



# COUNTY OF SACRAMENTO Probation Department



## GENERAL ORDER

### CARRY CONCEALED WEAPON (CCW) ENDORSEMENT RETIRED PROBATION OFFICER

The purpose of this general order is to clearly establish the policy, procedure, and requirements for retired probation officers to obtain a carry concealed weapon endorsement.

#### I. Discussion

- A. Eligibility for endorsement to carry a concealed and loaded firearm by an honorably retired peace officer is contained in Sections 12027, 12027.1 and 12031 of the Penal Code.
- B. Penal Code Section 12027(a) provides that an honorably retired peace officer who during the course and scope of his/her employment as a peace officer was authorized to, and did carry a firearm shall be issued a 2" x 3" identification card bearing the photograph of the retiree, the retiree's name, date of birth, date of retirement, and agency name stamped with the endorsement "CCW Approved" (Carry Concealed Weapon Approved) and the date the endorsement is to be renewed (expiration date).
  - 1. This card shall not be valid as identification for the sale, purchase, or transfer of a firearm.

#### II. Applicability

- A. This policy shall apply to any qualified honorably retired probation officer who at any time during the course and scope of his/her employment as a peace officer was authorized to, and did carry a firearm.
- B. Honorable retirement does not include retirement in lieu of termination, termination for misconduct or failure to satisfactorily perform his or her duties.
- C. 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.

- D. A qualified, honorably retired law enforcement officer is defined as an individual who:
1. Retired in good standing from service with the Sacramento County Probation Department as a Probation Officer.
  2. Was authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or the incarceration of persons for violations of law, and had statutory powers of arrest pursuant to PC §830.5.
  3. Has a non-forfeitable right to benefits under the retirement plan of Sacramento County;
  4. Is not prohibited by Federal or State law from possessing a firearm and has not violated any departmental rule that if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the department.

### III. Eligibility

- A. All deputized Probation personnel who have worked for the Department who have satisfactorily completed firearms training requirements in accordance with Departmental guidelines and who during the course and scope of their employment as a peace officer was authorized to, and did carry a firearm are eligible for consideration of an endorsement to carry a concealed and loaded firearm upon honorable retirement.

### Officer Responsibilities

- A. The retired officer must apply through the Range Master for the CCW endorsement using the approved Carry Concealed Weapon (CCW) Application and Acknowledgement for Retired Probation Officers form (APPENDIX A). The Chief Probation Officer is the final approving authority for the endorsement.
- B. Every twelve (12) months, at his or her own expense, the officer must meet the standards for qualification for a firearm of the same type as the one they intend to carry.
1. If, at the time of retirement, the officer is actively working as an armed officer with the Probation Department, qualification will be verified by the Department Range Master.
- C. The CCW endorsement expires five (5) years from the date of issue and it

is the retired officer's responsibility to reapply in order to continue to carry a concealed weapon.

- D. The officer must carry the photographic identification card issued by the Sacramento County Probation Department with the authorized "CCW Approved" stamp and documentation which certifies they have met, within the most recent 12 month period, the standards for qualification for a firearm of the same type as the one they intend to carry. This document must be issued from a qualified range in the State of California.
- E. It is the officer's responsibility to notify the Sacramento County Probation Department within 24 hours (or next business day) of any incident or matter that may cause the CCW endorsement to be revoked.
- F. A retired officer shall immediately surrender his/her photographic identification card to the Department if the authorization to carry a concealed firearm is revoked or upon forfeiture of his or her right to a revocation hearing. The Department shall issue a new identification card without an endorsement.
- G. It is the officer's responsibility to verify and follow laws relating to carrying concealed weapons if traveling or living outside of California.
- H. The retired officer is personally responsible for all liability for, injury to, or death of any person, or damage to any property which may result through any act or omission involving a firearm. The County assumes no liability or responsibility for such use.

