



GENERAL ORDER

Issuance of Retirement ID Credentials and Retiree Concealed Weapon Authorizations

The purpose of this General Order is to identify the process for the issuance of retired peace officer identification credentials and carry concealed weapon (CCW) authorizations and / or permits. This order applies to peace officers and reserve peace officers (all levels) honorably retiring from the Sacramento County Sheriff's Department.

Information contained in this Order shall be retroactive to January 1, 1981 for retired / retiring *full-time peace officers* and retroactive to January 1, 1997 for retired / retiring *reserve peace officers* who meet the minimum qualifications under this order and California State law.

Retired Deputy Sheriffs who elect to participate in the reserve program shall follow General Order 2/13. This Order in no way eliminates the annual firearms qualification / training mandated for those retired regular Deputy Sheriffs electing to participate in the reserve program.

I. Retired ID Credential Eligibility Requirements

A. **Peace officers and reserve peace officers (all levels)** shall be eligible for retired peace officer ID credentials after satisfactorily meeting the minimum terms of service as determined by the Sheriff.

1. Minimum Terms of Service

- a. **Peace Officers** – Ten (10) continuous years of satisfactory service regardless of age.
 - (1) Time accrued while previously employed with another law enforcement agency as a full-time regular peace officer may be counted.
 - (2) Time accrued while previously employed as a level I reserve peace officer (including on-call deputy sheriff) with SSD may be counted.
- b. **Reserve Peace Officers (all levels)** – Ten (10) years of satisfactory service regardless of age. Factors that shall be considered for determination of honorable retirement status shall include, but will not be limited to the applicant's:

- (1) History of activity / compliance with annual reserve hours.
- (2) Complaint / discipline history.
- (3) Compliance with training / qualification mandates
- (4) Years of service will be calculated as an “aggregate time” in compliance with annual volunteer hours and may allow for breaks in continuous years.

B. **Retirement due to injury** – Retirement ID credentials may be issued to full-time and reserve peace officers prior to the completion of the established minimum years of service when an on-duty injury results in the full-time or reserve peace officer no longer being able to perform the duties as required by the position. (This term is regardless of age or length of service.)

C. **Reasons for ineligibility** – Retiring reserve peace officers (all levels) who have established a continual pattern of substandard performance shall be automatically ineligible for retirement credentials. Any of the following circumstances shall make the reserve peace officer automatically ineligible:

1. **Failure to Qualify** in excess of two (2) semiannual shooting periods during the previous three (3) years.
2. **Failure to Cumulatively Contribute** the mandated number of reserve hours during the previous three years (sixteen (16) hours average per month for Level I and II reserves, and eight (8) hours average per month for Level III reserves).
3. **Other Reasons** as determined by the Sheriff shall be reviewed on a case by case basis. Examples may include:
 - a. Disciplinary / administrative investigations.
 - b. Any activity that would not reflect favorably on the law enforcement profession.

II. Obtaining Retirement ID Credentials

- A. **When to Submit** – All full-time and reserve peace officers shall submit a Request for Retirement ID Credentials application after they have met all eligibility requirements and have declared a retirement date with the County and / or the reserve deputy coordinator office (Attachment A).
- B. Final approval for all retirement ID credentials and any accompanying endorsement will rest with the Sheriff and be in accordance with all California State laws.

- C. **Credential Expiration / Renewal** – Retirement ID credentials shall be valid for a period of ten (10) years. Renewal will occur as follows:
1. Retiree shall appear in person and will be photographed and issued a valid ID credential good for ten (10) additional years.
 2. Retirees who reside more than 100 miles from the Sheriff's headquarters building may renew their department credential via mail without appearing in person using the existing photograph.
- D. **Lost / Stolen Credentials** – Lost or stolen ID credentials shall be reported according to General Order 17/02 **Access Control Card and Department Credential**.

