



## Oregon State Police

### **POLICY**

HR 218, 2004 (Federal) permits qualified sworn officers who retired in good standing to carry concealed handguns nationwide when also carrying a valid identification card.

### **RELATED LAWS/REFERENCES**

Department Manual Chapters 402.2, 500.2, and 500.6, and 800.1; 18 U.S. Code §926B and §926C (HR 218, 2004); Oregon DPSST's PQC.

### **RULE**

1. In order to meet the qualifications of HR 218, retired law enforcement officer enforcement officers must meet the following:
  - A. Be retired in good standing, for reasons other than mental instability, from a public agency as a law enforcement officer.
  - B. Before retirement, the retiree 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.
    1. Before retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more; or,
    2. Retired from service as a law enforcement officer for a service connected disability after completing any applicable probationary period.
  - C. The retiree has a non-forfeitable right to benefits under the retirement plan of the agency.
  - D. During the most recent 12 month period, the retiree has met, at their own expense, the Oregon Department of Public Safety Standards and Training (DPSST) firearm qualification standards. For retirees residing outside the state of Oregon, at their own expense, must meet the firearm qualifications standards for their state of residence counterpart to DPSST.

- E. Not be under the influence of alcohol or other intoxicating or hallucinatory drug or substance; and
  - F. The retiree is not prohibited by state or federal law from receiving a firearm.
  - G. Possess a photographic identification card issued by the Department indicating retiree status and qualification to carry a concealed firearm in accordance with HR 218.
2. Department issued firearms (unless purchased by the retiree) and ammunition shall not be taken out of state without prior authorization from the Superintendent.
3. Neither HR 218 nor Department issued identification confers law enforcement authority on any retiree.
4. HR 218 addresses the carrying of concealed weapons by sworn and retired officers. HR 218 does not provide exemptions for possessing firearms in places such as airports, commercial airlines or other locations where firearms are otherwise prohibited by Federal, state or local law and it does not exempt anyone, whether active or retired, from state and local firearm registration laws.

## **PROCEDURE**

1. Members who retired from the Department in good standing and desire to carry concealed firearms in accordance with HR 218 shall comply with the following:
- A. During the most recent 12 month period, the retiree has met, at their own expense, the Oregon Department of Public Safety Standards and Training (DPSST) firearm qualification standards.
  - B. Retirees who successfully complete range qualification as an active reserve member or for temporary employment do not need to re-qualify.
  - C. Carry a current retiree's commission card issued by the Department.
  - D. Open qualification period will occur during the fourth calendar quarter of the year and will be good for the following calendar year.
  - E. Members retiring mid-year will remain current through the following calendar year and will then need to qualify during the annual cycle in the same manner as other retirees.
  - F. Retirees will provide their own ammunition.

G. Members will schedule their range time at the convenience of the Department Rangemaster(s) overseeing the qualification. Members may schedule this during regularly scheduled qualifications if space is available.

H. The Rangemaster will submit to the Office of Professional Standards the applications of any retirees who successfully qualified with their firearms.

2. Retirees residing outside of Oregon or those who choose not to use Department Rangemasters:

A. At their own expense, must meet the firearm qualifications standards for their state of residence counterpart to DPSST.

B. Retirees must submit their qualification no later than December 15 to be qualified for the following year. The retiree shall submit to the Office of Professional Standards: 1) a completed application (*Page 4 of this chapter*); 2) documentation of the qualification on official letterhead from the law enforcement agency overseeing the qualification. Failure to submit a qualification will result in loss of privileges under HR 218.

3. The Office of Professional Standards will forward to the Northern Command Center the completed applications of retirees who successfully qualified with their firearms.

A. The NCC will maintain in the Computer Aided Dispatch (CAD) database a list of all retired members who have qualified to carry concealed weapons under HR 218.

B. NCC will refresh the CAD database at the beginning of each new calendar year.

4. Members who elect to carry personal firearms out of state need to be aware of the use-of-force laws and potential liabilities of the state(s) where the firearm is being carried. Although HR 218 allows police officers to carry concealed firearms out of state, members are reminded that they do not have any law enforcement authority outside of Oregon.

5. The Superintendent shall maintain authority to determine the retiree's qualification to carry a concealed weapon in accordance with HR 218.

**OREGON STATE POLICE  
ANNUAL APPLICATION FOR RETIRED MEMBER  
TO CARRY A CONCEALED FIREARM (HR 218)**

This application will be submitted to and approved by the Oregon State Police, Superintendent's Office before authorization to carry a concealed weapon according to HR 218.

Name: \_\_\_\_\_  
(Last) (First) (Middle)

Home Address: \_\_\_\_\_  
\_\_\_\_\_  
(City) (State) (Zip Code)

Phone Number: (\_\_\_\_\_) \_\_\_\_\_

OLN: \_\_\_\_\_

DPSST Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

***DEMONSTRATED FIREARM***

0 Retiree (HR 218)

Brand:                      Caliber:              Model:                      Serial Number:

BBL: Mag/Cyl Capacity-Rnds:

***AMMUNITION***

Brand: Bullet Weight Grs:

Configuration:

I have read and understand Oregon State Police, PRP 800.8 and am qualified to carry a firearm in accordance with HR 218:

Signature:

Date: \_\_\_\_\_

***APPROVAL***

I certify that the listed retiree has met the current DPSST standards or the standards for law enforcement by the State of \_\_\_\_\_

Department Rangemaster: \_\_\_\_\_ Agency \_\_\_\_\_ ID# \_\_\_\_\_  
Date: \_\_\_\_\_

Oregon State Police  
255 Capitol Street NE  
Salem, OR 97310

---