#### IV. Denial or Revocation of CCW Endorsement

##### Permanent Revocation or Denial

- A. An identification card authorizing the retired officer to carry a concealed and loaded firearm or an endorsement on the card may be permanently revoked or denied only after a hearing. A retired officer may have his or her privilege to carry a concealed and loaded firearm revoked or denied when:
  - 1. The retired officer fails to complete required annual qualifications;
  - 2. Upon showing of good cause. Good cause shall be determined at a hearing specified below(12027.1(B)PC);
  - 3. The retired officer violated any departmental rule, or state or federal law that, if violated by an officer on active duty, would result in that

officer's arrest, suspension, or removal from the Department(12027.1(2) PC).

- B. Notice of the hearing for revocation or denial shall be served either personally on the retiree or sent by first class mail, postage pre-paid, return receipt requested to the retiree's last known place of residence.
  - 1. From the date the retiree signs for the notice or upon the date the notice is served personally on the retiree, the retiree shall have 15 days to respond to the notification.
  - 2. A retired peace officer who fails to respond to the notice of the hearing within the 15 day period shall forfeit his or her right to a hearing and the authority of the officer to carry a firearm shall be permanently revoked or denied.
    - i. The retired officer shall immediately return the identification card to the Range Master.

#### Immediate and Temporary Revocation

- A. An identification card authorizing the officer to carry a concealed and loaded firearm or an endorsement on the card may be immediately and temporarily revoked when:
  - 1. The conduct of the retired peace officer compromises public safety.
- B. Notice of temporary revocation shall be effective upon personal service or upon receipt of the notice sent by first-class mail, postage prepaid, return receipt requested, to the retiree's last known place of residence.
  - 1. The retired officer shall have 15 days to respond to the notification and request a hearing to determine if the temporary revocation should become permanent.
  - 2. A retired peace officer who fails to respond to the notice of hearing within the 15 day period shall forfeit his or her right to a hearing and the authority of the officer to carry a firearm shall be permanently revoked.
    - i. The retired officer shall immediately return the identification card to the Range Master.
  - 3. If a hearing is requested, good cause for permanent revocation will be determined at the hearing.

### Revocation and Denial Hearing Process

- A. The hearing for the revocation or denial shall be held no later than 120 days after the request by the retired officer for a hearing is received. The retiree may waive his or her right to a hearing and immediately return the identification card to the Range Master.
1. The hearing will be conducted by a three member hearing board. One member of the Board shall be selected by the Department, one shall be selected by the retired officer or his or her employee organization. The third member shall be selected jointly by the Department and the retired peace officer or his or her employee organization (12027.1(3)(d) PC).
  2. Any decision by the hearing board shall be binding on the Department and the retired officer.
  3. Upon final denial or permanent revocation of his or her privilege to carry a concealed and loaded firearm, after the hearing, or upon forfeiting his or her right to a hearing, the retired officer shall immediately surrender his or her identification card to the Range Master. The Department shall reissue a new identification card without an endorsement within 30 days of the permanent revocation or denial.

**Appendices:** Appendix A Carry Concealed Weapon (CCW) Application, Acknowledgement for Retired Probation Officers, and CCW Immediate and Temporary Revocation, Revocation and Denial Notification Letters

