



Kern County Sheriff's Office **Policies and Procedures**

TITLE: RETIREE CONCEALED WEAPONS PERMIT		NO: J-2800	
APPROVED: Donny Youngblood, Sheriff-Coroner			
EFFECTIVE: February 16, 2007	REVIEWED: 06/22/2018	REVISED: 12/17/2015	UPDATED: 06/22/2018

POLICY

This policy outlines the processes and conditions associated with the issuance, revocation, and denial of a concealed weapon (CCW) endorsement for retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies of the Kern County Sheriff's Office.

- The Sheriff may charge a reasonable fee to cover the expense of issuing a Permit under this policy.

All retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies of the Sheriff's Office who were authorized to, and did, carry a firearm during their active employment by the Sheriff's Office, retired in good standing and who otherwise meet the requirements of 18 United States Code 926C as amended will, when requested by the retiree and after successfully completing a qualification course of fire, be issued a nation-wide permit to carry a concealed weapon.

- For the purpose of this policy, a retired reserve deputy must meet the specifications within Sheriff's Office Reserve Deputies Policies and Procedures Section G-300, which states the reserve deputy seeking retirement, will have completed ten (10) years of accumulated time as a Kern County Sheriff's Reserve Deputy (level 1).
- No CCW Approved endorsement shall be issued to any deputy retiring after January 1, 1989 because of psychological disability (Penal Code § 26305(a)).

When requested by the retiree, the Sheriff's Office will issue all, deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies who retire in good standing, a California-only CCW permit pursuant Penal Code § 26300 in lieu of the nation-wide CCW.

CCW PERMIT PROVISIONS

The CCW endorsement is voluntary and will only be issued at the request of the retired Sheriff's member. The CCW endorsement is authorized under law and is issued at the discretion of the Sheriff and may be denied on a showing of good cause. The CCW endorsement is contingent on the retiree remaining subject to Sheriff's Office rules and policies as well as all federal, state and local laws (Penal Code § 26305(b)). The CCW endorsement issued under this policy does not create an employment or legal relationship between the County of Kern and the retired member. While the carrying of a concealed weapon may be authorized under state and federal law, as well as this policy, retired members do so at their own risk, in the capacity of private citizens, and not as peace officers.

PROCEDURE A – OBTAINING AND MAINTAINING A NATIONWIDE CCW ENDORSEMENT

Endorsement:

Sheriff's Office retirees who desire to carry a concealed weapon under the provisions of 18 USCS 926C will contact the Sheriff's Office Human Resources Section.

- A "Concealed Weapons Qualification and Authorization" form will be completed.
- The Human Resources Section will perform a criminal history check to ensure the retiree has no disqualifying issues.
 - A signed background investigation waiver form is required before the criminal history check will be started.
 - Human Resources Section personnel will verify the retiree was employed as a law enforcement officer for at least an aggregate of 10 years.
 - Members who retired due to a service disability after completing the initial probationary period are exempt from the 10 year requirement.
 - For the purpose of this Procedure A only, those separated from service in good standing are the same as retired members.
- The retiree will then contact the Training Section and schedule him/herself for the firearms qualification course.
- After passing the course, the retiree will take the Concealed Weapons Qualification and Authorization form back to the Human Resources Section.
- When the CCW endorsement requirements are satisfied, Human Resources personnel will issue an identification card indicating the retiree is authorized to carry a concealed weapon under the provisions of 18 USCS 926C.

Annual Updates:

The CCW endorsement under the provisions of 18 USCS 926C must be updated annually. In order to maintain the "CCW Approved" endorsement on an identification card, the retiree shall have the following tasks performed prior to the expiration date of the current endorsement:

- Contact the Sheriff's Human Resources Section and complete an updated "Concealed Weapons Qualification and Authorization" form.
- The Human Resources Section will perform a criminal history check to ensure the retiree has no disqualifying issues.
 - A signed background investigation waiver form is required before the criminal history check will be started.
- The Concealed Weapons Qualification and Authorization form and the background investigation waiver form may be mailed to the Human Resources Section.
- The retiree will contact the Training Section and schedule him/herself for the firearms qualifications course.
- The firearms training may be completed with any certified law enforcement agency firearms instructor. If training is completed with an agency outside of the Kern County Sheriff's Office, the retiree must provide a Qualification Completion form.

