

West Haven Police  
Law Enforcement Safety Act of 2004  
Policy and Procedures

It shall be the policy of the West Haven Police Department to conduct a training and qualification program for **qualified retired West Haven Police Officers only**.

(Public Law 108-277 codified at Title 18 USC §§ 926(B) and 926(C).

As used in this section, the term “qualified retired law enforcement officer” means an individual who--

- (1) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;
- (2) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;
- (3)(A) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more; or (B) retired from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;
- (4) has a nonforfeitable right to benefits under the retirement plan of the agency;
- (5) during the most recent 12-month period, has met, at the expense of the individual, the State's standards for training and qualification for active law enforcement officers to carry firearms;
- (6) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- (7) is not prohibited by Federal law from receiving a firearm. 18 USC §926(C)(c).

Title 18 USC § 921 defines the term “state” to include the District of Columbia, Puerto Rico, and all US possessions excluding the Panama Canal Zone

Qualifying individuals who desire authority provided by the LEOSA to carry a concealed firearm nationwide must:

1. Complete and return “retiree application packet” to the West Haven Police Department, at the applicants expense.
2. Complete “Release and Indemnification” form
3. Successfully complete firearms safety class and handgun qualification with a certified West Haven Police Firearms Instructor.

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The dates and times for retiree firearms training will be listed with the Captain of Administrative Services of the West Haven Police Department. All training will be conducted at the West Haven Police Department, located at 200 Sawmill Rd., West Haven, CT. All retirees must **successfully** complete the mandated training under the supervision of WHPD Firearms instructors. Training will be conducted twice a year. Dates and times will be determined at least four months prior to training and will be dependant upon range and instructor availability. West Haven Police reserve the right to cancel or postpone training with no prior notice due to unforeseen events.

Retired members are advised that the carrying of and use or misuse of firearms may carry the potential for personal civil and criminal liability. ***The City of West Haven and the West Haven Police Department assume no liability by issuing this authorization. Retired personnel are reminded that, as a retired West Haven Police Officer, they possess no official authority to act on behalf of the City of West Haven or the West Haven Police Department in any law enforcement capacity whatsoever. The Law Enforcement Officers Safety Act of 2004 provides no authority for anyone to act in the capacity of a law enforcement official.***

### **Procedures for Qualification Training**

- (1) Contact the Captain of Administrative Services via mail requesting training.
- (2) If qualified retiree, will be mailed a "Retiree Application Packet" which must be completed and returned to the West Haven Police Department
- (3) Upon a successful background check the retiree will be notified of time / date of qualification training
- (4) Retiree will attend firearms safety classroom training
- (5) Retiree will successfully complete the 60 round firearms qualification course with their personally owned semiautomatic pistol, revolver or both.
- (6) Ammunition and firearm will be provided by retiree.
- (7) Upon successful qualification retiree will receive a "retiree firearms" identification card.

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Retiree identification cards must be carried while carrying a handgun under the LESOA. The identification card will expire one year from the date of issue, after which time the retiree must again complete the qualification process.

If at any time during the one year qualification period the retirees "Qualification" status changes the West Haven Police Department must be notified immediately. At this time the qualification will be revoked. Reasons for revocation include but are not limited to:

- (1) Domestic violence arrest
- (2) Issuance of a protective or restraining order
- (3) Medical condition that prevents the safe handling of a firearm
- (4) Mental or Psychological condition that effects the safe handling of a firearm
- (5) Any incident involving the retiree that the Chief of Police reasonably believes would affect the safe handling and carrying of a firearm.

**Retiree Application Packet**

If qualified, the retiree will be mailed a Retiree Application Packet. Each packet shall contain:

- 1) WHPD LEOSA carry application.
- 2) Release and Indemnification form
- 3) Qualification course and range safety rules list
- 4) Retirees currently residing out of state will be required to provide a criminal history check, at their expense, from their state and local city/town of residence.

When application packet is completed and returned a background check will be completed.

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**Qualification Equipment**

Retiree will provide their own firearm and ammunition for training. Range safety equipment (eye and ear protection) will be provided. Firearm and equipment will be inspected for safety and function by a WHPD firearms instructor prior to firing on the range. Retiree will provide the following on the day of qualification:

- 1) **Handgun-** semiautomatic or revolver in pistol caliber only. No rifle caliber or any ammunition that exceeds the range stopping ability.
- 2) **Ammunition-** factory manufactured only. Hand loads are not allowed. Factory reloads are authorized. A minimum of 100 rounds for each weapon type is recommended.
- 3) **Holster-** a proper fitting hip holster is required for each weapon. Shoulder holsters, small of the back and “fanny packs” are not authorized. Magazine holders and / or speed loader holders are strongly recommended.

**Qualification Course**

The qualification course will be enclosed in the retiree packet so that retiree may familiarize themselves with the course. The course is timed and requires reloading drills. Each retiree should be intimately familiar with their firearm so that they may be able to easily make reloads and conduct immediate action drills if needed. Below is the 60 round retiree qualification course.

## RETIREE FIREARMS QUALIFICATION

- Position 5-** 5 Rounds standing strong side of barricade, 5 rounds  
(50 ft) reaction side barricade  
Total rounds fired 10, in 1 minute 20 seconds
- Position 5-** 10 rounds standing  
Total rounds fired 10, Fired in 50 seconds
- Position 4-** 10 rounds standing  
(30 ft) Total rounds fired 10, Fired in 45 seconds
- Position 3-** 12 rounds standing  
(21 ft) Total rounds fired 12, Fired in 35 seconds
- Position 2-** 6 rounds standing, fired in 10 seconds. Two relays for a total  
(15 ft) of 12 rounds.
- Position 1-** 6 rounds standing from the “in close” position.  
(9 ft) Total rounds fired 6, Fired in 10 seconds