



# SACRAMENTO POLICE DEPARTMENT GENERAL ORDERS



**380.04**

## **RETIRED OFFICERS' CONCEALED WEAPONS ENDORSEMENT**

07-15-13

### **PURPOSE**

The purpose of this order is to establish procedures for the application and renewal of Carry Concealed Weapons (CCW) endorsements on identification cards.

### **POLICY**

It shall be the policy of the Sacramento Police Department that CCW endorsements and renewals are processed per section 25475 PC.

### **PROCEDURE**

#### **A. OBTAINING CCW ENDORSEMENT**

1. Retiring officers requesting a CCW (Carry Concealed Weapons) endorsement on their ID card shall:
  - a. contact CIU to complete the Concealed Weapon Authorization form (SPD 009), and the Eligibility to Possess Firearms and/or Ammunition Domestic Violence Questionnaire (SPD 333).
  - b. forward the SPD 009 and the SPD 333 to the Sergeant, OOC, Criminal Intelligence Unit (CIU).
  - c. make an appointment with the Forensic Identification Section (FIS) to have their fingerprints taken for submission to the Department of Justice (DOJ) via live scan as a Retired officer CCW.
2. A fee may be charged to cover any reasonable expenses the Department incurred in issuing the CCW permit.
3. The CIU Sergeant shall log the request and forward the SPD 009 to the PSD Captain.
4. The PSD Captain shall:
  - a. review the retiring officer's personnel file.
  - b. review the retiring officer's worker's compensation file
  - c. indicate approval/denial on the SPD 009.
  - d. forward the SPD 009 to the Captain, Office of the Chief (OOC).
5. The OOC Captain shall:
  - a. review the retiring officer's IA file.
  - b. indicate approval/denial on the SPD 009.
  - c. forward the SPD 009 to the retiring officer's Captain.
6. The retiring officer's Captain shall indicate approval/denial, and forward the SPD 009 to their Office Chief.
7. The Office Chief Shall:
  - a. verify that the SPD 009 has been reviewed within thirty days of the retiring officer's anticipated separation date.
  - b. verify that the SPD 009 has been approved by all necessary persons.
  - c. indicate approval/denial.
  - d. forward the SPD 009 to the Chief of Police (COP).
8. The COP shall indicate approval/denial, and route the SPD 009 to the CIU Sergeant.
9. The CIU Sergeant shall ensure that:
  - a. the SPD 333 has been completed and does not indicate any prohibitions against possessing a firearm.
  - b. the retiring officer's fingerprints have been entered into the DOJ fingerprint database as a retired officer with a CCW.
  - c. the completed SPD 009 indicating approval of the CCW endorsement on the retiring officer's ID card is maintained by the CIU in the retiree's CCW file.

#### **B. RENEWAL OF RETIREE ID CARDS**

1. retired officer officers shall apply for a renewal of their ID card through the CIU.
2. The CIU Sergeant shall ensure:



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- a. the retiree seeking a CCW endorsement on their ID card has a current SPD 333 on file.
  - b. the retiree has fingerprints on file with the DOJ as a retired officer with a CCW.
  - c. all necessary background checks are completed.
  - d. that a copy of the CCW renewal form is forwarded to FIS and the original is placed in the retiree's CCW file.
  - e. verify that the retiree has qualified within the previous 12 months.
3. 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/petitioner shall provide:
- a. names of the evaluating and treating medical personnel.
  - b. dates of such treatment.
  - c. a signed authorization for the release of all records evidencing such evaluation and treatment.
4. CIU shall maintain a log of all retired officer ID cards issued, identifying whether a CCW endorsement has been granted or denied. **NOTE: The CCW endorsement shall be required on ID cards for all retirees after January 1, 1981.**

## C. DENIALS/REVOCACTION

1. Peace officers retiring or having an application for retirement pending after January 1, 1989 shall not be issued a CCW endorsement where the retirement or the application for retirement is based on a psychological disability.
2. Psychological status of peace officers who retired before January 1, 1989, shall be considered in determining if good cause exists to deny a petition for renewal or to revoke an existing CCW endorsement.
3. Denials and revocations of CCW endorsements shall be supported by good cause. Good cause may include, but is not limited to, the following:
  - a. a psychological condition which may render retirees a danger to themselves or others.
  - b. violation of a condition upon which the CCW endorsement is issued.
  - c. violation of Department rules relating to retired SPD officers, or State or Federal laws that, if violated by a current officer would result in that officer's arrest, suspension, or removal from the Department.
4. Denials
  - a. An officer retiring on a psychological disability after January 1, 1989 shall not be entitled to nor shall be provided with a hearing.
  - b. The COP shall notify the applicant/petitioner within 30 days of the receipt of the application/petition if good cause appears to exist for denying an initial or renewal CCW endorsement. The notice given by the COP to the retirees shall:
    - (1) specify that at the retiree's request, a hearing will be held on a stated date, time, and location, which shall be no more than 90 days following the Department's receipt of the application/petition.
    - (2) include the following statement:  
**"You may, within fifteen (15) days of the date of this notice submit a written response to this notice. The response shall be submitted to the Captain, Office of the Chief, Sacramento Police Department. Your response must actually be received by the Department no later than fifteen (15) days following the date of this notice. Your failure to respond as specified in this notice will result in a forfeiture of your right to respond in this matter."**
    - (3) be dated and personally served upon or mailed to the retiree by certified mail, return receipt requested, at the retiree's last known address.
5. Revocations  
On receiving facts which support revocation of a CCW endorsement, the COP shall notify the retiree of the intent to revoke said endorsement. The notice given by the COP to the retiree shall:
  - a. contain a brief general statement of the grounds for revocation of the CCW.
  - b. specify that a hearing will be held on a stated date, time, and location, which shall be no more than fifteen (15) days after the date of the notice.



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- c. include the following statement:  
    **“You may, within (15) days from the date of this notice submit a written response to this notice. The response shall be submitted to the Captain, Office of the Chief, Sacramento Police Department. Your response must actually be received by the Department no later than the fifteenth (15) day following the date of this notice. Your failure to respond as specified in this notice will result in a forfeiture of your right to respond to this matter.”**
  - d. be dated and personally served upon or mailed to the retiree by certified mail, return receipt requested, at the retiree’s last known address.
6. Hearings
- Hearings held pursuant to this order shall be presided over by a panel of three (3) persons referred to as the “CCW Endorsement Hearing Board.” The decision of the Board shall be final and binding on the Department and the retiree.
- a. The CCW Endorsement Hearing Board shall consist of:
    - (1) a person assigned by the COP.
    - (2) one (1) person selected by the officer organization certified to represent officers in the classification the retiree held on the date of retirement.
    - (3) a third person selected jointly by the above referenced officer organization and the Department.  
    **NOTE: If the retiree is in an unrepresented classification, the officer may select a person knowledgeable in the use and care of firearms to represent them on the hearing board.**
  - b. The CCW Endorsement Hearing Board shall determine if good cause exists for revoking or denying the CCW endorsement.
    - (1) The Department shall produce evidence to show good cause to revoke or deny the CCW endorsement. The retiree is not required to produce evidence. However, if the retiree decides not to produce evidence, the Board may make a decision based upon the evidence submitted by the Department.
    - (2) 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.
7. The retiree's ID card with the CCW endorsement is the property of the Department. Retirees shall surrender their ID card containing the CCW endorsement to the Department immediately upon receiving notice that the privilege to carry a CCW has been revoked. A new ID card shall be issued without the CCW endorsement.