

FLORIDA HIGHWAY PATROL POLICY MANUAL

	SUBJECT FHP RETIREE FIREARMS QUALIFICATION	POLICY NUMBER 10.06
		ISSUE DATE 07/01/08
	APPLICABLE CALEA STANDARDS	EFFECTIVE DATE 07/01/11
		TOTAL PAGES 4

10.06.01 PURPOSE

To prescribe guidelines and procedures to be followed by retired sworn FHP members who desire to carry a concealed firearm in any state without a concealed firearm permit.

10.06.02 AUTHORITY

H.R. 218, the Federal Law Enforcement Officers Safety Act of 2004

10.06.03 POLICY

It is the policy of the Florida Highway Patrol to accommodate the firearms qualification of our retirees. The guidelines set forth in this policy shall be adhered to by those sworn members who have retired and meet the qualifications to carry a firearm.

10.06.04 DEFINITIONS

- A. **FIREARMS PROFICIENCY VERIFICATION CARD (CJSTC-600 Form)** – A card, issued by the Florida Criminal Justice Standards and Training Commission (CJSTC) to retired law enforcement officers who pass the firing range testing component utilizing the firearms minimum standards required of all certified active Florida, State and local law enforcement officers. The card may be issued only by CJSTC – certified firearms instructors.
- B. **RETIREE FIREARMS QUALIFICATION FORM (HSMV 61083)** – A separate firearms qualification form containing scores of only those retirees who are qualifying for the annual Firearms Proficiency Verification Card.
- C. **RETIREE FIREARMS APPLICATION FORM (HSMV 61082)** – A form required to be completed annually by those retired members wishing to qualify and obtain a Firearms Proficiency Verification Card for the year. Information contained on this form will be sufficient enough to enable a background investigation on the retiree seeking a Verification Card.

10.06.05 OBJECTIVES

- A. To establish a firearms training program for retired members of the Florida Highway Patrol.
- B. To establish guidelines and procedures for those retired members who wish to carry a concealed weapon.
- C. To promote firearms safety and proficiency.
- D. To promulgate performance standards pertaining to this type of firearms qualification.

10.06.06 RESPONSIBILITIES

- A. Retirees who wish to carry a concealed weapon will be required to qualify on an annual basis. It shall be the retiree's responsibility to keep his/her annual firearms qualification current.
- B. Training will be performed by a Florida Highway Patrol CJSTC-certified firearms instructor only. The FHP Training Academy **will not** issue Firearms Proficiency Verification Cards to retirees who have completed firearms qualifications through any other entity, agency or private contractor.
- C. The troop in which the retiree is seeking a Firearms Proficiency Verification Card shall be responsible for conducting a background check of the retiree to ensure that there are no domestic violence convictions or injunctions concerning the retiree or any other legal reason the retiree may not possess a firearm.

For the purposes of this policy, a background check shall consist of the following:

- 1. A records check through FCIC/NCIC;
- 2. Verification of such background check shall be documented on The Retiree Firearms Application Form (HSMV 61082).
- D. The Troop Commanders will ensure that retirees, who reside within their respective areas of command, are notified of upcoming firearms qualification sessions.
- E. The FHP Training Academy will maintain records of Firearms Proficiency Verification Cards issued to the troops.

10.06.07 PROCEDURES

H.R. 218, the Federal Law Enforcement Officers Safety Act of 2004, allows “qualified” law enforcement officers – current or retired – to carry a concealed firearm in any state without a concealed firearm permit. For the purposes of this policy, a “qualified” retired law enforcement officer is one who has retired with 15 or more years of sworn service and who has retired in good standing from the Department. The following guidelines and procedures to accomplish this task shall be implemented:

- A. Retirees within the troop are offered the opportunity to qualify on an annual basis during the times that troop qualifications occur. Troops can develop a specific time of the year just for the retirees to qualify. **(Remember, Federal requirement is once every 12 months.)**
- B. Firearms qualification for retirees will be documented on a separate firearms qualification form, which is entitled, "Retiree Firearms Qualification Form" (HSMV 61083). This form will be executed by the CJSTC-certified firearms instructor who is administering the training, and the form will be signed and approved by the Troop Commander.
- C. On an annual basis, the Patrol will require the retiree to complete and sign a "Retiree Firearms Application Form". The troop will conduct a background check of the retiree to ensure that there are no domestic violence convictions or injunctions concerning the retiree or any other legal reason the retiree may not possess a firearm. The background check and clearance – or rejection – will be reflected on the "Retiree Firearms Qualification Application."
- D. Both the "Retiree Firearms Qualification" and "Retiree Firearms Application" forms will be forwarded to the FHP Training Academy Director upon completion of the firearms qualification and background check. Upon review of the documentation, the FHP Training Academy will generate the Firearms Proficiency Verification Card and forward it back to the respective Troop Commander.
- E. Upon receipt of the Firearms Proficiency Verification Card, it will be the responsibility of the Troop Commander to disseminate the card to the retiree in question.

THE FLORIDA HIGHWAY PATROL WILL NOT ISSUE FIREARMS PROFICIENCY VERIFICATION CARDS TO RETIREES WHO HAVE COMPLETED FIREARMS QUALIFICATIONS THROUGH ANY OTHER ENTITY, AGENCY, OR PRIVATE CONTRACTOR.

FHP RETIREES WHO CONFORM TO THE STATE AND FEDERAL REQUIREMENTS THROUGH ANOTHER ENTITY WILL HAVE TO OBTAIN THEIR CREDENTIALS THROUGH THAT ENTITTY.

- F. The FHP Training Academy will maintain the stock of Firearms Proficiency Verification Cards. The FHP Training Academy will only issue cards to the Troop Commanders upon receipt of training and approval documentation from the troops.
- G. Due to the rules governing retiree firearms qualification, it is recommended that no more than two handguns be allowed for qualification of retirees.
 - 1. One revolver and one semi-automatic handgun are recommended.

2. Retirees are only required to qualify with the “type” of weapon they plan on carrying.
- H. For the purpose of firearms qualification, the policy governing the caliber of handgun authorized to be carried by “active” members will also apply to retirees. (See FHP Policy 10.02)
 - I. Policies already in place dealing with firearms qualification and failure to qualify shall also apply to retirees. (See FHP Policy 10.03)
 - J. Both a photo “retirement” FHP ID card and the Firearms Proficiency Verification Card showing proof of qualification within the 12-month period must be carried by the retiree anytime he/she is in possession of a concealed firearm.