III. Concealed Weapon Authorizations / Permits – State of California

- A. **Retired Peace Officers and Level I Reserve Peace Officers** - Pursuant to California Penal Code sections 26300(a) & 26300(c)(2) all honorably retired peace officers and Level I reserve peace officers (who have met the established minimum 10 years' service) shall have an endorsement placed on the officer's retirement ID credential stating that the issuing agency approves the officer's carrying of a concealed and loaded firearm.
1. No additional or further annual firearms qualifications are necessary to comply with the above State of California CCW privilege.
 2. Any incident involving a retired peace officer possessing retirement identification credentials approving the carrying of a concealed firearm will be investigated and reviewed by the appropriate law enforcement agency where the incident occurred. This section does not preclude the Sheriff or his designee from reviewing the facts of the incident and making a separate finding.
- B. **Level II & III Reserve Peace Officers** – The privileges granted under California Penal Code sections 26300(a) & 26300(c)(2) do not extend to retired level II and III reserve peace officers.
1. No endorsement allowing the carrying of concealed weapons shall be placed on the retirement ID credential.
 2. Retiring Level II and III reserve peace officers desiring to possess a CCW permit must comply with existing public Sacramento County *Carry Concealed Weapon* (CCW) application processes.
 3. Retiree shall comply with all existing public Sacramento County CCW renewal, safety and firearms qualifications.
- C. **CCW Endorsement Exclusions, Denials & Revocations** – The Sheriff, at his discretion, may deny an endorsement to those retiring peace officers or Level I reserve peace officers who retire in lieu of termination.

Retired peace officers, residing outside California, not meeting the minimum 15 year service requirement pursuant to **HR 218 Law Enforcement Officer Safety Act (Title 18 USC 926c)**, shall not receive a CCW Endorsement. Further, the Sheriff may deny or revoke an endorsement pursuant to California Penal Code section 26305 which states:

1. No peace officer or Level I reserve peace officer retiring after January 1, 1989 due to a psychological disability shall be issued an endorsement.
2. A retired peace officer may have the privilege revoked or denied by violating any departmental rule, state or federal law that if violated by an officer on active duty would result in that officer's arrest, suspension or removal from the agency.
3. Immediate or temporary revocation by the issuing agency may occur when the conduct of a retired peace officer compromises public safety.
4. Permanent denial or revocation may occur only upon showing of good cause.
 - a. Good Cause shall be determined at a hearing, as specified in California Penal Code section 26320.

D. CCW Denial & Revocation Appeal Process – An identification certificate authorizing the retired peace officer to carry a concealed and loaded firearm or an endorsement may be permanently revoked after a hearing, as specified in California Penal Code Sections 26315 and 26320, which state:

1. Upon notice of denial or revocation from the Department, the retiree shall have fifteen (15) days to request a "Good Cause Hearing". If the retiree fails to request a hearing within fifteen (15) days, the retiree's right to the hearing shall be forfeited.
 - a. The notice of revocation shall serve as a temporary revocation of the retiree's authority to carry a concealed weapon and shall be effective upon service in person or by mail, as specified in Penal Code Section 26312(a).
 - b. During the period of temporary revocation, and prior to the outcome of a Good Cause Hearing, the retiree's CCW privileges are effectively revoked.
2. A hearing shall be held within one hundred twenty (120) days of request by the retiree and shall be held before a three-member hearing board as follows:
 - a. One member of the board shall be selected by the agency.

- b. One member of the board shall be selected by the retired peace officer or his or her employee organization.
 - c. The third member shall be selected jointly by the agency and the retired peace officer or his or her employee organization.
3. Any decision by the board shall be binding on the agency and the retired peace officer.
 4. After the hearing, or upon forfeiture of a hearing, the retiree shall immediately surrender the retiree's credentials to the Department, pursuant to Penal Code Section 26325(a).
 - a. Upon surrender, the Department shall issue a new identification credential without a CCW endorsement.

