

CITY OF ANDERSON POLICE DEPARTMENT

Anderson, South Carolina

DIRECTIVE TYPE General Order	EFFECTIVE DATE August 16, 2011	NUMBER 907
SUBJECT Service Weapon and ID Pack Upon Retirement		
REVISED		
REFERENCE SC Code of Laws 23-1-225 & LEOSA	AMENDS/SUPERSEDES All Others	
DISTRIBUTION All Personnel	RE-EVALUATION DATE Annual	NO. PAGES 3

I. PURPOSE

To establish policy and procedures regarding the establishment and implementation for receipt of a City of Anderson Police Department service weapon and identification card upon retirement.

II. POLICY

The City of Anderson Police Department officers may receive their service weapon upon retirement in accordance with the South Carolina Code of Laws section 23-1-225. As prescribed in the "Law Enforcement Officers Safety Act of 2004" (U.S. Code title 18, chapter 44, section 926 B), certified officers traveling outside the geographical boundary of the State of South Carolina are permitted to carry a concealed handgun in the United States, provided that the officer is not under disciplinary action, not under the influence of alcohol or drugs, and has successfully passed the most recent firearms qualification. As prescribed in the "Law Enforcement Officers Safety Act of 2004" (U.S. Code title 18, chapter 44, section 926 C), qualified retired officers may carry a concealed weapon in the United States.

III. PROCEDURES

- A. The Chief may give officers their duty service weapon upon retirement from the City of Anderson Police Department in accordance with the South Carolina Code of Laws section 23-1-225 which states the following:

"Upon retirement, state law enforcement officers may retain their commissions in retired status with all rights and privileges, including the right to retain their

service weapons issued while serving in active duty status."

- B.** Upon receipt of the service weapon, the officer must complete a Receipt of Service Weapon upon Retirement form. The form will be secured in the retiring officer's personnel file along with a copy of the officer's official retirement paperwork. The officer must adhere to the following financial schedule:

1. Ten (10) years of service with the City – No Cost;
2. Five (5) years to Ten (10) years of service with the City – One-half the replacement cost of the weapon; or
3. Less than five (5) years of service with the City* - Full cost of the replacement weapon.

**Only with recommendation of the Chief*

- C.** As prescribed in the "Law Enforcement Officers Safety Act of 2004" (U.S. Code title 18, chapter 44, section 926 B), certified officers traveling outside the geographical boundary of the State of South Carolina are permitted to carry a concealed handgun in the United States, provided that the officer is not under disciplinary action, not under the influence of alcohol or drugs, and has successfully passed the most recent firearms qualification. As prescribed in the "Law Enforcement Officers Safety Act of 2004" (U.S. Code title 18, chapter 44, section 926 C), *qualified retired officers may carry a concealed weapon in the United States, with the following conditions:*

1. The officer is 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 has statutory powers of arrest;
2. The officer is authorized by the agency to carry a firearm;
3. The officer retired in good standing after serving as a law enforcement officer for an aggregate of 15 years or more, or retired due to a service-connected disability after completing one year probation. This does not include retirement for reasons of mental instability;
4. The officer has a non-forfeitable right to benefits under the Department's retirement plan;
5. The officer is not under the influence of alcohol or drugs, or is not prohibited by Federal law from receiving a firearm;
6. The officer has in his or her possession, along with their retired police photographic identification, a certification issued by the State of residence that indicates the individual has, within the past year, met the State's firearms training and qualification standards for active law enforcement officers with a firearm of the same type being carried;

7. It is the retired officer's responsibility to ensure they meet all of the conditions prescribed in 18 USC Ch. 44, section 926 C.

D. The City of Anderson Police Department will issue the retiring officer an Identification Pack that contains their badge and an Identification Card that will contain the following components:

1. On the front of the Card:
 - a. The name of the qualified retired law enforcement officer;
 - b. The name and business address of the law enforcement agency issuing the identification card;
 - c. The date the law enforcement agency issued the identification card;
 - d. A photograph of the qualified retired law enforcement officer; and
 - e. The signature of the qualified retired law enforcement officer.
2. On the back of the card:
 - a. A statement which reads: "The person whose photograph and signature appear hereon is a qualified retired law enforcement officer in good standing, pursuant to Title 18 U.S.C. § 926C and 501 CMR 13.03. This identification, together with a Law Enforcement Officers Safety Act Training and Certification Card, allows the person appearing hereon to carry a concealed firearm in accordance with the provisions of Title 18 U.S.C. § 926C. Unlawful possession of police identification or posing as a police officer is a criminal offense."
 - b. The telephone number to contact the law enforcement agency issuing the identification card; and
 - c. The date of birth of the qualified retired law enforcement officer.

By order of:


Martin D. Brown, Chief of Police

10-14-11
Date