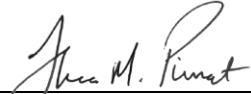


LEESBURG POLICE DEPARTMENT REGULATIONS AND GENERAL ORDERS MANUAL		
General Order Number: 132	Section: ADMINISTRATION	Effective Date: JUNE 2021
Title: LAW ENFORCEMENT OFFICER SAFETY ACT (LEOSA)		
Accreditation Standards: N/A		
Review Date: JANUARY 2024	Total Pages: 2	Chief of Police: 

I. LAW ENFORCEMENT OFFICER SAFETY ACT (LEOSA)

- A. On July 22, 2004, President George W. Bush signed into effect the Law Enforcement Officers’ Safety Act of 2004 (Public Law 108-277 or L.E.O.S.A.). This federal law substantially changed the rights of active duty and qualified retired sworn law enforcement officers with regard to the carrying of concealed weapons throughout the United States. In addition, the law established the criteria that individuals must meet in order to qualify as a qualified retired law enforcement officer. Among these criteria is that an individual must, during the most recent twelve month period, have met, at the expense of the individual, the State’s standards for training and qualification for active law enforcement officers to carry firearms. On October 12, 2010, President Barack H. Obama signed into effect a revision of the Law Enforcement Officers’ Safety Act (Public Law 110-272) which expanded and further clarified the preceding legislation.
- B. Under these two pieces of legislation, a “*qualified retired law enforcement officer*” is defined as an individual who:
1. Has separated from service in good standing with a government agency as a law enforcement officer for an aggregate of ten (10) years or more or separated from such an agency due to a service-connected disability after completing any applicable probationary period of such service;
 2. 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; had statutory powers of arrest; is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
 3. Is not prohibited by Federal law from possessing a firearm.
- C. Qualified retired law enforcement officers must:
1. Carry the photographic identification issued by the agency for which they were employed and have now separated.
 2. Carry documentation which certifies that they have met, within the most recent twelve month period, the active duty law enforcement standards for qualification with a firearm of the same type as the one they intend to carry.
 3. The standard the qualified retired law enforcement officer must meet is that of his former agency, that of the State in which he resides, or in the absence of State standards—or the recognition thereof—the standards of any law enforcement agency in the State in which the qualified retired law enforcement officer and the certified firearms instructor resides.
 4. This document which certifies that the qualified retired law enforcement officer has met the standards described above must be issued by the retired officer’s former agency, by the State in which he lives, or by a certified firearms instructor that is qualified to conduct a firearms qualification test for active-duty officers within that State.

5. If the retired officer lives outside of the Commonwealth of Virginia, he/she may choose to provide verification from a law enforcement agency or other qualified source within the state where the retired officer now resides, confirming that he/she has been tested and found to meet or exceed the same qualification standards required of active duty LPD officers. It would be the responsibility of the retiree to provide such verification to the satisfaction of the LPD. It would be the responsibility of the LPD training officer to review the instructor's documentation (credentials, lesson plan, etc.) and confirm that the testing meets department qualification standards.
6. The retired officer should understand that this is not an authorization to act as an agent of the LPD, to make an arrest, or take police action. This law allows the concealment of handguns only and specifically excludes machineguns, silencers, and destructive devices. Retirees shall be reminded that the carry and use of or misuse of firearms may pose the potential for personal civil and criminal liability. The LPD would assume no liability. If a retiree should elect to take any action, they would be acting as a private citizen and must conform to federal, state, and local laws. Their actions would squarely place any liability on themselves and not the Department.

II. RETIRED OFFICER RESPONSIBILITIES

- A. The retired officer will complete the LEOSA Retiree Registration Form. The retiree may then contact the LPD Training Officer to schedule a date for qualification. Active-duty officer training needs will be given priority in scheduling. The retired officer is reminded that future qualifications must be completed within one year of the initial qualification to ensure the officer's certification does not lapse. The retired officer will not be reminded or prompted by LPD to schedule qualification. Those retirees wishing to avail themselves of the option for out-of-state qualification shall so advise the Training Officer and submit documentation in support of their certification for approval.
- B. The retired officer will ensure that the Department has a recent photograph on file or shall schedule an appointment to take a digital photograph.
- C. The retired officer must review and sign an LPD Waiver and Release form.
- D. The retired officer will be responsible for supplying ammunition to be used during qualification.
- E. The retired officer will be required to qualify using the same course(s) of fire as active duty LPD members.
- F. After qualification, the retired officer will be given or mailed an LPD qualification card. The retiree is required to carry this identification card along with their issued LEOSA qualified credentials when carrying their weapon in a concealed manner.

III. DEPARTMENTAL RESPONSIBILITY

- A. The Training Officer will be responsible for managing the process of scheduling retirees for training and qualification. LEOSA qualifications are typically scheduled for the month of June each year.
- B. The Training Officer shall ensure that an Interstate Identification Inquiry (I.I.I.) check is completed on retirees prior to qualification and that no disqualification factors are in effect. In instances where the retiree submits qualification documentation, the Training Officer shall ensure that an I.I.I. check is completed prior to issuing the LPD certification card. The records check will be examined to ensure that the retired officer is not prohibited by Federal or State law from possessing a firearm.
- C. The Training Officer will coordinate the issuance and retention of the LEOSA Retiree Application and Waiver and Release form.
- D. Certified LPD Firearms Instructors will be responsible for the qualification process. Qualification records will then be submitted to the Training Officer.
- E. The LEOSA Firearms Qualification Card only need to record the name and badge number of retiree, weapon type, course of fire, qualification date, and the certifying instructor's name.