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- After passing the course, the retiree will deliver the Concealed Weapons Qualification and Authorization form, along with the Qualification Completion form (if course completed is taken with a certified law enforcement agency firearms instructor other than the Kern County Sheriff's Office Training Section), to the Human Resources Section.
- Human Resources Personnel will then issue an updated identification card indicating the retiree is authorized to carry a concealed weapon under the provisions of 18 USCS 926C.

PROCEDURE B - OBTAINING AND MAINTAINING A CALIFORNIA ONLY CCW ENDORSEMENT

Retired deputy sheriffs, detentions deputies, deputy coroners, and eligible reserve deputies who wish to carry a concealed weapon **only** under California state law provisions (Penal Code § 26300) will contact the Sheriff's Office Human Resources Section.

- A "Concealed Weapons Qualification and Authorization" form will be completed.
- The Human Resources Section will perform a criminal history check to ensure the retiree has no disqualifying issues.
 - A signed background investigation waiver form is required before the criminal history check will be started.
- After the Human Resources Section confirms the retiree does not have any disqualifying issues, the retiree will be issued an identification card with a California-only endorsement that indicates the retiree is not authorized to carry a concealed weapon under 18 USCS 926C.
 - If the member retired after January 1, 1981, the identification card must be updated every five years. The expiration date will be printed on the identification card. Cards may be updated by contacting the Human Resources Section and completing an updated Concealed Weapons Qualification and Authorization form.
 - Members who retired before January 1, 1981 are not required to petition the Sheriff every five years for a renewal of their certification nor must the certification be endorsed for concealed carry.
- The qualification course is not required for a California only endorsement.
- WHEN A RETIRED MEMBER DECLINES TO QUALIFY UNDER 18 USCS 926C AND IS ISSUED AN IDENTIFICATION IN ACCORDANCE WITH STATE LAW, HE/SHE IS AUTHORIZED TO CARRY A CONCEALED WEAPON IN CALIFORNIA ONLY.

PROCEDURE C – FIREARM QUALIFICATION COURSE

The firearms qualification course mentioned in Procedure A shall consist of a course of fire to be established by the Sheriff's Rangemaster or his/her designee.

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- The course of fire will ensure the retiree can safely load, unload, and check the firearm to verify that it is clear of all ammunition and shoot it with acceptable accuracy.
- The qualification course may include instruction concerning policy and law relevant to the retiree’s CCW status.
- After the qualification course, the Rangemaster, or his/her designee, will note the qualification score (pass/fail), ensure it is entered into the Training Range Schedule/Maintenance program, and note on the Concealed Weapons Qualification and Authorization form whether the retiree did, in fact, qualify.

If a retiree fails the qualification course, he/she will be given one opportunity to complete the course again. Should he/she fail to qualify a second time, no CCW endorsement will be issued and existing CCW endorsements will be revoked.

- Applicants who fail to qualify under this policy may re-apply after one year or upon presentation of a certificate indicating successful attendance in a firearms training course.

DIRECTIVE A – CARRYING FIREARMS OUT OF STATE

Subject to 18 USCS 926C and Sheriff’s Office policy, qualified retirees of this agency may be authorized to carry a concealed weapon in other states.

PROCEDURE D – 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(c)):

- Photograph of the retiree
- Retiree’s name and date of birth
- Date of retirement
- Name and address of this agency
- 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 identified card shall be stamped “No CCW Privilege.”
- If applicable, a notation that “This person is in compliance with 18 USCS 926C (d) (1).”

