



GENERAL ORDER

DURHAM POLICE DEPARTMENT
DURHAM, NC

NUMBER:

2027 R-7

DEPARTMENTAL RETIREMENT PROCEDURES & HONORS

Effective Date: 01/06/2003

Revision Dates: R-1 06/11/2003; R-2 04/28/2004; R-3 11/05/2018; R-4 10/26/2020; R-5 4/5/2021; R-6 11/19/2021; **R-7 11/23/2021**

INTRODUCTION

The North Carolina General Statutes provide for the disposition of the badges and weapons of retired and deceased members of law enforcement agencies. The policies of the Durham Police Department (DPD) that deal with this issue shall conform to N.C.G.S § [20-187.2](#) and shall not conflict with any federal, state, or local law.

Due to the long-standing departmental tradition of these awards, it shall be the policy of the DPD that any sworn Department member who retires honorably with at least twenty years of service shall be entitled to various Departmental honors.

DEFINITIONS

Retirement: Directly leaving the employment of DPD and being immediately eligible for the benefits provided by the North Carolina Local Governmental Employees' Retirement System. This would not include members leaving the employment of the Department before being eligible for retirement benefits, but who still at some later date receive a benefit from the North Carolina Local Governmental Employees' Retirement System due to previous contributions.

Years of service: Full time, paid, sworn law enforcement service with DPD, plus reserve sworn law enforcement service with the Department, plus up to five years of full time, paid law enforcement service as a sworn officer with any other law enforcement agency in North Carolina.

Good standing: An employee that separates from employment while not currently under investigation for violation(s) of policies and/or criminal law.

APPLICATION PROCESS AND AUTHORITY OF THE CHIEF OF POLICE

N.C.G.S. § [20-187.2](#) authorizes the Durham City Council, as the governing board of the City of Durham, to award at its discretion the service sidearm of retired or deceased members as described in this general order. The Durham City Council has, by resolution, delegated this authority to the Chief of Police. Any retiree or survivor who would like consideration given to the award of a badge or service sidearm under the provisions of this general order shall complete the Retention of Service Sidearm and/or the Retention of Badge form and submit it to the Chief of Police. The awarding of such items shall be at the sole discretion of the Chief of Police. If the Chief of Police approves the request, the Supply Unit will process the retention of badge request and forward the retention of service sidearm form to the DPD armorer for processing. Once processed, each

applicable unit is responsible for forwarding the forms to Employee Services for inclusion in the member's personnel file.

BADGES

Any sworn Department member who retires due to any reason shall be awarded at no cost the last badge that they wore while on duty. Additionally, after January 1, 2020, any sworn member who retires in good standing shall have the opportunity to purchase a shirt or flat badge from their previously held ranks upon submission of their notice of pending retirement.

The surviving spouse of all sworn Department members killed in the line of duty or who were Department members at the time of their deaths shall be awarded, at no cost, the last badge that the member wore while on duty. If such a member dies and is not survived by a spouse, the surviving children shall be eligible to apply to receive the last badge that the member wore while on duty.

SERVICE SIDEARM

The following categories of Department members and survivors shall be eligible to apply to receive, at no cost, the service sidearm that was carried on duty by the member:

- A sworn Department member who retires honorably after at least twenty (20) years of service, as defined above.
- The surviving spouse of a sworn Department member killed in the line of duty. If such a member dies and is not survived by a spouse, the surviving children may apply.
- The surviving spouse of a sworn Department member who dies while currently employed by the Department and has accumulated enough service time that they would have been eligible to retire and receive immediate retirement benefits provided by the North Carolina Local Governmental Employees' Retirement System. If such a member dies and is not survived by a spouse, the surviving children shall be eligible to apply to receive the sidearm.

PISTOL PERMITS AND RECORD KEEPING

For a member or survivor to receive their duty sidearm under the above provisions, the member or survivor must comply with N.C.G.S. § [14-402](#) et seq. This statute requires that the receiver obtain a pistol permit from the Sheriff of their county or a valid North Carolina concealed handgun permit before a pistol or revolver may be transferred to the receiver. DPD shall keep the permit on file in the armory indefinitely, along with a copy of the completed Retention of Service Sidearm form.

PSYCHOLOGICAL AND STRESS RETIREMENTS

Any member who retires before completing twenty years of service or who retires after twenty years of service due to stress or other psychological factors shall not be eligible to receive a duty sidearm but shall be awarded their badge, as described above.

PUBLIC SAFETY

No member or survivor shall be awarded a firearm if they are suffering from or have suffered from alcoholism, drug addiction, or any other illness or condition that may affect the safe handling of a firearm, or if it would be illegal to transfer a firearm to the member due to any federal, state, or local law.

RETIREMENT PLANNING CONSIDERATIONS

To maximize the value of retirement benefits to retiring members of the Department, it is recommended that members deliberately plan their retirement. City Policy [HRM-508 Retirement](#) establishes the notification and procedural requirements, including timelines for notification. To do so, members are advised to take the following steps:

- Early in their careers, obtain the City of Durham retirement planning information from the Human Resources Office. This information helps in planning for eventual retirement and will be useful to have as one nears retirement.
- Approximately six months before the anticipated retirement, contact Employee Services to discuss what activities need to take place to retire at the desired time.
- At any time before retirement, members may contact the State of North Carolina Treasurer's Office Retirement Systems Division for information on the amount of service time accrued, purchasing time from military or other sources, and potential retirement dates and benefits.

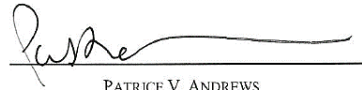
RESERVE OFFICER PROGRAM

To enhance the mission of the Department while utilizing the valuable training and experience offered by retiring members, the Department encourages its retiring members to participate in the Reserve Officer Program. Any officer retiring or resigning in good standing with the Durham Police Department immediately preceding their retirement/resignation, may request to participate in this program. Eligible employees must submit the Retirement/Resignation Requests Form to the Executive Officer to the Chief of Police within 30 days prior to their retirement/resignation date. If approved, the requestor will be notified and provided further information regarding the Reserve Officer Program by the Reserve Deputy Chief or his/her designee.

RESIGNATION OF EMPLOYMENT

Employees that are anticipating resignation from service with the Durham Police Department should review [HRM-502 Paid Annual Leave](#) prior to submitting their resignation to ensure that they are complying with the requirements for the payout of accrued leave defined therein. Once an employee has reviewed *HRM-502 Paid Annual Leave* to verify their compliance with same, they must submit their letter of resignation to the Employee Services Division for review. The letter of resignation should be addressed to the Chief of Police, with the employee's Chain of Command up to Deputy Chief of Police copied on said notification. The Employee Services Division shall verify that the requirements of *HRM-502 Paid Annual Leave* are met and will then forward the letter of resignation to the Chief of Police and the employee's Chain of Command for notification. The employee will then be responsible for the preparation of Request for Leave cards, if necessary, and submission to their respective timekeeper for processing. Should an employee fail to follow the procedures defined herein, they are subject to a delay or loss of accrued leave upon separation.

Any employee that resigns in good standing that wishes to participate in the Durham Police Department's Reserve Officer Program shall follow the requirements detailed above.

A handwritten signature in black ink, appearing to read 'Patrice', is written over a horizontal line.

PATRICE V. ANDREWS
CHIEF OF POLICE