

**H.R. 218 “The Law Enforcement Officers Safety
Act 2004”**

Information and Application Guide Booklet



*Gun Control and Firearms Registration Unit
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Requirements to be in Compliance with H.R. 218 “The Law Enforcement Officers Safety Act 2004”

In 2004, Chapter 44 of Title 18, United States Code, Section 926B & 926C, were amended with the enactment of H.R. 218, “The Law Enforcement Officers Safety Act.” This amendment allows for the carrying of concealed firearms by qualified retired law enforcement officers in the United States, The District of Columbia, and U.S. Territories.

In 2010, the law was further amended with the passing of S.1132, “The Law Enforcement Officers Safety Act Improvement Act.” This amendment further expanded and clarified the law.

The “LEOSA” Firearms Certificate issued by the Metropolitan Police Department’s Gun Control Unit will certify that you have met current basic requirements necessary to be in complete compliance with these laws.

In order to meet and maintain the requirements to be in compliance with this section, and to meet the definition of a “qualified retired law enforcement officer”, you must meet and maintain the following criteria:

1. Retired or Separated in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability.
2. Before such retirement/separation, you were 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 or apprehension under the Uniform Code of Military Justice.
3. (A) Before such retirement/separation, you were regularly employed as a law enforcement officer for an aggregate of 10 years or more; Or
(B) Retired 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.
4. Not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance.

5. Must not be prohibited by Federal Law from possessing a firearm.
6. Must carry the photographic identification issued by the agency from which they were employed and have now retired/separated.
7. Must carry documentation which certified that you have met, within the most recent twelve-month period, the active-duty law enforcement standards for qualification for a firearm of the same type as the one intended to be carried, as that of your former agency, of the state which you reside in, or in the absence of recognized state standards, the standards of any law enforcement agency in the state which you and the certified firearms instructor resides.
8. The document which certifies that the qualified retired/separated law enforcement officer has met the standards described above, must be issued by the retired officer's former agency, by the State in which he or she lives, or by a certified firearms instructor that is qualified to conduct a firearms qualification test for active-duty officers within that State.

LAWFUL FIREARMS AND AMMUNITION UNDER THIS ACT

The exemption under this Federal Law applies to the carriage of concealed firearms only. The definition of "firearm" in this statute specifically excludes machine guns, silencers, explosives or other destructive devices as these terms are defined in Federal Law.

Recent amendments to Federal Law do extend the exemption for H.R. 218 "LEOSA" to allow the carriage of ammunition "not expressly prohibited by Federal Law or subject to the provisions of the National Firearms Act. This means that qualified active and retired law enforcement officers may carry ammunition in States which may have prohibited the possession of certain types of ammunition by persons not actively serving in law enforcement within that State.

APPLICATION PROCESS AND MATERIALS

Documentation:

1. Photographic identification issued by the agency from which the applicant retired from service as a law enforcement officer. If separated prior to retirement, then current government issued identification will be required.
2. Range Qualification Certificate, issued by a Metropolitan Police Department for the District of Columbia (M.P.D.C.) officially sanctioned Firearms Instructor, or a State, or Organizational equivalent instructor that indicates the applicant has been tested and found to meet the standards established by the M.P.D.C. for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm the applicant wishes to be certified to carry. *(Note: it is recommended that applicant do not complete your range qualification until you have been approved)*
3. An official letter on Departmental Letterhead from the department from which the applicant retired from, stating that the applicant has retired/separated in good standing and meets the requirements to qualify under this law. (A form letter is provided in this packet)

Application Process:

1. Complete a M.P.D.C. Firearm Registration Application P.D. 219 (D.C. residents only)
2. Complete the Law Enforcement Officers Safety Act Certificate Application
3. Complete the Human Services form letter
4. Provide identification
5. Submit to be fingerprinted and have a criminal background check conducted
6. Prior to being issued your permit, complete a firearms qualification course at a range with a certified range instructor.
7. The fees are \$35.00 for fingerprinting, and \$13.00 registration and application processing.

Responsibilities:

1. Maintain an annual firearms qualification and HR218 carry permit renewal.
2. Immediately notify the Firearms Registration Unit of any lost or stolen firearm.
3. Remain in compliance with all standards and status as stated in H.R. 218, "The Law Enforcement Officers Safety Act 2004" and "The Law Enforcement Officers Safety Act Improvement Act 2010."

