
Retiree Concealed Firearms

207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of San Leandro Police Department identification cards under California law (18 USC § 926C; Penal Code § 25455).

207.2 POLICY

It is the policy of the San Leandro Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

207.3 CALIFORNIA IDENTIFICATION CARD ISSUANCE

Any full-time sworn officer of this department who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW Approved," upon honorable retirement (Penal Code § 25455).

- (a) For the purpose of this policy, honorably retired is defined as an officer who has met or exceeded the required standards of duty and performance and personal conduct. This also includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any officer who retires in lieu of termination.
- (b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).
- (c) An officer, before separation, must have had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as law enforcement 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.

207.3.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

- (a) A photograph of the retiree;
- (b) The retiree's name and date of birth;
- (c) The date of retirement;
- (d) The name and address of this department;
- (e) Acknowledgment of 10 years of service;
- (f) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

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207.4 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Watch Commander of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions policy.

207.4.1 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

- (a) Qualify annually with the authorized firearm at a course approved by this department, with a SLPD Rangemaster, at the retired officer's expense;
- (b) Remain subject to all applicable department policies and federal, state and local laws;
- (c) Not engage in conduct that compromises public safety;
- (d) Only be authorized to carry a concealed firearm inspected and approved by the Department.

207.4.2 CARRYING FIREARMS OUT OF STATE

Subject to 18 United States Code 926C, qualified retired officers of the Department may be authorized to carry a concealed weapon in other states.

207.4.3 OUT OF AREA QUALIFICATION

Any officer that retired honorably after ten years of services who resides out of the state or area and chooses not to be qualified by a San Leandro Police Department Rangemaster, can still obtain a concealed firearms permit if they comply with the Law Enforcement Officer's Safety Act (LEOSA), 18 USC § 926C.

The retired officer shall obtain a San Leandro Police Department identification card indicating he/she has retired honorably and has served as a law enforcement officer for at least 10 years. This identification card will **not** be CCW endorsed. It is the retired officer's responsibility to provide this identification card to the law enforcement agency in which they currently reside. The officer will then follow that agency's procedure in obtaining a CCW permit.

207.5 DENIAL, SUSPENSION OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

A CCW endorsement under Penal Code § 25470 for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired peace officer compromises public safety.

- (a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.

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- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
 - 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
 - 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
 - 3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 26320).
 - 1. The decision of such hearing board shall be binding on the Department and the retiree.
 - 2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege."
- (d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Watch Commander as soon as practicable. The Watch Commander should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.
 - 1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
 - 2. The Watch Commander should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.
 - 3. The personal and written notification should be as follows:
 - (a) The retiree's CCW endorsement is immediately and temporarily suspended.
 - (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
 - (c) The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
 - 4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the above

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notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

207.6 FIREARM QUALIFICATIONS

The Rangemaster may provide the retired officer from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Professional Standards and Training Unit will maintain a record of the qualifications and weapons used.

At each qualification the Rangemaster shall inspect each firearm to ensure they are functioning properly, being maintained correctly, and to identify any safety issues.

At the conclusion of the qualification the retired officer will fill out and sign a San Leandro Police Department Retiree Carry Concealed Weapon Application acknowledgement form (see attachment). Also, each retired officer will read and acknowledge the policy for Reporting of Employee Convictions.

[See attachment: Retiree CCW Application.pdf](#)

207.7 RESCINDED POLICY

This policy rescinds San Leandro Operations Directive 11-01.

Attachments

Retiree CCW Application.pdf



RETIREE CARRY CONCEALED WEAPON APPLICATION

Reason for request: New Renewal Lost

Type of ID: CCW Approved
 No CCW Privileges

Name: _____
(Last) (First) (MI)

Rank: _____ Badge #: _____

Sex: _____ DOB: _____ Height: _____ Weight: _____ Hair: _____ Eye: _____

Weapon Make/Model/Caliber: _____

CDL: _____ Date of Hire: _____ Date of Retirement: _____

Mailing Address: _____

Current Phone Number: _____

I acknowledge that I am aware that possession of this Identification card with CCW privileges does not excuse me from licensing requirements stipulated in the California Business and Professions Code prior to accepting employment which requires carrying a loaded firearms whether concealed or exposed.

The CCW endorsement under Penal Code 25455(c) of any officer retired from the Department may be denied or permanently revoked only upon a showing of good cause. Any denial or revocation under this section shall also be considered disqualification under 18 U.S.C. 926C (d). The CCW endorsement may be immediately and temporarily revoked by the Chief of Police, or his/her designee, when the conduct of a CCW approved retired peace officer compromises public safety.

Signature: _____ Date: _____

I authorize the Professional Standards and Training Unit to prepare and issue a Retiree Identification Card for the above listed person.

Jeff Tudor
Chief of Police

Date: _____