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PROCEDURE E – DENIAL OR REVOCATION OF CCW ENDORSEMENT

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

- In the event that a CCW endorsement is initially denied, the retiree 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 shall be held no later than 120 days after the request by the retiree for a hearing is received (Penal Code § 26310).
- Prior to revocation of any CCW endorsement, the Sheriff's Office shall provide the affected retiree with written notice of temporary revocation, by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26312).
- The retiree shall have 15 days from the agency's verification of service to file a written request for a hearing to determine if the temporary revocation should become permanent.
- The hearing shall be held no later than 120 days after the request by the retiree for a hearing is received.
- The failure to submit a timely written request for a hearing shall be deemed a waiver of such right and the authority of the officer to carry a firearm shall be permanently revoked.
- The hearing for the denial or revocation of any CCW endorsement shall be composed of three members, one selected by the Agency, one selected by the retiree or his/her employee organization and one selected jointly (Penal Code § 26320).
- The decision of such hearing board shall be binding on the Sheriff's Office and the retiree.
- 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 Sheriff's Office will then reissue a new identification card which shall be stamped "No CCW Privilege." (Penal Code §26325).

DIRECTIVE B – WATCH COMMANDER RESPONSIBILITIES

Employees who have reason to suspect a retiree's conduct has compromised public safety should notify the Personnel Division Commander or the Watch Lieutenant as soon as practical.

The Personnel Division Commander (or Watch Lieutenant if the notification occurs during non-business hours) should take the following steps in these instances:

- Take appropriate steps to promptly look into the matter.
- If warranted, contact the retiree in person and advise him/her in writing of the following:
 - The retiree's CCW endorsement is immediately and temporarily revoked.
 - The retiree will have 15 days to request a hearing to determine whether the temporary revocation should become permanent.

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- 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.
- A current copy of Penal Code § 26305, 26312, 26315, 26320, and 26325 should be attached to the written notice.
- In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, attempts should be made to make the above notice of temporary revocation through another peace officer. For example, if a retiree was arrested or detained by a distant agency, the request may be made that a peace officer of that agency act as the Sheriff's Office agent to deliver the written notification.
- Notification of the temporary revocation should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
- The Personnel Division Commander or Watch Lieutenant will document the investigation, including the actions taken, and if applicable, any notification made to the retiree in a memorandum. The memorandum will be forwarded to the Sheriff via the chain of command.

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Kern County

SHERIFF

Interoffice Memorandum

To: Rangemaster
From: Sheriff's Human Resources Division
Re: Concealed Weapons Qualifications and Authorization

To be completed by the Human Resource Section:

This is to certify that the Kern County Sheriff's retiree listed below has retired in good standing and is qualified, in accordance with **18 USC §926 C** to carry a concealed weapon in another state:

Name: _____ DOB: _____

SSN: _____

Rank at retirement: _____

Date of retirement: _____

Personnel Division Commander or Designee

To be completed by the KCSO Rangemaster on date of qualification:

Or: If qualification is completed by another law enforcement agency, please fill out Qualification Completion form.

This is to certify that _____ qualified with _____
Name Weapon Make. /Model/ Serial No.

on _____ and may be issued a Concealed Weapons Permit in accordance with 18 USC §

926C and DPPM J-2800. This qualification will expire on _____.

Rangemaster or designee



Concealed Weapons Qualifications and Authorization

To be completed by the retired member:

I am requesting identification/certification to carry a concealed weapon under:

Federal Law (18 USC § 926C)

California State Law (Penal Code § 26300)

I agree and understand that for the purposes of any license issued under DPPM J-2800 I am not a peace officer employee of the Sheriff or the County of Kern and that any actions I may take in connection with any identification/certification issued by the Sheriff will be in my capacity as a private citizen and not as a peace officer or employee of the County of Kern. I have also read, understand and agree to the Sheriff's policy concerning the issuance and renewal of identification under this procedure and I will immediately surrender said Identification in the event that I am disqualified from receiving a firearm under federal law. I agree that I am responsible to provide and maintain any weapon or firearm that I may use in connection with an identification issued under this policy and that the County of Kern, including, but not limited to, the Sheriff and the Office Range Master, are not responsible for the condition, upkeep or inspection of my privately owned weapons.

