

**SAN JOAQUIN COUNTY PROBATION DEPARTMENT
ADMINISTRATIVE MANUAL**

TO: ALL STAFF BULLETIN #: 654

APPROVED BY: STEPHANIE L JAMES
CHIEF PROBATION OFFICER REPLACES: 9/13/13

ISSUE DATE: 10/9/2019

SUBJECT: ARMING OF RETIRED PROBATION OFFICERS

POLICY

The California Penal Code provides that an honorably retired peace officer who, during the course and scope of his/her employment with the Department was authorized to, and did, carry a firearm shall be issued an identification certificate stamped with the endorsement "CCW Approved" (Carry a Concealed Weapon Approved), under the conditions provided for by the Penal Code and Department policy.

PROCEDURES

A. Requesting Authorization to Carry a Concealed Weapon

1. An honorably retired Probation Officer who during the course and scope of his/her employment with the San Joaquin County Probation Department was authorized to and did carry a firearm may apply (Attachment A) to the Chief Probation Officer for authorization to carry a concealed firearm subject to the following conditions:
 - a. The officer did not retire because of a psychological disability.
 - b. The officer is not the subject of any disciplinary action by the agency which could result in suspension or loss of peace officer powers.
2. "Honorably retired" includes those who qualify for and have accepted a service or disability retirement as long as all of the other criteria set forth in this policy is met.
3. Authorization to carry a concealed firearm may be denied or revoked under the following conditions and as otherwise set forth in Penal Code Section 26305:
 - a. For a violation of any departmental policy, procedure, or state or federal law that, if committed by an officer on active duty, would result in that officer's arrest, suspension, or termination.
 - b. When the conduct of the officer compromises public safety.
 - c. For a showing of "good cause."
4. Persons wishing to apply for authorization under this section shall do so in writing to the Chief Probation Officer no more than one year after their retirement date.

5. Upon receipt of the application and after determining the retired officer meets the requirements, an investigation will be conducted to determine whether any circumstances exist that would preclude the granting of the application. Upon conclusion of the investigation, the Chief Probation Officer will either approve or deny the request (Attachment B).

B. Issuing Identification Cards

1. If the Chief Probation Officer grants the application, the retiree will be issued an identification card containing the following information:
 - a. A picture of the retiree
 - b. The retiree's name
 - c. Position/Classification upon retirement
 - d. Badge Number
 - e. Address
 - f. Date of Birth
 - g. Date of Retirement
 - h. Name and Address of the agency issuing the card
 - i. Date of expiration (five years from the date of issuance)
 - j. The words "CCW Approved"
 - k. Chief Probation Officer's Signature
2. The identification card is authorized by the Chief Probation Officer and is valid for five years. After the five-year period, an honorably retired Probation Officer wishing to maintain a CCW must submit a new application (Attachment D) to the Chief Probation Officer.

C. Denying or Revoking Authorization

1. If the Chief Probation Officer finds there exists good cause to deny the application or revoke an existing authorization on a temporary or permanent basis, the retiree shall be notified in writing either by delivery in person or by first class mail with a return receipt requested.
2. The retiree may request a hearing. The request for a hearing must be made in writing within 15 days from receipt of the denial or revocation of the existing authorization and shall be directed to the Chief Probation Officer. An applicant who fails to request a hearing pursuant to this section shall forfeit the right to a

hearing and the authority of the officer to carry a firearm shall be permanently revoked.