Approval Time:

1. Applications for the "Law Enforcement Officers Safety Act" Certification may take 4-8 weeks, however approval times may vary due individual employment history, criminal history, and years since retirement/separation.
2. Renewals may be completed while you wait. (approx. 1 hour)

Denial/Revocation and Appeals Process

(a) If it appears to the Chief that an application for a registration certificate should be denied or that a registration certificate should be revoked, the Chief shall notify the applicant or registrant of the proposed denial or revocation, briefly stating the reason or reasons therefore. Service may be made by delivering a copy of the notice to the applicant or registrant personally, or by leaving a copy thereof at the place of residence identified on the application or registration with some person of suitable age and discretion then residing therein, or by mailing a copy of the notice first class mail, postage prepaid, to the residence address identified on the application or certificate. In the case of an organization, service may be made upon the president, chief executive, or other officer, managing agent or person authorized by appointment or law to receive such notice as described in the preceding sentence at the business address of the organization identified in the application or registration certificate. The person serving the notice shall make proof thereof by preparing an affidavit identifying the person served and stating the time, place, and manner of service. The applicant or registrant shall have 15 days from the date the notice is served in which to submit further evidence in support of the application or qualifications to continue to hold a registration certificate, as the case may be; provided, that if the applicant does not make such a submission within 15 days from the date of service, the applicant or registrant shall be deemed to have conceded the validity of the reason or reasons stated in the notice, and the denial or revocation shall become final.

(b) Within 10 days of the date upon which the Chief receives such a submission, he shall serve upon the applicant or registrant in the manner specified in subsection (a) of this section notice of his final decision. The Chief's decision shall become effective at the expiration of the time within which to file a notice of appeal pursuant to subchapter I of Chapter 5 of Title 2 or, if such a notice of appeal is filed, at the time the final order or judgment of the District of Columbia Court of Appeals becomes effective.

(c) Within 7 days of a decision unfavorable to the applicant or registrant becoming final, the applicant or registrant shall:

(1) Peaceably surrender to the Chief the firearm for which the registration certificate was revoked in the manner provided in § 7-2507.05;

(2) Lawfully remove such firearm from the District for so long as he has an interest in such firearm; or

(3) Otherwise lawfully dispose of his interest in such firearm.

(d) If a firearm is in the possession of the Chief, the Chief may maintain possession of the firearm for which the registrant is temporarily or permanently prohibited from having lawful possession until final disposition of the matter.



**Metropolitan Police Department Gun Control Unit
300 Indiana Avenue N.W. room 3077, Washington, D.C. 20001**

THE LAW ENFORCEMENT OFFICERS SAFETY ACT CERTIFICATE APPLICATION

(Please Print or Type the information and this application must be notarized)

Last Name: _____ First Name: _____ Middle Initial: _____

Address: _____

City: _____ State: _____ Zip Code: _____ Phone: _____

Social Security Number: _____ - _____ - _____ Date of Birth: _____

Sex: ___ Race: ___ White: ___ Black: ___ American Indian ___ Hispanic ___ Asian: ___ Other: ___

Height: _____ Weight: _____ Eyes: _____ Hair: _____

Agency retired/separated from: _____

Statement of Eligibility:

(Please answer each of the following questions.)

1. Have you ever been convicted, or are you currently subject to pending criminal prosecution for any felony, drug or assault offense or an offense involving impairment by drugs or alcohol? **Yes** ___ **No** ___
2. Have you ever been exempted from possession of any weapon for any disqualifications enumerated by U.S. Code Title 18, Chapter 44, Section 922? **Yes** ___ **No** ___
3. Were you forced to retire due to any mental disorder? **Yes** ___ **No** ___
4. Have you ever been committed to any mental institution? **Yes** ___ **No** ___
5. Are you suffering from any injury or physical impairment that could render you unsafe to carry a concealed weapon? **Yes** ___ **No** ___
6. Have you ever been convicted of Domestic Violence and have you been the subject of a Civil Protection Order within the last year? **Yes** ___ **No** ___

I, the undersigned, certify that I have received, read, and will abide by and conform to the rules and statutes governing the Law Enforcement Officers Safety Act of 2004 relating to Retired Law Enforcement Officers. For the purposes of determining my eligibility, I authorize the release of any information regarding my present and past employment regarding diagnosis, treatment, and status of medical or mental conditions, any information relating to my criminal history, or any other information deemed confidential to the Metropolitan Police Department or its authorized representatives. I further authorize the Metropolitan Police Department or its authorized representatives. I further authorize the Metropolitan Police Department or its authorized representative to release any law enforcement agency, or other governmental agency, information contained in or related to this application. A copy of this affidavit shall have the same force and effect as the original. I understand that making false statements is punishable by criminal penalties under D.C. Code Title 22 Section 2405.

