NO	NO	NO
Assembly where admission is charged	YES	YES--Unless Posted	YES -- Unless Posted	YES -- Unless Posted
State owned rest area	YES	YES	YES	YES
Posted local government recreational facilities	YES	NO	NO	NO

A "yes" in the block indicates the person in that category can carry in the establishment listed.

A "no" in the block indicates the person in that category cannot carry in the establishment listed.

NOTE: While carrying in this area may not be in violation of our concealed carry statutes, it may constitute a trespass