3. The hearing shall be before a three-member Hearing Board and shall be held no longer than 120 days after the request by the retired officer for a hearing is received.
 - a. The Hearing Board shall be made up of a representative of the Probation Department, a person selected by the retiree or his or her employee organization, and a third representative selected jointly by the agency and the retired peace officer or his or her employee organization.
 - b. Any decision by the board shall be binding on the agency and the retired peace officer.
 4. If a hearing is scheduled, written notice of the date, time, and location of the hearing shall be given to the retiree either by delivery in person or by first class mail, with a return receipt requested.
 5. Upon receipt of the notice of the hearing, the retiree shall have 15 days to respond and provide the name of their selected hearing representative. A retiree who fails to respond in 15 days will forfeit the right to respond and to the hearing.
 6. Any decision made by the Hearing Board will be binding on the Probation Department and the retiree.
 7. Written notice of the decision by the Hearing Board shall be given to the retiree either by delivery in person or by first class mail, with a return receipt requested.
 8. Once a retiree is notified that his/her authorization has been revoked, he/she must immediately turn in their authorization card to the Chief Probation Officer or his/her designee.
- D. Authorization granted pursuant to this procedure is valid for five (5) years. A retiree must re-apply for new authorization every five (5) years.
- E. Pursuant to Penal Code section 25450, an honorably retired probation officer authorized to carry a concealed weapon must make his/her own arrangements to qualify annually to maintain his/her status at his/her own expense. (Attachment C).
- F. Qualification by the retired probation officer shall be conducted by a certified range master or firearms instructor but shall not be conducted by any departmental range master.



RETIRED OFFICER APPLICATION FOR CCW AUTHORIZATION

To be completed by the retired member:

I am requesting identification/certification to carry a concealed weapon under:

_____ Federal Law (18 USC § 926C)

_____ State Law (Penal Code section 12027(a))

I agree and understand that for the purposes of any license issued by the San Joaquin County Probation Department, I am not a peace officer employee of the Probation Department or the County of San Joaquin and that any actions I may take in connection with any identification/certification issued by the Probation Department will be in my capacity as a private citizen and not as a peace officer or employee of the County of San Joaquin. I have also read, understand and agree to the Probation Department's policy concerning the issuance and renewal of identification under this procedure and I will immediately surrender said identification in the event that I am disqualified from receiving a firearm under federal law. I agree that I am responsible to provide and maintain any weapon or firearm I may use in connection with an identification issued under this policy and that the County of San Joaquin, including, but not limited to, the Probation Department and the Department Range Master, and are not responsible for the condition, upkeep or inspection of my personal weapon(s).

Signature: _____ Date: _____

Print Name: _____ Badge #: _____

Address: _____
City State Zip Code

DOB: _____ Date of Retirement: _____

Rank at Retirement: _____

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

Phone Number: _____

Email Address: _____

Attachment A



RETIRED OFFICER CCW INVESTIGATION AND AUTHORIZATION

Name of Retired Officer

First Endorsement

Date: _____

From: _____, Background Investigator

To: Stephanie L. James, Chief Probation Officer

The requesting Officer (☐ did / ☐ did not) serve in an armed San Joaquin County Probation position, and his/her retirement was not in lieu of termination, other discipline, or due to a psychological disability.

Record clearance (☐ did / ☐ did not) reveal disqualifying information.

Background Investigator

Second Endorsement

Date: _____

From: Stephanie L. James, Chief Probation Officer

To: _____, Background Investigator

Permission to carry a concealed weapon as a retiree is (☐ approved / ☐ disapproved).

Stephanie L. James, Chief Probation Officer

Attachment B



SAN JOAQUIN COUNTY
PROBATION DEPARTMENT
Supporting a Safer, Stronger Community



Stephanie L. James CHIEF PROBATION OFFICER

TO: Range Master

DATE: _____

FROM: Stephanie L. James
Chief Probation Officer

RETIREE CCW AUTHORIZATION

Non-Department Firearms Instructor

SUBJECT: Concealed Weapons Qualifications and Authorization

To be completed by the Administrative Services Division:

This is to certify the person listed below retired in good standing from the San Joaquin County Probation Department and is qualified, in accordance with 18 USC § 926C, to carry a concealed weapon in another state:

Name: _____

DOB: _____

SSN: _____

Rank at retirement: _____

Date of retirement: _____

Signature Chief Probation Officer

Date

To be completed by the Firearms Instructor/Range Master on date of qualification:

