

GENERAL ORDERS MANUAL
WESTERN MICHIGAN UNIVERSITY
DEPARTMENT OF PUBLIC SAFETY

I. PURPOSE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of WMU Department of Public Safety identification cards to qualified former or retired law enforcement officers under the Law Enforcement Officers' Safety Act (LEOSA) and/or Michigan state law (MCL 28.511).

II. POLICY

It is the policy of the WMU Department of Public Safety to provide to the Michigan Commission on Law Enforcement Standards (MCOLES) the authorization for the issuance of a LEOSA identification certificate to qualified former or retired officers of the WMU Department of Public Safety to facilitate the lawful carrying of concealed weapons by those individuals (1.10.3a).

III. LEOSA

- A. The Chief may authorize the issuance of an identification card for LEOSA purposes to any qualified former WMU officer of this department who:
1. Separated from service in good standing from this department as a police officer.
 2. Before such separation, had regular employment as a peace officer for an aggregate of 10 years or more or, if employed as a peace 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.
 3. Has not been disqualified for reasons related to mental health.
 4. Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearms qualification certificate for reasons related to mental health.
 5. Is not prohibited by federal law from receiving or possessing a firearm.

B. LEOSA CARD FORMAT

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

If the WMU Department of Public Safety 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 qualifications to carry a firearm.

C. AUTHORIZATION

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

- (1) In possession of photographic identification that identifies him/her as having been employed as a peace 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 peace 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.
- (2) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - a. Not prohibited by federal law from receiving a firearm.
 - b. Not in a location prohibited by Michigan law or by a private person or entity on his/her property if such prohibition is permitted by Michigan law.

IV. MICHIGAN'S CERTIFICATION CARD

- A. The Chief may issue an authorization letter to MCOLES authorizing the issuance of the LEOSA identification certificate on behalf of the WMU Department of Public Safety to carry a concealed firearm to a person who meets the qualifications as established b 18 USC 926C (MCL 28.513).
- B. The applicant will then submit an application to MCOLES and comply with the testing process. Upon completion of the testing and background check, MCOLES will issue the LEOSA identification certificate.

V. AUTHORIZATION

Qualified former WMU officers with a Michigan LEOSA identification certificate issued by MCOLES may carry as a concealed weapon within the state, any firearm inspected and approved by MCOLES. The card does not itself authorize a retiree to carry a concealed firearm outside this state. The former officer must also meet state and LEOSA requirements.

VI. FORMER WMU OFFICER RESPONSIBILITIES

- A. A former officer with a card issued under this policy shall immediately notify MCOLES of his/her arrest of conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Arrests, Convictions and Court Orders Policy (MCL 28.518).

- B. A former officer must comply with the following state requirements when holding a LEOSA identification certification from the State of Michigan:
1. Carry both the LEOSA identification certificate and a valid Michigan driver's license or personal identification card whenever carrying a concealed firearm.
 2. Provide notice to any peace officer who should stop the former officer while the former officer is carrying a concealed firearm (MCL 28.518).
 3. Not possess a concealed firearm while under the influence of a controlled substance or with a blood alcohol content of .02 or higher (MCL 28.519).

C. RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former WMU officer shall:

1. 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.
2. Remain subject to all applicable federal, state and local laws.
3. Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
4. Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

D. RESPONSIBILITIES UNDER MICHIGAN LAW

In order to maintain a LEOSA identification certificate issued under Michigan law, the retired officer shall (MCL 28.511):

1. Qualify annually with the authorized firearm at a course approved by and conducted through MCOLES at the retired officer's expense (1.10.3b).
2. Remain subject to all federal, state, and local laws.
3. Not engage in conduct that compromises public safety.

VII. DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by MCOLES. In the event that an identification card is denied, suspended, or revoked, the former WMU officer may request a review by MCOLES. The decision made by MCOLES is final.

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Issued by



Scott Merlo
Director of Public Safety