IV. Concealed Weapon Authorizations / Permits – Federal (LEOSA)

- A. **HR 218 Law Enforcement Officer Safety Act (Title 18 USC 926c)** – In 2013 the federal LEOSA act was amended to extend national *Carry Concealed Weapon* (CCW) privileges to retired peace officers and Level I reserve peace officers who meet the following minimum requirements:
1. Must have retired after serving a minimum of ten (15) years.
 - a. Or retired early due to qualifying injury.
 2. Must have retired in “Good Standing”.
 - a. May not have retired in lieu of termination.
 3. Must not be prohibited to carry a firearm due to:
 - a. Conviction of any disqualifying crime.
 - b. Diagnosed with a psychological disorder.
 - c. Otherwise prohibited or revoked by agency from which retired.
 4. This privilege **DOES NOT** extend to retired Level II or III reserve peace officers.
- B. **HR 218 (LEOSA) CCW Requirements** – Those retired peace officers and Level I reserve peace officers meeting the above minimum requirements desiring to carry a concealed firearm outside of California must comply with the following conditions:
1. Must be in possession of a valid retired peace officer photographic ID credential with appropriate State CCW endorsement.

2. Must be in possession of a current firearms qualification slip (the qualification must have occurred within 12 months of the date of contact).
3. Must be in possession of the same firearm authorized and listed on the qualification slip.

C. **Firearms Qualification Requirements** – LEOSA is a privilege extended to include qualified retired peace officers and level I reserve peace officers. The Sacramento County Sheriff's Department bears no burden or mandate to conduct firearms qualifications for retirees who have separated from service (*does not include those retired deputy sheriffs who have elected to and actively serve as a reserve deputy (ref. G.O. 2/13)*).

Those qualified retirees, who have separated from service and are endorsed to carry a concealed firearm, desiring to meet the firearms qualifications to lawfully carry a concealed firearm nationally, shall do so at their own expense.

Qualified retirees may elect to participate in firearms qualifications at the Sheriff's firearms training facility or any other available law enforcement agency (inside or outside of California).

1. Retirees electing to participate in firearms qualifications at the Sheriff's firearms training facility shall comply with the following:
 - a. Retiree must be in possession of and present a valid retired peace officer credential.
 - b. Retiree may attempt to qualify during any open qualification period and open qualification day.
 - c. Retiree shall pay any established range qualification fee.
 - d. Retiree shall use an approved firearm and holster appropriate for the handgun.
 - e. Retirees shall supply their own approved factory ammunition.
 - f. Retiree will shoot an approved course of fire and achieve a passing score.
 - g. Qualification slips will be maintained at the Sheriff's firearms and training facility for a period of four (4) years.

- h. Retirees who do not achieve the passing score will not be issued a qualification slip.
 - (1) Retiree will be allowed one immediate remedial course at no cost.
 - (2) Second failures will result in a 14 day waiting period before a qualification attempt is authorized and will be subject to an additional range fee.
 - (3) Retirees will be granted a maximum of two (2) opportunities to qualify during any open semiannual period.

- 2. Retirees living out of California State or significant distance from the Sheriff's firearms and training facility may elect to qualify at a local or appropriate state authorized private facility and shall comply with the following:
 - a. Retirees will contact the Sheriff's Professional Standards Division and request a Firearms Qualification Authorization Letter.
 - (1) Letter will be issued if retiree is in good standing and still authorized to carry a concealed and loaded firearm.
 - b. Letter will outline the Sheriff's Department firearms qualification course of fire and authorized weapon / ammunition.
 - c. Retirees will present the letter and their retired peace officer ID credentials to a local law enforcement agency or authorized private firearms qualification facility.
 - d. Retirees will abide by the agency's policies with regard to fees and supply of ammunition.
 - e. There is no need to send a copy of the qualification slip to the Sacramento County Sheriff's Department.

Attachment A – Request for Volunteer Reserve or Temporary Status

Attachment B - Renewal Request for Retired Peace Officer Credentials and CCW Endorsement

Attachment C - Request for Reserved Retired Officer Credentials and CCW
Endorsement