

## **Retired Officer Carrying Concealed Weapons**

### **220.1 PURPOSE AND SCOPE**

The purpose of this policy is to provide guidelines associated with the carrying of a concealed weapon by retired officers of this department.

#### **220.1.1 DEFINITIONS**

Definitions related to this policy include:

**Honorably Retired** - An employee who has left service with the Department and meets the City Human Resources Department criteria for honorable retirement or is a qualified retired law enforcement officer pursuant to 18 USC § 926C(c).

**Qualified Retiree** - A former officer of this department who:

- Retired in good standing from service as a law enforcement officer for a reason other than mental instability.
- Was authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or incarceration of a person for any violation of law and had statutory powers of arrest while serving as a law enforcement officer.
- Had regular employment as a law enforcement officer for a total of 15 years or more or, if employed as a law enforcement officer for fewer than 15 years, retired after any applicable probationary period of service due to a service-connected disability as determined by this department.
- Has a non-forfeitable right to benefits under the retirement plan of this department.
- Meets the training and qualification standards of an active-duty law enforcement officer in Arizona.
- Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
- Is not prohibited by federal law from possessing a firearm.
- Not the subject of any disciplinary action by the agency.

### **220.2 CONCEALED CARRY OPTIONS**

A retired officer of this department has the following options available for carrying a concealed weapon:

- A resident of the State of Arizona may carry a concealed weapon without a permit unless he/she is a prohibited possessor of a firearm, as defined in ARS § 13-3101(A)(7).
- A former officer of this department may apply for a concealed weapons permit from the Arizona (DPS) pursuant to ARS § 13-3112(A).
- A former officer of this department who departs full-time employment may carry a concealed weapon without a permit if he/she meets federal qualified retiree requirements to carry a concealed weapon pursuant to 18 USC § 926C and have in his/her possession photographic identification issued by this department that

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indicates the retired officer meets this organization's standards for training and qualification to carry the same type of firearm or has an Arizona Certificate of Firearms Proficiency (AAC § R13-9-101).

#### **220.3 DEPARTMENT RESPONSIBILITIES**

The Department shall issue a photo identification card to any sworn member who has honorably retired, indicating that the officer has honorably retired from the Department (ARS § 13-3112).

The Chief of Police shall determine whether an officer has honorably retired. This determination is not subject to review. The Department is not obligated to revoke, alter or modify the honorable discharge photographic identification based on conduct that the Department becomes aware of or that occurs after the officer has separated from employment.

#### **220.4 DENIAL, REVOCATION OR SUSPENSION OF CONCEALED WEAPONS PERMITS**

The Arizona DPS may suspend its issued permit, pursuant to ARS § 13-3112(B) and AAC § R13-9-601(A), of a retired officer who is arrested or indicted for an offense that is a disqualification for holding a concealed weapons permit. A retired officer who receives a notice of suspension or revocation shall return the permit to the Arizona DPS and shall not unlawfully carry a concealed weapon unless the permit is reissued (AAC § R13-9-601(F)). A permit will be restored on presentation of documentation from the court if the permittee is found not guilty or the charges are dismissed.

#### **220.5 EXPIRED CONCEALED WEAPONS PERMIT**

Any concealed weapons permit that has been allowed to expire by the officer is not subject to renewal, and will require a new application process, including the completion and submittal of new forms and the payment of any fees as required with an initial application (AAC § R13-9-404(C)).

#### **220.6 CARRYING FIREARMS OUT OF STATE**

Retired officers of this department who meet the qualified retiree requirements and who carry the required identification and qualification documents outlined in 18 USC § 926C may be authorized to carry a concealed firearm in other states.

#### **220.7 RENEWAL PROCESS**

A previous honorably retired Peoria Police Officer may request a renewal verification letter provided they complete the following and their previous certification has lapsed:

- Request is in writing.
- The retired officer was determined to be "honorably retired" at retirement.
- Obtain the Certificate of Firearms Proficiency application from an LEOSA qualified instructor documenting the Arizona Peace Officer Standards and Training (AZPOST) firearms qualification course completed, the score and the type of firearm.

Once the department provides the honorably retired officer with the verification letter listed under this policy, it is the retiring officer's responsibility to file the notice and pay any fees to the Arizona Department of Public Safety Concealed Weapon Permit Unit (CWPU).

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For future submissions, retired officers will not need to submit the department verification letter from their agency or the photocopy of their credentials UNLESS the LEOSA certificate is allowed to expire.

- It is the responsibility of the honorably retired officer to obtain the Certificate of Firearms Proficiency on an annual basis and submit the record to Arizona Department of Public Safety Concealed Weapon Permit Unit.