

Survey to Chief APOs

Issue: Retired PO request to carry firearm

Question (from Westmoreland County)

Does any department have a policy relative to “Carrying of concealed firearms by qualified retired law enforcement officers”?

This refers to the Law Enforcement Officers Safety Act of 2004 and Probation Officers who request to carry a firearm after their retirement. As per 18 US Code Section 926C, there are requirements to follow. I was just wondering if anyone had probation officers who retired and made such a request from the probation department.

Allegheny County

Since this policy was enacted we have had only 2 retired staff follow thru with it. I had to clear the dust from this policy. (See addendum)

Bucks County

No policy

Columbia County

No policy

Fayette County

The retiree has to have a retired ID issued by your department in order to get certified. So you need to determine who resigning from your department is officially “retired” and who gets the ID. That is really the only policy you need. I don’t have a written policy on it but I only issue them to someone who has reached full retirement and is drawing a pension from the county.

Probably would issue on a disability retirement if it was a result of an on the job injury.

Indiana County

No policy

Lackawanna County

Lackawanna County does not have a policy in place for this and we have never been approached by a retiree from this department for this policy.

Lancaster County

Lancaster does not have a policy in place for this.

Lebanon County

No policy

Luzerne County

None at this time

Monroe County

Monroe has had this occur and our retired Chief qualifies as a retired officer with the department annually. We do not have a policy on this as it is covered by MPOETC. Link to the requirements are here:

<https://mpoetc.psp.pa.gov/rleia/Pages/default.aspx>

The Instructor must be certified do qualify a retired officer and you must purchase the MPOETC qualification cards for retired officers.

Philadelphia County

Philadelphia County only has 2 specified Units that carry firearms. They are our armed officers' unit. We issued their guns which would require them to be returned upon retirement. I guess then they would be a civilian with a license but no attachment to the Department.

Pike County

Pike has a similar process as Monroe.

Schuylkill County

Schuylkill County has no policy in place nor have we had any requests from retirees.

Snyder County

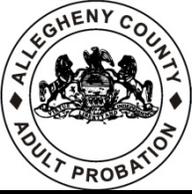
n/a

Wayne County

Wayne County has no policy in place nor have we had any requests from retirees.

York County

I have had this request multiple times in York County



**FIFTH JUDICIAL DISTRICT OF PENNSYLVANIA
ALLEGHENY COUNTY ADULT PROBATION
POLICY BULLETIN**

APPROVED: Ronald J. Seyko

EFFECTIVE DATE: October 20, 2014

TITLE:

Implementation of the Retired Law Enforcement Identification Act (RLEIA)

POLICY:

On July 22, 2004, Congress enacted the Law Enforcement Officers Safety Act (LEOSA). The intent of LEOSA was to exempt qualified retired law enforcement officers from state laws prohibiting the carrying of concealed firearms while traveling from state to state. LEOSA requires that a retired law enforcement officer has a photographic identification card, which identifies him or her as a retired law enforcement officer. LEOSA also requires that the retired law enforcement officer maintain an annual qualification with his or her firearm.

In response to LEOSA, on December 13, 2005, the Governor signed into law Act 79, the Retired Law Enforcement Identification Act (RLEIA). RLEIA tasked the Municipal Police Officers' Education and Training Commission (MPOETC) with establishing uniform identification and qualification cards for retired law enforcement officers and a method of conducting annual firearms qualifications for such individuals.

In order to comply with the requirements of The Law Enforcement Officers Safety Act of 2004 (18 U.S.C. §926C.), Pennsylvania Act 79 of 2005 - the Retired Law Enforcement Identification Act, and Title 37, Chapter 221 of the Pennsylvania Code, Allegheny County Adult Probation and Parole promulgates the following procedures to enable retired probation officers who meet the requirements of the act to obtain or replace a retired law enforcement officer identification card.

PROCEDURE:

Section 1. Eligibility - In addition to the eligibility requirements contained in 37 Pa. C.S. §221.21, only those probation officers who at any time during the course of their employment were authorized by Allegheny County Adult Probation to carry a firearm may apply for a retired law enforcement officer identification card.

Section 2. Application for a retired law enforcement officer identification card – Allegheny County adult probation officers who are retired from the Adult Probation and Parole Department or have given the Director of Adult Probation and Parole written notice of their intent to retire shall use the form found in Appendix 1 of this Policy Bulletin to apply for a retired law enforcement officer identification card. All applications hereunder for a retired law enforcement officer identification card shall be submitted to the Director of Adult Probation and Parole.

Section 3. Issuance of retired law enforcement officer identification card; identification card contents. Any probation officer or retired probation officer who meets the eligibility requirement, has submitted an application for a retired law enforcement officer identification card, and whose application has been approved by the Director of the Adult Probation and Parole Department shall be issued a retired law enforcement officer identification card that complies with the requirements contained in 37 Pa. C.S. § 221.22.

Section 4. Replacement of retired law enforcement officer identification card; error or change in material information. Pursuant to 37 Pa. C.S. § 221.23, the Director of Adult Probation and Parole shall issue replacement cards consistent with the requirements thereof.

Section 5. Fees. A fee of \$15.00 will be charged for the issuance or replacement of a retired law enforcement officer identification card. Payment of the fee shall be made by check or money order, payable to Allegheny County, at the time the card is issued.

