Nevada Sheriffs' and Chiefs' Association

Law Enforcement Safety Act of 2004 and LEOSA Improvement Act of 2010 Retiree Information Package

8-10-2015 Update

On December 2, 2004, the Nevada Sheriffs' and Chiefs' Association (NvSCA) met and adopted the following rules for the qualification of law enforcement retirees in compliance with LEOSA, the Law Enforcement Safety Act of 2004. On May 31, 2005, Governor Guinn signed into law NRS 202.3678 which gave the Sheriffs of the State of Nevada authority to implement these procedures.

On October 12, 2010 these procedures were updated to reflect the changes incorporated in the LEOSA Improvement Act.

In complying with this federal law, it is important to note that this process does not provide the law enforcement retiree with a concealed firearm permit nor will any law enforcement agency give the law enforcement retiree the right or ability to carry their firearm concealed. The ability to carry a concealed firearm when crossing state lines is granted by LEOSA itself and the only responsibilities given to Nevada law enforcement agencies are to facilitate the firearms qualification and to conduct a criminal background check for retirees.

The following procedure applies only to law enforcement RETIREES and not to any active law enforcement personnel.

ELIGIBILITY

As used in Title 18, § 926C, the term "qualified retired law enforcement officer" means an individual who:

A) Has separated from service in good standing from service with a public agency as a law enforcement officer, a law enforcement member of the Executive Branch of the Federal Government, Amtrak, or Federal Reserve Police.

B) Before such separation, 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;

C) Before such separation, was regularly employed as a law enforcement officer for an aggregate of 10 years or more; or

1) Separated 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;

NOTE: The retiree will be responsible for obtaining all documentation from their prior employer(s) to prove LEOSA eligibility.

D) 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.

E) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

F) Is not prohibited by Federal law from possessing a firearm.

QUALIFICATION

The retiree will select a shooting range to attend from either a participating law enforcement agency or from a list of firearm instructors that have been Sheriff-approved pursuant to the concealed weapon permit law, NRS 202.3657. Qualifications will be at the expense of the retiree when necessary. The list of available civilian firearm instructors can be obtained from the county Sheriff's Office Concealed Weapon unit.

In the presence of an instructor, the retiree shoots for a qualification using the following minimum course:

For 6 shot or higher capacity:

3 yards	6 rounds	No time limit	Freestyle
5 yards	12 rounds	No time limit	Freestyle
7 yards	12 rounds	No time limit	Freestyle

For 5 shot or lower capacity:

3 yards	5 rounds	No time limit	Freestyle
5 yards	10 rounds	No time limit	Freestyle
7 yards	10 rounds	No time limit	Freestyle

Firearms with less than a 5-shot capacity will have to be reloaded at each stage to comply with the 5-shot capacity standards.

A total of 30 rounds for 6 shot or larger capacity, 25 rounds for 5 shot capacity must be fired. A 70% minimum must be scored to pass. The humanoid target, B27 or B21 or equivalent as determined by the firearm instructor shall be utilized.

If there are any demonstrated shooting deficiencies noted by the instructor, additional training can be provided at the discretion of the instructor and at the expense of the retiree.

ANNUAL QUALIFICATIONS

The Law Enforcement Safety Act requires that in order for the authorization to remain active, the retiree must qualify annually.

REQUIRED FORMS

Upon successful qualification, the instructor and retiree complete the "Retirement Qualification & Waiver Form" provided with this package. The qualification score MUST be indicated on this form.

The retiree will bring the completed Retirement Qualification & Waiver Form to the county sheriff's Concealed Weapon Permit unit of the county in which he/she resides. Along with this form, the retiree will bring valid, photographic identification from the agency he/she retired from as well as the letter from the agency he/she retired from that states the retiree has honorably retired after serving the amount of time required by this law, (see eligibility section C).

An agency letter will not be required in instances where the retiree has been issued a photographic identification from their agency that specifically states the retiree is a retired law enforcement officer as per The Law Enforcement Officers Safety Act of 2004(LEOSA, H.R. 218, P.L 108-277. 18 U.S.C. 926C).

CONCEALED WEAPON PERMIT UNIT

The Concealed Weapon Permit unit of the county sheriff's office will ensure the retiree is in possession of valid, photographic identification issued by the agency he/she retired from. The Concealed Weapon Permit unit of the county sheriff's office will conduct a background check on the retiree. The criminal history background, at a minimum, will consist of checks of the local criminal history database, NCJIS and NCIC.

COMPLETION OF PROCESS

If the retiree has satisfactorily met all requirements, the Concealed Weapon Permit unit of the county sheriff's office will issue the retiree the LEOSA/ HR218 Qualification card stating that he/she has met the qualification requirements set forth in LEOSA. This card must be carried anytime the retiree is carrying a firearm concealed.

If the retiree has ***not*** satisfactorily met all requirements, the Concealed Weapon Permit detail of the county sheriff's office will provide the retiree a written notice informing them for the reason(s) for not issuing the LEOSA card.

A fee may be charged by the county sheriff's office to defer the cost of the background check and the processing of the application.

Nevada Sheriffs' and Chiefs' Association

Law Enforcement Safety Act
Retirement Qualification & Waiver

THIS SECTION TO BE FILLED OUT BY THE FIREARMS INSTRUCTOR

I am a qualified firearms instructor approved in/for_____.
Name of county/agency

On_____,_____participated in the qualification course approved
Date *name of applicant*

by the Nevada Sheriffs' and Chiefs' Association for retired law enforcement officers.

The applicant's score was_____ ,which is passing.

The applicant has successfully qualified with a handgun.

_____
name of instructor (printed)

_____
instructor's signature

THIS SECTION TO BE FILLED OUT BY THE RETIREE

Name:_____AKA/Maiden Name:_____

DOB:_____DLN:_____Phone #:_____

Address:_____City:_____State:_____Zip:_____

I,_____, attest that I have had a minimum of 10 years of service in law
retiree
enforcement. I further attest that I retired in good standing with_____,
name of agency
and am not prohibited by state or federal law from possessing firearms.

_____ _____
Retiree signature *Nevada Law Enforcement Agency*
Employee signature/personnel number