This is to certify that _____ qualified with _____
Name Weapon Make/Model/Caliber

on _____ and may be issued a Concealed Weapons Permit in accordance with

18 USC § 926C, This qualification will expire on _____ (one year from qual. date)

Instructor

Telephone Number

Attachment C (Page 1 of 2)



RETIREE CCW PROCEDURE

Non-Department Firearms Instructor

Range Qualification Procedure for Retired Peace Officers

The purpose of this qualification is to determine the retiree is capable of safely loading, firing and unloading the type of firearm they will be carrying as a concealed weapon. The Range Staff will consider this to be a “safety check” more than a “score sheet” to determine qualification. The retiree shall be held to an 80% standard on an FBI “Q” target or a functional equivalent. All firing shall be sighted. The Range Staff may offer additional range instruction and opportunities to practice but such is not mandated. The retiree should be allowed to remediate as needed. The Range Staff will make reasonable accommodations for disabilities, as long as safety is not compromised; i.e., retirees confined to a walker; the retiree no longer has the use of one hand; etc.

The minimum course of fire shall consist of 10 rounds and will be fired from the nominal seven yard line. There will be no time limit imposed upon the shooter. The shooter will demonstrate loading the gun and will fire four (4) rounds, sighted, utilizing both hands. The shooter will fire three (3) rounds with their primary hand and three (3) rounds with their secondary hand, firing one handed only. The shooter will demonstrate unloading the gun and or confirming to the instructor the weapon is in fact, unloaded and safe.

The firearms instructor will include their State firearms Instructor’s certification number, NRA handgun instructor number or other information indicating the instructor has been designated by the California Rifle and Pistol Association as a certified instructor.

Attachment C (Page 2 of 2)



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Stephanie L. James CHIEF PROBATION OFFICER

AUTHORIZATION TO RELEASE INFORMATION
Application to Carry a Concealed Weapon (CCW)

TO WHOM IT MAY CONCERN:

Carrying a concealed weapon pursuant to a permit issued by the San Joaquin County Probation Department, I understand and agree that I am required to furnish and/or provide information and/or records and/or documents for use in determining my legal; mental; and/or physical eligibility and competence regarding the carrying and/or potential use of a concealed firearm. Such information and/or records and/or documents **may include, but are not limited to, my legal and/or mental and/or physical health and/or any other issue(s) of fitness to carry a concealed firearm. This information may include that which may have been and/or is sealed, privileged and/or withheld pursuant to any prior agreement(s) and/or court proceeding(s) relating to and/or involving any of the aforementioned issues of eligibility and/or competency to carry a concealed firearm.**

I understand and freely, knowingly, and voluntarily waive all my rights or claim(s) to inspect and/or receive and/or be informed of and/or in any way gain or receive any and all information or knowledge of the contents and/or source(s) of any and all confidential and/or privileged information including but not limited to the manner in which such information was gathered and/or is or was stored.

I hereby release, discharge, exonerate the agencies, their agents and representatives and any person furnishing information, from any and all liability of every nature and kind arising out of the furnishing and inspection of such documents, records and other information, and this release shall be binding on my legal representatives, heirs or assigns.

This release will expire 180 days after the date signed.

A photocopy of this release is to be considered as valid as the original.

Signed:

Print name:

Dated:

Instructions to the Applicant

Attachment D (page 1 of 9)



SAN JOAQUIN COUNTY
PROBATION DEPARTMENT
Supporting a Safer, Stronger Community



Stephanie L. James CHIEF PROBATION OFFICER

The information you provide in this Personal History Statement (PHS) will be used in the background investigation to determine your eligibility for a **Retired Law Enforcement CCW**. The PHS requires information that is of a private nature. We understand this, and want you to know that we treat this document with the highest levels of confidentiality and security.

