

FIREARMS QUALIFICATION CERTIFICATION (HR 218) INSTRUCTIONS FOR RETIRED SWORN SIMI VALLEY POLICE DEPARTMENT (SVPD) PERSONNEL

If you plan to qualify at an SVPD range:

1. Print the HR 218 card (A) from the Police Department's section of the City of Simi Valley website and take it with you to an SVPD range.
2. Have the Range Instructor complete and sign the card after you qualify.
3. Print the Waiver and Release Agreement (B) from the website and complete.
4. Review Policy 207: Retired Concealed Firearms (C) from the website.
5. Print the HR 218 Record (receipt) (D) for Policy 207 and complete.
6. Deliver the HR 218 card, Waiver and Release Agreement, and HR 218 Record (A, B, and D) to the Police Station Front Desk to the attention of Police Administration and include your return address.
7. After approved by the Chief of Police, the completed card will be mailed to the address you provided.

If your retired Department identification card has expired and you qualified at an SVPD range, please notify Police Administration and a new one will be issued with the HR 218 card. If a new photo is required, please make an appointment with Police Administration at 805-583-6987.

If you plan to qualify at a location other than an SVPD range:

1. Print the HR 218 card (A) from the Police Department's section of the City of Simi Valley website.
2. Print the Out-of-Area Range Qualification Form (E) from the website.
3. Take the card and the Out-Of-Area Form (A and E) with you to the range of your choice. Have them completed by a bona fide Range Instructor.
4. Print the Waiver and Release Agreement (B) from the website and complete.
5. Review Policy 207: Retired Concealed Firearms (C) from the website.
6. Print the HR 218 Record (receipt) (D) for Policy 207 and complete.
7. Mail the HR 218 card, Out-of-Area Range Qualification Form, Waiver and Release Agreement, and HR 218 Record (A, E, B, and D), and provide your return address, to:

Simi Valley Police Department
Attention: Police Administration
3901 Alamo Street
Simi Valley, CA 93063

8. After approved by the Chief of Police, the completed card will be mailed to the address you provided.

Please Note: By State law, your retired Department identification card is only valid for five years from the date it was issued. New or replacement cards will not be issued unless you qualify at an SVPD range once every five years to ensure competency.

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CITY OF SIMI VALLEY

Simi Valley Police Department

HR-218 Law Enforcement Officers Safety Act of 2004
Retired Peace Officers Compliance Certification

The Bearer _____
attests, and available Department records indicate, that he/she meets the
employment requirements of 18 USCS Section 926C(c), and is therefore
a qualified retired law enforcement officer for the purposes of carrying
a concealed firearm.

David M. Livingstone, Chief of Police

Fold

Simi Valley Police Department (805) 583-6950

Range Instructor: Printed Name & ID

Expires One Year From This Date

Date Issued:

Authorized Range Instructor Signature

Simi Valley Police Department
Firearms Qualification Certification



Cut



Cut



SIMI VALLEY POLICE DEPARTMENT



WAIVER AND RELEASE AGREEMENT RETIRED OFFICER FIREARMS QUALIFICATION

Name of Retired Peace Officer: _____

ID #: _____

I am a retired peace officer of the Simi Valley Police Department and have read the federal requirements as described in the Law Enforcement Officers Safety Act (18 U.S. Code § 926C).

I have read the State of California requirements to carry a concealable firearm as it pertains to a retired peace officer (Penal Code § 25450, 25455, 25460, 25475, 26305).

I recognize that the Simi Valley Police Department is not legally required to provide me with firearms instruction or a firearms qualification course. In consideration of my participation in any Simi Valley Police Department firearms instruction or firearms qualification course, I agree as follows:

- I agree to indemnify, defend, and hold harmless the Simi Valley Police Department, its agents, representatives, or employees, for any injury caused by my participation in its or any other qualification process. I further waive any claim for damages against the Simi Valley Police Department, its agents, representatives, or employees, for any injury suffered by me while participating in a qualification process.
- Further, I hereby specifically agree to indemnify, defend, and hold harmless the Simi Valley Police Department, its agents, representatives, or employees, from any and all liability resulting from my carrying and/or use of any weapon allowed under the Law Enforcement Officers Safety Act of 2004, including, but not limited to, civil litigation.