Signature: _____ Date: _____

Print Name: _____

Address: _____

DOB: _____ Date of Retirement: _____

Height: _____ Weight: _____ Hair: _____ Eyes: _____



Kern County

SHERIFF

Interoffice Memorandum

To: Rangemaster
From: Kern County Sheriff's Human Resources Division
Re: Qualification Completion Form

This packet will include a copy of Kern County Sheriff's Office DPPM J 2800, Qualification Completion Form, and Attachment A

To be completed by any certified law enforcement agency firearms instructor:

This form is to certify that the below listed retiree from the Kern County Sheriff's Office has completed the required qualification course listed below pursuant to Title 18 of the USCS § 926 C.

Retiree Name: _____ D.O.B. _____

Date of retirement: _____ Date of qualification _____

Make/model/serial number of weapon _____

To successfully pass the course of fire, the retiree must shoot ten (10) rounds at seven (7) yards on a "B27 silhouette" or similar target. The course of fire is as follows:

- Shoot three (3) rounds with strong hand only 7 yard line (No time limit)
- Shoot four (4) rounds with both hands 7 yard line (No time limit)
- Shoot three (3) rounds with support hand only 7 yard line (No time limit)

In order to pass the course of fire, the retiree must score seventy (70%) percent or better.

Name of Instructor: _____

Instructor Phone number: _____

Instructor mailing address: _____

List instructor law enforcement agency _____

Per DPPM J 2800 Procedure C:

- The course of fire will ensure the retiree can safely load, unload, and check the firearm to verify that it is clear of all ammunition and shoot it with acceptable accuracy.
- The qualification course may include instruction concerning policy and law relevant to the retiree's CCW status.
- After the qualification course, the Range Master, or his/her designee, will note the qualification score (pass/fail), ensure it is entered into the Training Range Schedule/Maintenance program, and note on the Concealed Weapons Qualification and Authorization form whether the retiree did, in fact, qualify.

If a retiree fails the qualification course, he/she will be given one opportunity to complete the course again. Should he/she fail to qualify a second time, no CCW endorsement will be issued and existing CCW endorsements will be revoked.

- Applicants who fail to qualify under this policy may re-apply after one year or upon presentation of a certificate indicating successful attendance in a firearms training course.

If you have any questions, please contact the Kern County Sheriff's Office Human Resources Division at 661-868-3480



Kern County Employees' Retirement Association
11125 River Run Boulevard
Bakersfield, CA 93311

Tel (661) 381-7700 • Fax (661) 381-7799
Toll Free (877) 733-6831
TTY Relay (800) 735-2929

AUTHORIZATION FOR RELEASE OF MEMBER INFORMATION

The Kern County Employees' Retirement Association (KCERA) is governed by the County Employees Retirement Law of 1937 ("the Act") (Cal. Gov. Code¹ §31450 et seq.). Pursuant to Section 31532 of the Act, individual records supplied to KCERA by a member or provided to KCERA on the member's behalf are confidential and are not to be disclosed absent a court order or written authorization by the member.²

Completion of this document authorizes the disclosure and use of information created by or supplied to KCERA regarding your membership. Failure to provide all information requested may invalidate this authorization.

Member Name: _____

Authorization

I hereby authorize KCERA to respond to an inquiry, pursuant to California Penal Code §26305(a), made by the authorized designee of the Kern County Sheriff's Office.

California Penal Code §26305(a) states the following: "No peace officer who is retired after January 1, 1989, because of a psychological disability shall be issued an endorsement to carry a concealed and loaded firearm pursuant to this article."

Effective Date and Expiration

I understand that this authorization shall be effective immediately and shall remain in effect for thirty (30) days from the date of my signature below.

