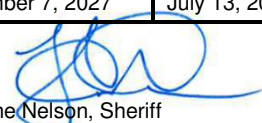




DESCHUTES COUNTY SHERIFF'S OFFICE

Policy Title: Law Enforcement Officers Safety Act	Effective Date: February 25, 2015	Policy Number: 4.52
Accreditation Reference: 1.3.5	Review Date: September 7, 2027	Supersedes: July 13, 2011
Attachments:	 L. Shane Nelson, Sheriff	

I. PURPOSE

The purpose of this policy is to provide the Deschutes County Sheriff's Office firearms training staff with guidelines on issuing, training and qualifying retirees to carry firearms concealed nationwide. Federal House Resolution 218 known as H.R.218, Title 18 United States Code 926C, also known as the Law Enforcement Officers Safety Act of 2004, most recently amended in 2013, allows retired law enforcement officers who qualify to carry a concealed handgun nationwide.

This policy sets out how the Deschutes County Sheriff's Office will implement Title 18 U.S. Code 926C, while addressing liability concerns. The Deschutes County Sheriff's Office will qualify retirees from the Deschutes County Sheriff's Office as well as other agencies.

II. DEFINITIONS

DCSO is the Deschutes County Sheriff's Office.

FQD means Firearms Qualification Date.

LEOSA is the Law Enforcement Officers Safety Act.

III. QUALIFICATIONS

Any retiree who wishes to qualify under LEOSA must meet the following guidelines to carry a concealed handgun nationwide:

- A. Retired in good standing;
- B. Had full powers of arrest or apprehension prior to retirement,
- C. Law Enforcement Officers employed by the US Department of Defense who may not be deemed as having "statutory powers of arrest," but who did have the authority, under the Uniform Code of Military Justice, to apprehend suspects;
- D. Employed as a law enforcement officer for an aggregate of ten years or more or retired due to a service connected disability after a probationary period;
- E. During the prior twelve months, must have met the Oregon standards for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm or equivalent; and
- F. During the annual firearms qualification and training, not be under the influence of alcohol or drugs. Any retiree taking prescribed medications must not, in the opinion of the Deschutes County Sheriff's Office firearms instructor(s), be impaired in his ability to use a firearm.

- G. Has not been found by qualified medical professional to be unqualified for reasons relating to mental health and has not entered an agreement with their respective agency to separate from service for reasons relating to mental health;
- H. Is not prohibited by Federal law from receiving a firearm;
- I. Has photo identification issued by the Deschutes County Sheriff's Office or their respective agency that identifies the person as a retired law enforcement officer.

IV. PROCEDURES

- A. A predetermined date, time and location of range training will be announced annually to all known qualified retirees of the Deschutes County Sheriff's Office. The requirements for the qualification course of fire will be included in the announcement.
- B. Retirees who choose to participate in the process will be required to travel to the range at their own expense and provide their own ammunition, firearm(s) and method of carry.
- C. Retirees must demonstrate the ability to follow instructions and have the ability to hear and see at a level that allows them to be safe while handling a firearm.
- D. The retirees' firearms will be inspected to ensure they meet Deschutes County Sheriff's Office Standards and are safe to operate.
- E. The retirees' ammunition will be inspected to ensure it meets Deschutes County Sheriff's Office standards.
- F. Retirees must qualify with each type of firearm carried under this federal law and this DCSO policy.
- G. Every qualification session will have a use of force refresher course that retirees will be required to attend.
- H. Every retiree who qualifies under this policy must sign a waiver of liability.
- I. The firearms standards will be the same as with any firearm allowed by DCSO (See Policy 8.20).
- J. Retirees participating in this program are subject to all policies of the DCSO that pertain to firearms carry and use.
- K. Possessing an HR218 Firearms Qualification Card does not supersede any state laws regarding carrying concealed handguns.

DCSO Retirement ID Card

Upon successful completion of the qualification course, the retiree must make an appointment with the Sheriff's Office Evidence Unit.

During the appointment, the DCSO retirees will be issued a new DCSO retirement ID card that will include an HR218 Firearms Qualification Date (FQD).

The ID card will reflect the card issue date which is also the date that the retiree qualified with an approved firearm.

The ID card will also reflect the FQD expiration date.

- 1. The back of the DCSO retirement ID card will include the statement:
"Per Firearms Qualification Date (FQD) bearer of this card qualified with an agency approved handgun pursuant to Law Enforcement Officers Safety Act 2004, Title 18 USC 926C."
- 2. Twelve months after the FQD, the retiree must re-qualify or the previous card will expire and another card is not issued until the retiree re-qualifies.
- 3. Those retirees from agencies other than the Deschutes County Sheriff's Office will be issued a state standard firearms qualification card.