Retired Peace Officer Signature

Date

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Retiree Concealed Firearms

207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Simi Valley Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

207.2 POLICY

It is the policy of the Simi Valley Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

207.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

207.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Simi Valley Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

207.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

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agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
 - (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - (c) Not prohibited by federal law from receiving a firearm.
 - (d) Not in a location prohibited by California law or by a private person or entity on his/her property if such prohibition is permitted by California law.

207.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE

Any full-time sworn officer of this department who was authorized to, and did, carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW Approved," upon honorable retirement (Penal Code § 25455).

- (a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement. It shall not include any officer who retires in lieu of termination.
- (b) No CCW Approved endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

207.4.1 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

- (a) A photograph of the retiree.
- (b) The retiree's name and date of birth.
- (c) The date of retirement.
- (d) The name and address of this department.
- (e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than one year). If a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

207.4.2 QUALIFIED RETIREES FROM INCORPORATED JURISDICTION

The Simi Valley Police Department shall provide an identification card with a CCW Approved endorsement to honorably retired peace officers from any jurisdiction that this department now serves under the following conditions (Penal Code § 25905):

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- (a) The retiree's previous agency is no longer providing law enforcement services or the relevant government body is dissolved.
- (b) This department is in possession of the retiree's complete personnel record or can verify the retiree's honorably retired status.
- (c) The retiree is in compliance with all of the requirements of this department for the issuance of a CCW Approved endorsement.

207.4.3 QUALIFIED RETIRED RESERVES

Qualified retired reserve officers who meet the department requirements shall be provided an identification card with a CCW Approved endorsement (Penal Code § 26300).

207.5 FORMER OFFICER RESPONSIBILITIES

A former officer with an identification card issued under this policy shall immediately notify the on-duty Watch Commander or Watch Supervisor of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Employee Convictions policy.

207.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

207.5.2 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

- (a) Qualify annually with the authorized firearm at a course approved by this department at the retired officer's expense.
- (b) Remain subject to all applicable department policies and federal, state and local laws.
- (c) Not engage in conduct that compromises public safety.
- (d) Only be authorized to carry a concealed firearm approved by the Department.

207.6 DENIAL, SUSPENSION OR REVOCATION OF A LEOSA IDENTIFICATION CARD

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or

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revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

207.7 DENIAL, SUSPENSION OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

A CCW endorsement under Penal Code § 25470 for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Watch Commander when the conduct of a retired peace officer compromises public safety.

- (a) In the event that a CCW endorsement is initially denied, the retired officer 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, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
 3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board 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).
 1. The decision of such hearing board shall be binding on the Department and the retiree.
 2. 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 will then reissue a new identification card which shall be stamped "No CCW Privilege."
- (d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Watch Commander as soon as practicable. The Watch Commander should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.
 1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).

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2. The Watch Commander should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Chief of Police.
3. The personal and written notification should be as follows:
 - (a) The retiree's CCW endorsement is immediately and temporarily suspended.
 - (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
 - (c) 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.
4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Watch Commander should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Watch Commander may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

207.8 FIREARM QUALIFICATIONS

The Rangemaster may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Rangemaster will maintain a record of the qualifications and weapons used.



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HR 218 RECORD – ELECTRONIC

On _____, I, _____, ID # _____,
[Date] [Print Name]

completed the Firearms Qualification Certification requirement. I have a copy of the Simi Valley Police Department Policy 207 Retiree Concealed Firearms.

I, _____, acknowledge receipt of a copy of the
[Retiree's Signature]

Policy and my responsibility to comply with the provisions of the Department's HR 218 Policy.

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SIMI VALLEY POLICE DEPARTMENT



OUT-OF-AREA RETIRED OFFICER RANGE QUALIFICATION FORM

Name of Retired Peace Officer: _____

ID #: _____

Date of qualification: _____

Firearm (copy additional sheets for more than three firearms):

Make _____

Model _____

Caliber _____

Law enforcement agency conducting the qualification:

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Qualification course type: Duty weapon Off-duty weapon
 Other (please describe): _____

Number of rounds fired during qualifying course: _____

Law enforcement agency representative:

Print Name: _____ Dept. ID # _____

Telephone: _____

I certify that I am an authorized representative of the above-listed law enforcement agency and that the above-listed individual successfully completed a firearms qualification course.

Signature of Law Enforcement Agency Representative

Date