- You must fill out the form completely and accurately.
- Type or legibly print (in ink) all required information.
- If a question does not apply to you, enter N/A (not applicable) in the space provided for your response.
- If you are completing a printed form and need more space for your responses, use the supplemental page provided at the end of this document.
- Initial this page to indicate you have read these instructions and all pages on which you provide information.

Accurate and Full Disclosure

Keep in mind that:

- The completion of a Personal History Statement – RETIRED LAW ENFORCEMENT CCW is mandatory.
- All statements are subject to verification.
- Deliberate inaccuracies or incomplete statements may bar or remove you from consideration.
- It is to your advantage to respond openly. Many of the factors in your background will be evaluated and their degree of relevance to the issuance of a CCW.

Disclosure of Arrests and Convictions

As an applicant for a **RETIRED LAW ENFORCEMENT CCW** position, you are required to disclose any of the following:

- Any disqualifications as outlined in Penal Code. Violations of any department rule, or state or federal law, if violated by an officer on active duty, would result in that officer's arrest, suspension, or removal.

MAIL YOUR COMPLETED PERSONAL HISTORY STATEMENT TO:

San Joaquin County Probation Department
Attn: Backgrounds and Training
24 S. Hunter Street
3rd Floor
Stockton, CA 95202

SECTION 1: PERSONAL

YOUR FULL NAME	LAST	FIRST	MIDDLE

Attachment D (page 2 of 9)



SAN JOAQUIN COUNTY
PROBATION DEPARTMENT
Supporting a Safer, Stronger Community



Stephanie L. James CHIEF PROBATION OFFICER

OTHER NAMES, INCLUDING NICKNAMES, YOU HAVE USED OR BEEN KNOWN BY

ADDRESS
WHERE YOU
RESIDE

STREET

APT/UNIT

CITY

STATE

ZIP

MAILING ADDRESS, IF DIFFERENT FROM RESIDENCE

CONTACT
NUMBERS

HOME

WORK

OTHER

EMAIL ADDRESS

HOME

BUSINESS

OTHER

DRIVER LICENSE

STATE/NUMBER:

SOCIAL SECURITY NUMBER

BIRTHDATE

PHYSICAL
DESCRIPTION

HEIGHT

WEIGHT LBS

HAIR COLOR

EYE COLOR

SECTION 2: MEDICAL

Attachment D (page 3 of 9)



SAN JOAQUIN COUNTY
PROBATION DEPARTMENT
Supporting a Safer, Stronger Community



Stephanie L. James CHIEF PROBATION OFFICER

SINCE RETIREMENT, HAVE YOU EVER BEEN IN A MENTAL INSTITUTION, TREATED FOR MENTAL ILLNESS, OR BEEN FOUND NOT GUILTY BY REASON OF INSANITY?
(CIRCLE ONE)

YES NO

ARE YOU RECEIVING AN ALLOWANCE FOR ANY TYPE OF DISABILITY FROM ANYWHERE OTHER THAN SAN JOAQUIN COUNTY? (CIRCLE ONE)

YES NO

IF YES, WHAT IS THE NATURE OF YOUR DISABILITY?

SINCE RETIREMENT, HAVE YOU USED ANY FORM OF DRUG OR NARCOTICS OTHER THAN THOSE PRESCRIBED BY YOUR PHYSICIAN? (CIRCLE ONE)

YES NO

IF YES, PLEASE EXPLAIN:

SINCE RETIREMENT, HAVE YOU EVER BEEN ADDICTED TO A CONTROLLED SUBSTANCE OR ALCOHOL, OR HAVE YOU EVER UTILIZED AN ILLEGAL CONTROLLED SUBSTANCE, OR HAVE YOU EVER REPORTED TO A DETOXIFICATION OR DRUG TREATMENT PROGRAM?
(CIRCLE ONE)

YES NO

NOTE: IF YOU ANSWERED "YES" TO ANY OF THE QUESTIONS ABOVE, PLEASE INCLUDE THE NAMES OF YOUR TREATING PHYSICIANS ON THE SUPPLEMENTAL PAGE AT THE END OF THIS DOCUMENT.