Applicant's Signature: _____

Date: _____

FIREARMS LIST:

Instructions:

1. Please list the information for all firearms you wish qualify for and to be certified to carry under "LEOSA."
2. This list should be updated as needed.

1. MAKE: _____ MODEL: _____ Caliber: _____

SHOT CAPACITY: _____ COLOR: _____ ACTION: _____

SERIAL NUMBER: _____

2. MAKE: _____ MODEL: _____ Caliber: _____

SHOT CAPACITY: _____ COLOR: _____ ACTION: _____

SERIAL NUMBER: _____

3. MAKE: _____ MODEL: _____ Caliber: _____

SHOT CAPACITY: _____ COLOR: _____ ACTION: _____

SERIAL NUMBER: _____

4. MAKE: _____ MODEL: _____ Caliber: _____

SHOT CAPACITY: _____ COLOR: _____ ACTION: _____

SERIAL NUMBER: _____

5. MAKE: _____ MODEL: _____ Caliber: _____

SHOT CAPACITY: _____ COLOR: _____ ACTION: _____

SERIAL NUMBER: _____



Washington, D.C. Metropolitan Police Department
H.R. 218 "LEOSA" Firearms Qualification Course Certificate

Instructions for Applicant:

1. Please type or print legibly in black ink the top portion of this form.
2. Take this form with you on the day or days of your training.
3. Return the completed form to the Firearms Qualification Course Certificate.

Last Name: _____ First Name: _____ Middle Initial: _____

Address: _____

City: _____ State: _____ Zip Code: _____

Phone: _____

To be Completed by MPDC Certified Range Instructor

Firearms Qualification:

Date Completed: _____ Firearm Make(s): _____

Range Name: _____ Firearm Caliber(s): _____

Range Location: _____

Qualification Score: _____

I hereby affirm that the above identified individual has successfully completed the firearms qualification as prescribed by the Metropolitan Police Department of the District of Columbia in compliance with the Law Enforcement Officers Safety Act of 2004 and that the above information is true and correct to the best of my knowledge, information and belief. I understand that making a false statement is punishable by criminal penalties under D.C. Code Title 22-2405.

MPDC Certified Instructor's Name: _____ Date: _____
(Printed)

MPDC Certified Instructor's Signature: _____ Date: _____

Applicant's Signature: _____ Date : _____



METROPOLITAN POLICE DEPARTMENT HUMAN SERVICES

(Applicants from Agencies other than M.P.D., have your Agency copy and complete this letter on your Agency's letterhead, and return)

I certify below that the following person meets the definition of the term “qualified retired law enforcement officer” as defined by the Law Enforcement Officers Safety Act of 2004, and amended by the Law Enforcement Officers Safety Act Improvement Act of 2010, U.S. Code Title 18, Chapter 44, Section 926 C. A research of the employment records reveals that below listed applicant:

1. Retired or Separated in good standing from service as a law enforcement officer, then for reasons of mental instability
2. Before such retirement was regularly employed as a law enforcement officer for an aggregate of ten (10) years or more, or retired from service after completing any applicable probationary period of such service, due to a service-connected disability, as determined by this agency.
3. Has non-forfeitable rights to benefits under the retirement plan of this agency
4. Before such retirement was authorized by laws 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.

Last Name: _____ First Name: _____ Middle Name: _____

Social Security Number: _____ - _____ - _____ Date of Birth: _____

Date of Appointment: _____ Date of Retirement/Separation: _____

Sex: ___ Race: ___ White: ___ Black: ___ American Indian ___ Hispanic ___ Asian: ___ Other: ___

CERTIFIED BY:

Printed Name and Title of Human Resources Official

Signature of Human Resources Official

Date