

Retiree Concealed Firearms

208.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Bozeman Police Department identification cards to qualified former or retired law enforcement officers under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C).

208.2 POLICY

It is the policy of the Bozeman Police Department to provide identification cards to qualified former or retired Bozeman Police Department officers to facilitate the lawful carrying of concealed weapons by those individuals.

208.3 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 peace officer for an aggregate of 10 years or more or, if employed as a peace 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 firearms qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

208.3.1 LEOSA 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 Bozeman 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.

208.3.2 AUTHORIZATION

Any qualified former peace 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 peace officer, and one of the following:

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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 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 peace 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 Montana law or by a private person or entity on his/her property if such prohibition is permitted by Montana law.

208.4 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Shift 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 Arrests, Convictions and Court Orders Policy.

208.4.1 RESPONSIBILITIES UNDER LEOSA

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

- (a) Sign a [LEOSA Application and Waiver](#) 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.

208.5 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. The Chief of Police shall make the final decision on the denial, suspension, or revocation of any LEOSA card. The decision of the Chief of Police is final.

208.6 FIREARM QUALIFICATIONS

Any former officer applying for a card under LEOSA must pass the [Retiree and Qualified Officer Handgun Course](#) prior to issuance.

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The Bozeman Police Department will not provide firearms qualification to anyone without a direct affiliation to the Department, unless otherwise approved by the Chief of Police.

Attachments

LEOSA Waiver -link into Policy 208.pdf

	Bozeman Police Department	Date of Application:
		Application for: LEOSA Renewal

Requesting Qualified/Retired Officer

Name (Last, First, Middle)	Driver's License # / State	Date of Retirement:
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Home Address: (Number, Street, City, State, Zip Code)

Home Phone #:	Cell Phone #:	E-mail Address:	Current LEOSA Expiration Date:
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Sex:	Race:	Height:	Weight:	Eye Color:	Hair Color:	Date of Birth:
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Purpose of Form

Completion of the petition/qualification process for a "LEOSA Approved" endorsement allows a Qualified/Retired officer to carry a concealed firearm. Qualified/Retired officers may be authorized to carry a concealed firearm in all other states subject to the conditions specified in Title 10 of the United States Code 926B and 926C otherwise known as the Law Enforcement Officers Safety Act (LEOSA /HR 218). Qualified/Retired officers intending to carry a concealed firearm outside the state should confirm eligibility.

Wavier and Release
(Read and Initial next to the following declarations and sign below)

(Initial)	I am not prohibited by any state or federal law from receiving or possessing a firearm.
	I am a Qualified/Retired full-time officer of the Bozeman Police Department or a Qualified/Retired officer from another law enforcement agency, and I was authorized to carry a concealed firearm during the course and scope of my employment with the Bozeman Police Department or another law enforcement agency.
	I recognize the Bozeman Police Department is not legally required to provide me with handgun instruction or a firearms qualification course.
	I understand I will be required to show proficiency in the safe handling and firing of my weapon under the direct supervision of a Department Approved Firearms Instructor as defined by the following page.
	I understand in order to maintain a "LEOSA Approved" endorsement on my retired identification card, I must:
	Remain compliant with all federal, state and local laws.
	I understand when carrying a concealed firearm, I must be in possession of "LEOSA Approved" photographic Identification Card, issued by the Bozeman Police Department or another law enforcement agency that identifies me as a Qualified/Retired Police Officer.
	I will not be under the influence of alcohol or other intoxicating or hallucinatory drug or substance, while carrying a firearm, and I am not a habitual abuser of the same.
	I agree to indemnify and hold harmless the City of Bozeman and The Bozeman Police Department, or its agents and employees, for any injury suffered by me or caused by my participation in qualification.
	I agree to indemnify and hold harmless the City of Bozeman and the Bozeman Police Department, or its agents and employees, for any and all liability resulting in my carrying and/or use of any firearm.

Applicant Name (Print):	Applicant Signature:	Date:
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Qualified/Retired Officer LEOSA Endorsement Qualification Procedure

In order to fulfill the requirements of the qualification process for a "LEOSA Approved" endorsement, the requesting qualified officer/retiree shall submit to the Chief of Police:

- 1) A completed and signed Bozeman Police Department Qualified/Retired Officer Petition for LEOSA Endorsement Form.
- 2) A completed Bozeman Police Department Qualified Officer/Retiree Handgun Qualification Form, documenting the following:
 - a) The firearm to be carried is in good condition and can be carried safely by the retiree.
 - b) The qualified officer/retiree has demonstrated proficiency in the safe handling of the firearm.
 - c) The qualified officer/retiree has passed the Qualification Course as required.

Department Approved Firearms Instructor Defined

As used in this section, a "Department Approved Firearms Instructor" must meet the following criteria:

A person authorized by the Bozeman Police Department as a Firearms Instructor who has completed an approved Firearms Instructor Course.

Certification by Department Approved Firearms Instructor

Name (Last, First, M.)			ID/Badge Number
Location of Qualification	Date of Qualification	Pass Fail	Signature (Department Approved Firearms Instructor)

Approval of LEOSA Endorsement by Bozeman Police Department

LEOSA Approved Denied/Reason	Date of Issuance:	Date of Expiration:
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The applicant is a qualified/retired law enforcement officer, has met qualification requirements, and is certified to carry a concealed firearm pursuant to State Law and the Bozeman Police Department Policy & Procedures

Chief of Police or Designee (Print):	Signature:	Date:
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The qualified/retired officer must complete the "Requesting Qualified/Retired Officer" section, read and sign the "Waiver and Release" before proceeding with the qualification. The requesting qualified/retired officer must then successfully complete the qualification course prior to certification. The Agency will complete the "Approval of LEOSA Endorsement" section only upon verification of eligibility and qualification.

This Qualification does not constitute legal advice for the Qualified/Retired Officer. Any Qualified/Retired Officer qualified by Bozeman Police Department and carrying a firearm under LEOSA is strongly advised to be familiar with LEOSA and seek legal advice before carrying a firearm under LEOSA. The Bozeman Police Department expressly disclaims all liability with respect to any Qualified/Retired Officer who carries a firearm under the LEOSA law and this policy.

Retiree and Qualified Officer Handgun Course.pdf

BOZEMAN POLICE DEPARTMENT LEOSA

RETIRED/QUALIFIED OFFICER HANDGUN QUALIFICATION

COURSE # & DESCRIPTION:

The following course of fire will be done on and “IPSC Official Target”. In order to successfully pass this qualification course, the Retiree will need to pass with 24 of 30 rounds on target (80%), as per **Montana Code Annotated 23.13.215 Firearms Proficiency Standards. MCA 23.13.213(2):** The minimum standards for annual firearms proficiency are: **(a):** Handgun – a minimum of 30 rounds, fired at ranges from point-blank to 15 yards with a minimum of 15 rounds at or beyond seven yards **(3):** The minimum passing score for annual firearms proficiency is 80% for each firearm on an IPSC Official Target or dimensional equivalent.

Qualification Course		(30 rounds total)
3yds	7 rounds	Target Area: Center Mass of Target
5yds	8 rounds	Target Area: Center Mass of Target
7yds	5 rounds	Target Area: Center Mass of Target
10yds	5 rounds	Target Area: Center Mass of Target
15yds	5 rounds	Target Area: Center Mass of Target

DATE: _____

RETIRED/QUALIFIED OFFICER NAME: _____

CIRCLE ONE: PASS / FAIL

BOZEMAN POLICE INSTRUCTOR NAME: _____