SECTION 3: EMPLOYMENT

ARE YOU NOW A MEMBER OF ANY POLICE DEPARTMENT, POLICE RESERVE, AUXILIARY RESERVE UNIT, PRIVATE SECURITY, OR VOLUNTEER?
(CIRCLE ONE)

YES NO

Attachment D (page 4 of 9)



SAN JOAQUIN COUNTY
PROBATION DEPARTMENT
Supporting a Safer, Stronger Community



Stephanie L. James CHIEF PROBATION OFFICER

(IF YES, PROVIDE INFORMATION ON THE AGENCY/ORGANIZATION/COMPANY BELOW).

EMPLOYMENT IN LAW ENFORCEMENT OR SECURITY CAPACITY

FROM	TO	NAME OF COMPANY/DEPARTMENT	PHONE	CURRENT SUPERVISOR
------	----	----------------------------	-------	--------------------

- ☐ Full Time
☐ Part Time
☐ Volunteer
☐ Temp

Street Address

City State Zip

DUTIES/ASSIGNMENTS

FROM	TO	NAME OF COMPANY/DEPARTMENT	PHONE	CURRENT SUPERVISOR
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- ☐ Full Time
☐ Part Time
☐ Volunteer
☐ Temp

Street Address

City State Zip

DUTIES/ASSIGNMENTS

Attachment D (page 5 of 9)



SAN JOAQUIN COUNTY
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Stephanie L. James CHIEF PROBATION OFFICER

SINCE RETIREMENT, HAVE YOU EVER RENOUNCED YOUR UNITED STATES CITIZENSHIP? (CIRCLE ONE)

YES NO

IF YES, EXPLAIN:

ARE YOU NOW, OR HAVE YOU BEEN UNDER A RESTRAINING ORDER(S) FROM ANY COURT? (CIRCLE ONE)

YES NO

IF YES, EXPLAIN:

SECTION 4: LEGAL

HAVE YOU EVER BEEN ARRESTED OR CONVICTED OF ANY MISDEMEANOR OR FELONY OFFENSE IN THIS OR ANY OTHER STATE OR COUNTRY (CIRCLE ONE)

YES NO

IF YES, LIST ALL OFFENSES, INCLUDING THOSE PUNISHABLE UNDER THE UNIFORM CODE OF MILITARY JUSTICE

ARRESTS/CONVICTIONS

APPROXIMATE DATE

LAW ENFORCEMENT AGENCY

Attachment D (page 6 of 9)



Stephanie L. James CHIEF PROBATION OFFICER

EXPLAIN CIRCUMSTANCES

ARRESTS/CONVICTIONS

APPROXIMATE DATE

LAW ENFORCEMENT AGENCY

EXPLAIN CIRCUMSTANCES

Attachment D (page 7 of 9)



SAN JOAQUIN COUNTY
PROBATION DEPARTMENT
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Stephanie L. James CHIEF PROBATION OFFICER

HAVE YOU EVER BEEN PLACED ON COURT PROBATION AS AN ADULT? (CIRCLE ONE)

YES NO

IF YES, EXPLAIN:

SECTION 5: CERTIFICATION

I HEREBY CERTIFY THAT I HAVE PERSONALLY COMPLETED EACH PAGE OF THIS FORM AND ANY SUPPLEMENTAL PAGE(S) I HAVE ATTACHED, AND THAT ALL STATEMENTS MADE ON EACH AND EVERY PAGE ARE TRUE AND COMPLETE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY MISTATEMENT OF MATERIAL FACT MAY SUBJECT ME TO DISQUALIFICATION.

SIGNATURE IN FULL

DATE

SUPPLEMENTAL PAGE

Attachment D (page 8 of 9)

Stephanie L. James CHIEF PROBATION OFFICER

This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

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