

	POLICY & PROCEDURE	SERIES # 529	PAGE 1 OF 4
	SUBJECT		EFFECTIVE DATE
	CONCEALED WEAPON AUTHORIZATION (RETIREEES)		11/06/2018
DISTRIBUTION ALL MANUALS	AMENDS/SUPERSEDES/CANCELS: P&P # 529 dated 09/10/14.		

I. PURPOSE:

To establish a procedure, consistent with state and Federal law, to issue authorization to carry concealed weapons to retired Hampton police and Auxiliary officers by the Chief of Police.

II. POLICY:

It shall be the policy of the Hampton Police Division to issue retired/retiring police officers a concealed weapons authorization, consistent with Virginia State Code and Federal procedures mandated by the Law Enforcement Officers Safety Act of 2004 detailed in this policy. Active sworn officers are authorized by State Code 18.2-308.016 to carry their weapon concealed anywhere in the Commonwealth.

III. DISCUSSION:

Effective January 1, 1998, Section 18.2-308.016 of the Code of Virginia addresses lawful circumstances under which a concealed weapon may be carried. Retired police officers have been allowed to carry concealed handguns by successfully applying for and receiving a concealed handgun permit from the Circuit Court. As an alternative to this method, sub-section A-1 of the statute provides that any retired police officer with either a service-related disability or at least ten years of service may be granted a concealed weapon authorization at the discretion of the Chief of Police provided certain requirements are met. The Hampton Police Division has established a procedure for processing these authorizations in accordance with the authority granted by this statute.

In July, 2004 the Law Enforcement Officers Safety Act, Title 18 of the United States Code, Chapter 44, 926B and 926C was enacted. This addition to law enables Law Enforcement Officers from local municipalities to carry concealed weapons within the United States outside the boundaries of their employing state. The term "law enforcement officer" is defined and there are specific stipulations as to when the carrying of concealed weapons is prohibited. Section 3 of this code includes "qualified" retired Law Enforcement Officers.

APPROVED:
CHIEF OF POLICE



IV. PROCEDURE:

A. The retired/retiring officer wishing to obtain a Commonwealth of Virginia concealed weapon authorization shall fulfill the following requirements:

1. Contact Special Projects to obtain the necessary paperwork.
2. Complete the “Application for Certification To Carry A Concealed Firearm (part I and II)” and return to the Special Projects Unit.
3. Meet all the legal requirements necessary for a Concealed Handgun Permit as issued by the Circuit Court.
4. In addition to the criteria set forth in part 2, the retiree will be expected to maintain a level of conduct consistent with the image of the Division, law enforcement profession and responsible citizenship.
5. Undergo a consultation with a person designated by the Chief of Police.
6. The State permit will be on the back of the Retired Police Officer photo identification card issued by Community Engagement Unit

B. The retired/retiring officer wishing to obtain the Federal Concealed Carry permit shall fulfill the following requirements:

1. Contact Special Projects to obtain the necessary paperwork.
2. Upon approval of the application, contact the Range Officer to set up a time to qualify.
3. Complete the Application (parts I, II and III), range qualification sheet and return to Special Projects.
4. The Federal Concealed Carry Authorization and expiration date will be on the back of the Retired Police Officer photo identification card issued by Community Engagement Unit
5. Contact the Range Officer annually to re-qualify prior to the expiration date* for the Federal Concealed Carry Authorization.

*NOTE – If annual re-qualification is not completed prior to the expiration date, the Federal Concealed Carry Authorization automatically expires.

C. The procedure for processing the authorization application will consist of the following:

1. The Application is completed by the applicant and submitted to Special Projects.

2. Special Projects will create an application file.
 3. A complete record check is conducted. The results are documented on Part IV of the application the information is reviewed and is signed by a Special Projects Supervisor.
 4. A Special Projects Supervisor (designated by the Chief of Police) conducts a consultation interview and documents this on the Consultation Report.
 5. Special Projects completes the Authorization Letter(s) for the applicant and the State Police. All information is forwarded to the Chief of Police for final approval.
 6. Once approval is awarded, Special Projects will send the Authorization Letter(s) to the applicant and the State Police where the information is placed into VCIN.
 7. The applicant will receive a copy of the Authorization Letter(s) sent to the State Police.
 8. Central Records will verify the VCIN entry.
 9. Special Projects will maintain an Authorization File for each officer who receives an authorization.
- D. A concealed weapons permit may be revoked by the Chief of Police for cause, for example, inappropriate conduct on the part of the retired officer. The process for Revocation of Authorization will involve the following:
1. The retiree will be expected to comply with all legal requirements necessary for maintaining a Concealed Handgun Permit as issued by the Circuit Court.
 2. The retiree will be expected to conduct himself in a manner consistent with the image of the Division, law enforcement profession and responsible citizenship.
 3. The retiree will be expected to comply with his written promise in the Authorization Agreement.
 4. In the event the retiree is charged with an offense that is placed on VCIN, the State Police will alert the Division that such charges(s) have been placed.
 - a. The Chief of Police/Internal Affairs will assign a Supervisor to follow the case to determine its disposition. The authorization may be revoked if the retiree violates any section of this policy.
 - b. Special Projects will issue a Notification of Revocation Letter,

which will be sent to the retiree.

- c. Special Projects will send a Letter of Revoked Status to the State Police for entry into VCIN.
- d. Special Projects will verify VCIN entry.

The Hampton Police Division Concealed Weapon Authorization is a legal alternative to obtaining a concealed handgun permit and allows a retired officer to carry any weapon concealed, anywhere in the Commonwealth of Virginia, without periodic renewal.