**Related Orders:** Adult and Juvenile Field General Orders  
Armed Officer Operations Orders

**References:** Penal Code Sections 12027, 12027.1, 12031



# COUNTY OF SACRAMENTO

## Probation Department

8745 FOLSOM BOULEVARD, SACRAMENTO, CALIFORNIA 95826  
TELEPHONE (916) 875-0273  
FAX (916) 875-0347



MARLON YARBER  
CHIEF PROBATION OFFICER  
COUNTY PAROLE OFFICER

Date of Application: \_\_\_\_\_ Date of Retirement: \_\_\_\_\_

Applicant Name (please print legibly) \_\_\_\_\_

Date of Birth \_\_\_\_\_ Phone number \_\_\_\_\_

	Initial here:	
	YES	NO
I was armed in the course of duty.		
I was authorized by law to engage in or supervise the prevention, detection, investigation or prosecution of, or the incarceration of any person for violations of law, and I had statutory powers of arrest pursuant to PC §830.5.		
I have retired in good standing from service with the Sacramento County Probation Department as a law enforcement officer.		
I have a non-forfeitable right to benefits under Sacramento County's retirement/pension plan.		
I have <u>not</u> violated any departmental rule that if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal from the Department.		
I did <u>not</u> retire for reasons of psychiatric instability.		
I am <u>not</u> prohibited by Federal or State law from possessing a firearm. (For example: domestic violence conviction, convicted felon etc.)		
I have attached a copy of the certified qualification documentation.		

### **Retired Officer Acknowledgements:**

I understand the following ten (10) acknowledgements listed below:

1. Any arrest for a felony or serious misdemeanor including driving under the influence of alcohol and/or drugs is cause for invalidating the CCW endorsement.
2. I am precluded from carrying any fully automatic weapon, firearms silencer, or destructive device.
3. Every twelve (12) months, at my own expense, I must meet the standards of qualification with the same weapon-type as my concealed firearm.
4. I must carry the photographic identification card issued by the Sacramento County Probation Department and documentation which certifies that I have met the standards for qualification with the same type firearm as the one I intend to carry. This document must be issued from a qualified range in the State of California.

5. Failure to obtain and carry documentation of yearly qualification will automatically invalidate the CCW endorsement.
6. The CCW endorsement expires five (5) years from the date of issue and it is my responsibility to reapply if I wish to continue to carry a concealed weapon.
7. If approved for a CCW endorsement, it is my responsibility to notify the Division Chief of Adult Field Services within 24 hours (or next business day) of any incident or issue that may cause the CCW endorsement to be revoked and agree to forfeit the identification card with the "CCW Approved" stamp to the Sacramento County Probation Department if the authorization to carry a concealed firearm is revoked or upon forfeiture of my right to a revocation hearing.
8. The County of Sacramento Probation Department CCW endorsement does not give me any right whatsoever to exercise law enforcement authority or take police action under any circumstances.
9. I am responsible for all liability for, injury to, or death of any person, or damage to any property which may result through any act or omission. In the event any claim, suit, or action is brought against the County of Sacramento Probation Department, its Chief Probation Officer or any of its employees, by reason of, or in connection with any such act or omission, I shall defend, indemnify, and hold harmless the Sacramento County Probation Department, its Chief Probation Officer or any of its employees from such claim, suit, or action.
10. The issuance of the CCW endorsement will not occur until after formal separation from County Employment. I understand that even though I am holding a County of Sacramento Probation Department issued CCW endorsement as a retired officer, I am acting as an individual and not as an employee of the Sacramento County Probation Department. I am personally responsible for all liability for, injury to, or death of any person, or damage to any property which may result through any act or omission involving a firearm. The County assumes no liability or responsibility for such use.

I solemnly swear or affirm under the penalties of perjury the information provided in the questionnaire is true to the best of my knowledge, information and belief. I affirm that I have read and understand the *Carry Concealed Weapon (CCW) - Retired Probation Officer General Order* and the above acknowledgements.

Signature: \_\_\_\_\_ Date \_\_\_\_\_  
Applicant

**Recommendations for approval:**

☐ APPROVE

☐ DENY

Date: \_\_\_\_\_

Print Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
Range Master Range Master

☐ APPROVE

☐ DENY

Signature: \_\_\_\_\_ Date \_\_\_\_\_  
Assistant Chief Probation Officer, Probation Services

**The Chief Probation Officer has final approving authority over all requests.**

☐ APPROVED

☐ DENIED

Signature: \_\_\_\_\_ Date \_\_\_\_\_  
Chief Probation Officer

**Original and copies of required documentation: Arming File (Range Master)**

**Copies: 2 Copies to Livescan Officer (1 will be given to retiree when they pick up their ID badge), Assistant Chief Probation Officer, Probation Services**