My Rights

- I may refuse to sign this authorization.
- I may revoke this authorization at any time, but I must do so in writing and submit it to KCERA at 11125 River Run Boulevard, Bakersfield, California 93311.
- My request to withdraw this authorization (revocation) will take effect upon receipt, except to the extent others have acted in reliance upon this authorization.

¹ All statutory references refer to the California Government Code unless otherwise stated.

² Under certain circumstances, KCERA may be required by law to disclose member information. (See Cal. Gov. Code §6253 et seq.)

- I have a right to receive a copy of this authorization.
- I understand that information disclosed pursuant to this authorization could be disclosed by the authorized recipient(s).
- The person presenting this document will be required to show proper photo identification prior to information / documents being released to him or her.

Member Signature

Date

KCERA use only:

Name of Authorized KCERA Employee Accepting Release

Name of Individual(s) Presenting or Requesting Release

Signature of Authorized KCERA Employee

Date



KERN COUNTY SHERIFF'S OFFICE
1350 Norris Road
Bakersfield, California 93308
(661) 391-7500

AUTHORIZATION TO RELEASE INFORMATION

TO WHOM IT MAY CONCERN:

Having made application for employment/security clearance with the Kern County Sheriff's Office (KCSO) and desiring it to be informed as to my previous record and character, I hereby authorize any peace officer or other authorized representative of the KCSO, bearing this release, or a copy of it, within one year of its date, to obtain any information in your files and/or copies of all records pertaining to my employment, application history for employment, credit or educational records, including but not limited to, academic achievement, attendance, athletic, personal history, performance report, background investigations, polygraph examination results, any and all internal affairs investigations and disciplinary records, military records, and criminal justice records/reports, e.g., arrests, detentions, field citations and interviews, officer's records, jail/custody booking records, traffic citations and accident reports, probation/parole reports and records, Franchise Tax Board records, child protective services records, and any other information source.

For post job offer purposes only, I also hereby authorize any peace officer or other authorized representative of the KCSO, bearing this release or a copy of it, within one year of its date, and a copy of an offer of employment, to obtain any medical records or medical information in the files of my current or former employer(s) or any current or former physician(s), or both, which may pertain to my employment as a _____, with the KCSO.

I hereby direct you to release this information upon request of the bearer. This release is executed with full knowledge and understanding that the information is for the official use of the KCSO. In the event the Applicant is hired or appointed by the KCSO, this waiver will remain in full force and effect as necessary to investigate material misstatements or fraud in securing appointment.

Consent is granted for the KCSO to furnish the information described above to third parties in the course of fulfilling its official responsibilities. I also hereby grant the KCSO the right to furnish its investigative information to my current employer, if the County of Kern currently employs me or, if I am currently employed by a law enforcement agency.

I hereby release, hold harmless and indemnify you, as the custodian of any of such records, former employer, and any school, college, university, or other educational institution, hospital or other repository of medical records, credit bureau, lending institution, consumer reporting agency, or retail business establishment including all officers, agents, employees, or other personnel thereof both individually and collectively, from any and all liability for damage, suits, actions of claims of whatever kind, which may at any time result to me, my heirs, family or associates because of compliance with this authorization and request to release information, or any attempt to comply with it. Should there be any questions as to the validity of this release, you may contact me as indicated below.

A photocopy of this release form shall be as valid as the original thereof, even though the photocopy does not contain an original writing of my signature. I understand that I have the right to receive a copy of this authorization and acknowledge that I have received a copy of it.

SIGNATURE	DATE	SSN # (In accordance with Federal Privacy Act of 1974, disclosure of the S.S.N. is voluntary. The S.S.N. will be used only for identification purposes to ensure that proper records are obtained.)
FULL NAME (PLEASE PRINT)	TELEPHONE NUMBER	

CURRENT ADDRESS, (including city, state, & zip code)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document, to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF _____ On _____ before me, _____
(Name, Title of Officer, Notary Public)

COUNTY OF _____ personally appeared _____, who proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

OFFICIAL SEAL

WITNESS my hand and official seal.

Notary's Signature