

# Montgomery County Fire and Rescue Service Information Bulletin From the Operations Division

Information Bulletin: 16-05

October 20, 2016

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TO: All MCFRS Personnel

FROM: Division Chief Steve Jones 

SUBJECT: Law Enforcement Officers Safety Act

**a. Goal:**

1. To allow certain retired Fire/Rescue personnel (who were assigned as Law Enforcement Officers with MCFRS and meet the other criteria) the ability to carry a concealed firearm under the provisions of H.R. 218 (now Public Law 108-277) entitled the "Law Enforcement Officers Safety Act"

**b. Definitions:**

1. **MD Police Agency:** The Annotated Code of Maryland, Public Safety Code 3-201 2, (e,d 2 ii) and MD Criminal Procedure section 208.1 defines The Montgomery County Office of Fire and Explosive Investigations (FEI) as a Police Agency, and defines the members assigned full time who have completed training program approved by the Maryland Police Training Commission, as Police Officers.
2. **LEOSA (Law Enforcement Officers Safety Act):** The Act of Congress which was passed and signed into law as *18 USC § 926C - Carrying of concealed firearms by qualified retired law enforcement officers.*
3. **Retired Law Enforcement Officer:** Meets the criteria as defined in 18 USC § 926C subsection (c). and MD law PSA 3-513.
4. **Retired Law Enforcement Officer Identification Card:** The card will confirm that the employee is a retired law enforcement officer with the department. This card will be issued within 45 days after the officer's retirement from MCP Security Services in accordance with Maryland Annotated Code, Public Safety Article PSA 3-513. This card can be issued separate from a LEOSA ID Card.
5. **Law Enforcement Officers Safety Act (LEOSA) Identification Card: Shall contain the following information:**
  - A. Full Name
  - B. Date of Birth

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- C. Height
- D. Weight
- E. Fire Chief's Signature
- F. "The bearer of this card has served as a law enforcement officer for an aggregate of 10 years or more." And meets the requirements of Public Law 110-272 "Law Enforcement Officers Safety Act"

**c. Procedure:**

1. Personnel who separate from the MCFRS, and have served as a law enforcement officer in the Office of Fire and Explosive Investigations for an aggregate of 10 or more years, may submit a notarized MCFRS LEOSA application to the Division Chief of Operations. Personnel must meet the criteria as outlined in 18 USC § 926C. and Maryland Annotated Code PSA 3-513.
2. The applicant must complete all required classroom instruction, and qualifying course of fire with the firearm they wish to carry at range that is MPTC or NRA approved. Said range must have MPTC or NRA approved instructors. (*The MCP Range holds LEOSA range days, first Friday of each month*) The applicant must supply their own ammunition. The applicant will then include documentation of said qualification along with the LEOSA application.
3. Upon receipt of the application, the Division Chief of Operations or designee will review the application and confirm that the applicant has completed the required classroom and course of fire with their requested weapon at an approved range. The Division Chief or their designee will make request to the Special Operations Section Chief or designee requesting that they verify the years of service as a law enforcement officer.
4. Prior to issue of the LEOSA Card, the applicant must have been issued a Retired Law Enforcement Identification Card per the requirements of MD Law PSA 3-513 through MCP security services section for issue.
5. If it is determined that the retired employee does not meet the service requirement as outlined in 18 USC § 926C, a denial letter will be drafted for the Division Chief's signature.
6. Verification of law enforcement officer years of service shall be made through the MCFRS Special Operations Section and/or the Maryland Police and Correctional Training Commission and personnel records.
7. Once the application has been approved and the applicant has completed the required course of fire at the MCP range, all required paperwork will be given to the MCP academy who will process the LEOSA card.
8. Once issued the retired officer MUST carry their Retired Law Enforcement Officers Identification and LEOSA Identification Card AT ALL TIMES they are armed.

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**d. References:**

1. Law Enforcement Officers Safety Act: Section 926B of title 18, U.S. Code as amended Public Law 111-272. Enacted by the Senate and House of Representatives of the United States of America.
2. Retired Law Enforcement Identification Card: Maryland Annotated Code, Public Safety Article PSA 3-510. Enacted by Larry Hogan, Governor of the State of Maryland 10/2015
3. Annotated code of Maryland: MD Public Safety Codes 3-201, MD Criminal Procedure 2-208.1

Clarifications or questions should be directed to the Special Operations Chief.

