



MILLERSVILLE, MARYLAND

WRITTEN DIRECTIVE

MEMORANDUM: 04-047
FILE BEHIND: Index Code 402
TO: All Sworn and Retired Sworn Personnel
FROM: Colonel James Teare, Sr. *JT*
Chief of Police
REVISED DATE: November 16, 2011
SUBJECT: Law Enforcement Officers Safety Act of 2004

BACKGROUND

On July 22, 2004 President George Bush signed the Law Enforcement Officers Safety Act of 2004, Public Law No. 108-277. The Act permits both qualified active and qualified retired law enforcement officers to carry a concealed firearm in any U.S. State of political subdivision without a permit or license. It further exempts qualified active and retired law enforcement officers from State and local laws prohibiting the carrying of concealed firearms. The Act is codified in Chapter 44 of Title 18 of the United State's Code, §926 B and C.

The purpose of this policy is to provide direction and assistance to qualified active and retired police personnel with compliance of this new law.

PROCEDURE

I. Qualified Active Anne Arundel County Police Officers

All active Anne Arundel County Police Officers will abide by Index Code 402 and 402.2 with regards to this law. The carrying of any department issued handgun and/or personally owned handgun outside the State of Maryland must be in compliance with the Index Code, which states:

- A. Officers are encouraged to carry a firearm while off duty but are not required to do so unless they are in uniform or operating a Police Department vehicle.
- B. No officer may wear, carry or use a firearm while his or her ability to use the firearm is impaired for any reason.

- C. Unless the officer is in uniform, all firearms carried while off duty must be concealed from public view when not in use.
- D. Firearms will be carried in a properly fitting holster designed to carry that particular firearm. Only fanny packs designed to hold firearms securely are authorized.
- E. If a firearm is carried in a purse, the purse must be specifically designed to hold a handgun utilizing a dedicated pouch; OR if a standard purse is being used, the firearm must be secured in a properly fitting holster to prevent loss or accidental discharges.

Officers that are planning to travel with a firearm out of State need to be aware of that State's local laws regarding any restrictions to firearms wear, carry and ammunition.

II. Qualified Retired Anne Arundel County Police Officers

The Department will provide retired Anne Arundel County Police Officers the opportunity to qualify with a Department approved weapon (see Appendix A) during "Open Range" days at the Police Academy. Qualified retired officers will be required to successfully complete the Maryland Police & Correctional Training Commission (MPCTC) approved course for active law enforcement officers along with any MPCTC required classroom instruction.

This instruction will include but is not limited to topics such as firearm care and cleaning, shooting fundamentals, and use of force. Police Academy personnel will advise those officers wishing to qualify of the times and dates available to them. Pursuant to successful qualification, Police Academy personnel will issue a certification card that must be carried along with the retired officer's identification card. The certification card will indicate the retired officer's score, weapon type, and date of expiration.

This course of fire and classroom instruction will be provided to retired Anne Arundel County Police officers at no cost to them. All approved weapons and ammunition must be supplied by the retired officer at their own expense. Police Academy personnel can be contacted at 410-222-1950.

In furtherance of this law, the Department will provide retired officers with a new identification card indicating the individual is a retired Anne Arundel County Police Officer. Retired officers will need to travel to Police Headquarters in Millersville by appointment only to obtain this identification card. All appointments must be arranged with the ECU / Identification Unit Office Support Assistant at 410-222-8811. This service too will be provided free of charge.

Retired officers must review, sign Appendix A of this directive, and return it to the Training Academy 30 days prior to qualifying with an approved weapon. A background check will be completed to ensure the retiree is permitted to carry a firearm under Maryland State laws.

The Commander of the Training Academy reserves the right to refuse a retired officer from qualifying at the Academy's range.

Retired officers will be permitted to qualify with up to two weapons per year. Retired officers must report to the Police Academy firing range with at least 100 hundred rounds of approved ammunition and two additional magazines or speed loaders.

Attachments: Appendix A, Application for Firearms Qualification (Retired Officers)