

## Retiree Concealed Firearms

### 220.1 PURPOSE AND SCOPE

The purpose of this policy is to outline the process and conditions associated with the issuance, revocation, and denial of a concealed weapons (CCW) endorsement for retired deputies of this Department.

### 220.2 QUALIFIED RETIREES

Any full-time sworn deputy of this Department who was authorized to carry a concealed firearm during the course and scope of their employment shall be issued an identification card with a "CCW Approved" endorsement upon honorable retirement (Penal Code § 25460 (c)).

1. For the purpose of this policy, "honorably retired" includes all peace officers who have qualified for, and accepted, a service or disability retirement, however, shall not include any deputy who retires in lieu of termination (Penal Code § 16690). See Policy Manual § 1053.4 Retirement/Separation (Peace Officer/ Non-Reserve) for retirement/separation eligibility guidelines.
2. No "CCW Approved" endorsement shall be issued to any deputy retiring because of a psychological disability (Penal Code § 26305(a)).

### 220.3 MAINTAINING A CCW ENDORSEMENT

In order to maintain a "CCW Approved" endorsement on an identification card, the retired deputy shall:

1. Qualify at least annually at a course approved by this Department at the retired deputy's expense (Penal Code § 25475).
2. Every five years, the retired deputy shall petition the Department for renewal of CCW privilege. Upon verification by this Department that all requirements have been met by an otherwise qualified retired deputy, the "CCW Approved" endorsement shall be re-stamped and dated (Penal Code § 25465).
3. Remain subject to all Department rules and policies as well as all federal, state, and local laws (Penal Code § 26305(b)).
4. It is the responsibility of the retired/separated deputy to ensure the handgun is properly maintained, in good working order, and legal to possess. The Department will NOT maintain records for individual retiree handguns.

### 220.4 CARRYING FIREARMS OUT OF STATE

Subject to 18 United States Code 926C (HR-218) and Policy Manual § 380.9, qualified retired deputies of this Department may be authorized to carry a concealed weapon in other states. It is the responsibility of the individual retired deputy to confirm his/her right to carry a firearm out of state.

# Orange County Sheriff-Coroner Department

Orange County SD Policy Manual

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### **220.5 IDENTIFICATION CARD FORMAT**

The identification card issued to any qualified and honorably retired deputy shall be two inches by three inches and minimally contain the following (Penal Code § 25460):

1. Photograph of the retiree
2. Retiree's name and date of birth
3. Date of retirement
4. Name and address of this Department
5. A stamped endorsement "CCW Approved" along with the date by which the endorsement must be renewed. In the case in which a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege"

### **220.6 DENIAL OR REVOCATION OF CCW ENDORSEMENT**

The CCW endorsement for any deputy retired from this Department may be denied or revoked only upon a showing of good cause. Good cause, if challenged, shall be determined in the following manner:

1. In the event that a CCW endorsement is initially denied, the retired deputy 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 (Penal Code § 26310(b)).
2. Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26312).
  - (a) The retiree shall have 15 days from the Department's verification of service to file a written request for a hearing.
  - (b) The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
3. If timely requested, the hearing for the denial or revocation of any CCW endorsement shall be 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(a)).
  - (a) The decision of such hearing board shall be binding on the Department and the retiree.
  - (b) 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 shall then reissue a new identification card which shall be stamped "No CCW Privilege".