



GENERAL ORDER

Carry Concealed Weapon (CCW) Endorsement

Retired Probation Officer

Purpose and Scope

The purpose of this general order is to establish the standards for probation officers to obtain an endorsement to carry a concealed weapon (CCW) upon retirement.

Affected Personnel

All sworn employees.

Authority

California Penal Code Sections 16690; 25455; 25460; 25465; 25470; 26300(c)(1); 26305; 26315; 26320; 26312(a); and 26325(a); 18 U.S.C. §926C U.S. Code.

Effective Date

January 17, 2024

I. Eligibility for Carry Concealed Weapon Endorsement

- A. Any honorably retired peace officer who during the course and scope of employment with the Sacramento County Probation Department, was authorized to, and did, carry a firearm as a peace officer, may receive a concealed firearm identification certificate or card.
 - 1. The officer shall be issued an identification certificate by the law enforcement agency from which the officer retired.
 - 2. "Honorably retired" includes a peace officer who has qualified for, and has accepted, a service or disability retirement.
 - 3. "Honorably retired" does not include an officer who has agreed to a service retirement in lieu of termination.
- B. No peace officer who retired because of a psychological disability shall be issued an endorsement to carry a concealed and loaded firearm.

II. Application Process

- A. The retired officer must submit the Carry Concealed Weapon Application and Acknowledgment for Retired Probation Officers form to the department's Range Master.
- B. The officer must meet the standards for qualification.
- C. Officers who are armed at the time of retirement and current with their department qualification, may use this qualification for their application.

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- D. Officers who are not armed at the time of retirement must provide a certificate of qualification at the officer's own expense.
- E. The Chief Probation Officer is the final approving authority for the endorsement.
- F. The identification certificate shall be on a 2x3 inch card, bear the photograph of the retiree, include the retiree's name, date of birth, the retirement date, and the name/address of Probation Department, and have stamped on it the endorsement "CCW Approved", and the date the endorsement is to be renewed. The card shall not be valid as identification for the sale, purchase, or transfer of a firearm.

III. Retired Peace Officer Responsibilities

- A. The retired officer must carry the photographic identification certificate with CCW endorsement which certifies they have met the standards for qualification for a firearm of the same type as the one they intend to carry.
- B. It is the retired officer's responsibility to notify the department within 24 hours (or next business day) of any incident that may cause the CCW endorsement to be revoked.
- C. It is the retired officer's responsibility to verify and follow laws relating to carrying concealed weapons if traveling or living outside of California.
- D. 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 of omission involving a firearm. The County assumes no liability or responsibility for such use.

IV. Renewal of CCW Endorsement

- A. Every five years, a retired peace officer shall reapply for renewal of the officer's privilege to carry a concealed weapon.
- B. The retired officer must submit the following, and receive approval, to renew the endorsement:
 - 1. A copy (front and back) of the retired peace officer's photographic identification card with CCW endorsement;
 - 2. A new Carry Concealed Weapon Application;
 - 3. An Acknowledgment for Retired Officers form; and
 - 4. A new certificate of qualification.
- C. If a psychological condition exists for which a retiree has been voluntarily or involuntarily detained, evaluated, or treated since the issuance of the last CCW endorsement, the applicant shall provide:
 - 1. Names of the evaluating and treating medical personnel;

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2. Dates of such treatment; and
3. A signed authorization for the release of all records evidencing such evaluation and treatment.

V. Denial/Revocation of CCW Endorsement

- A. The department from which a peace officer is honorably retired may, upon initial retirement of that peace officer, or at any time subsequent thereto, deny or revoke for good cause the retired officer's privilege to carry a concealed firearm.
- B. A retired peace officer may have the privilege to carry a concealed and loaded firearm revoked or denied by violating any department 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 agency.
 1. The department will continue to receive notification of arrest of sworn retirees. The department shall not submit "No Longer Interested (NLI)" notifications to the Department of Justice.
- C. The identification certificate authorizing the officer to carry a concealed and loaded firearm or an endorsement on the certificate may be immediately and temporarily revoked by the issuing agency when the conduct of the retired peace officer compromises public safety.
- D. An identification certificate authorizing the officer to carry a concealed and loaded firearm or an endorsement may be permanently revoked or denied by the issuing agency only upon showing of good cause. Good cause shall be determined at a hearing, as specified in Penal Code Section 26320.
- E. The Chief Deputy of Professional Standards shall notify the applicant via electronic correspondence within 30 days of the receipt of the application if the initial request to carry or renew is denied.
- F. The retired peace officer, within 15 days of a denial, shall have the right to request a hearing. A retired peace officer who fails to request a hearing shall forfeit the right to a hearing.
- G. The retired peace officer shall have 15 days to respond to the notification of temporary revocation to request a hearing to appeal the revocation.
 1. Notice of temporary revocation shall be effective upon personal service or upon receipt of a notice sent by first-class mail, postage pre-paid, return receipt requested, to the retiree's last known place of residence.
 2. A retired peace officer who fails to respond to the notice of hearing within the 15-day period shall forfeit the right to a hearing and the authority of the officer to carry a firearm shall be permanently revoked.
 3. The retired officer shall immediately return the identification certificate to the department.

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VI. Hearings

- A. The Hearing Board shall consist of:
 - 1. One person selected by the department;
 - 2. One person selected by the retired peace officer; and
 - 3. One person selected jointly by the department and the retired officer.
- B. The Hearing Board shall determine if good cause exists for revoking or denying the CCW endorsement.
- C. The department shall produce evidence to show good cause to revoke or deny the CCW endorsement. The retiree is not required to produce evidence.
- D. The Hearing Board may decide based upon the evidence submitted by the department.
- E. A retired peace officer who has received a hearing denying or revoking the authorization to carry a concealed and loaded firearm shall not be entitled to another hearing.
- F. The retiree's identification certificate with the CCW endorsement is the property of the department. Retirees shall surrender their identification certificate to the department immediately upon receiving notice that the privilege to carry a CCW has been revoked.
- G. The department shall issue a new identification certificate with "No CCW Endorsement" noted on the card. This shall be issued within 30 days of the permanent revocation or denial.
- H. The decision of the Hearing Board shall be binding on the agency and the retired officer.

Attachments

N/A

Amends/Replaces

Carry Concealed Weapon (CCW) Endorsement – Retired Probation Officer (12/2/2010)

Authorized By



Marlon Yarber, Chief Probation Officer

Date

11/27/23