

Burleson Police Department
Administrative Policy and Procedures

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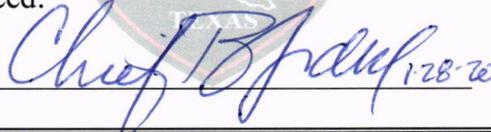
Document Title: Retired Officer Identification Card and Proficiency

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CALEA Standards Referenced:

ISSUING AUTHORITY: _____


1-28-20

I. Purpose

To establish guidelines for retired police officers from this agency that are requesting a department certificate of proficiency under Texas Occupations Code Sec. 1701.357, that can lead to obtaining credentials as a retired officer to carry weapons in accordance with applicable federal and state law relating to retired police officers.

II. Policy

It is the policy of this department to comply with all applicable federal and state law when issuing a certificate of proficiency and when issuing credentials allowing eligible retired police officers to carry weapons, and to require such retired officers to comply with applicable law and the provisions of this Standard Operating Procedure.

III. Procedure

- A. An honorably retired police officer meeting the requirements set forth below can request a certificate of proficiency, which can lead to issuance of a retired officer's identification card. This may allow that officer to carry a weapon under Section 1701.357 (Weapon Proficiency for Certain Retired Peace Officers and Federal Criminal Investigators) of the Texas Occupations Code and Penal Code Chapter 46 (Weapons), Penal Code Section 46.15 (Non-applicability).
- B. Requirements
1. The officer's request for an opportunity to obtain a certificate of proficiency under Texas Occupations Code Sec. 1701.357 must be approved by the Chief of Police, who may, at their discretion after reviewing the officer's service record and considering other relevant factors, deny such request.
 2. The officer honorably retired after not less than a total of 10 years of cumulative service as a commissioned peace officer with one or more state or local law enforcement agencies;

3. Before completing 10 years of cumulative service as a commissioned officer with one or more state or local law enforcement agencies, separated from employment with the agency or agencies and is a qualified retired law enforcement officer.
4. Their peace officer's license as a commissioned officer was not revoked or suspended for any period during the officer's term of service as a commissioned officer.
4. The officer is not currently serving as an elected, appointed, or employed as a peace officer. If employment is accepted as a fulltime, part-time or reserve officer in the future, the officer will immediately return their Honorably Retired identification card containing State/Federal Certifications to the Burluson Police Department.
5. The officer has no psychological or physical disability that would interfere with the officer's proper handling of a handgun; and
6. The officer shows proficiency with a handgun on a department recognized handgun qualification course.

C. Procedure

1. Retired police officers from this agency may request approval to seek a certificate of proficiency by submitting to the Chief of Police a letter request signed by the retired officer and a notarized affidavit from the retired officer complying with the requirements of Texas Occupations Code Sec. 1701.357 stating that:
 - a. the officer honorably retired after not less than a total of 10 years of cumulative service as a commissioned officer with one or more state or local law enforcement agencies;
 - b. before completing 10 years of cumulative service as a commissioned officer with one or more state or local law enforcement agencies, separated from employment with the agency or agencies and is a qualified retired law enforcement officer.
 - c. the officer's license as a commissioned officer was not revoked or suspended for any period during the officer's term of service as a commissioned officer; and
 - d. the officer has no psychological or physical disability that would interfere with the officer's proper handling of a handgun.

2. The Chief of Police or designee will investigate any information submitted in connection with a request for a certificate of proficiency, and in the Chief's discretion may investigate or review or evaluate any other relevant factors before determining whether to allow the retired officer to seek a department certificate of proficiency under Texas Occupations Code Sec. 1701.357. Barring unforeseeable circumstances that may delay investigation, review, and evaluation or processing, the Chief of Police will attempt to make a determination to grant or deny the request within 30 days, or within their discretion, a longer period of time.
3. If the request is approved and if the officer's firearms proficiency is current, the department will issue a certificate of proficiency. If proficiency is expired, the retired officer will be given the opportunity to qualify at the department's next regularly scheduled range date.

D. Firearms proficiency

1. The officer must qualify with the same type of weapon the officer intends to carry (semi-automatic and/or revolver).
2. The course of fire and scoring will be the same as for current police officers.
3. Retired officers are required to demonstrate proficiency at least once annually, and failure to report for qualification will result in immediate revocation of eligibility unless authorized by the Chief of Police.

E. Credentials

On request of an honorably retired officer who holds a certificate of proficiency obtained under this Standard Operating Procedure and Occupations Code Sec. 1701.357, the Chief of Police shall issue to the retired officer identification that indicates that the officer honorably retired from the agency. Identification under this Standard Operating Procedure must include a photograph of the retired officer. The Chief of Police will approve the design of the identification and the identification may not be copied and may not be altered by any person without the approval of the Chief of Police.

F. Revocation

1. If for any reason the credentials are revoked, determination for reinstatement will rest with the Chief of Police, which may be reinstated or denied at the Chief's discretion.

2. The Burlison Police Department's Honorably Retired identification card is considered invalid and revoked upon employment as an elected, appointed or employed as a peace officer intending to carry a firearm in a federal, state, or local entity.
3. Credentials remain the property of the police department. Upon request of the Chief of Police, the retired officer will surrender all department-issued credentials or certificates of proficiency.

G. Administration

1. The Senior Administrative Assistant to the Chief of Police will:
 - a. maintain all documentation relating to retired officer(s) requesting credentials; and
 - b. notify retired officers of range dates.