

RETIRED OFFICER DIRECTIVE

To: Law Enforcement Divisions
From: James Zehringer, Director
Effective: September 1, 2016
Purpose: To establish standards of operation regarding retired officer qualifications.
This shall apply to all ODNR Law Enforcement Divisions/Office
Authority: ORC 1501.01, ORC 109.801, ORC 2923.11, ORC 2923.125,
ORC 2923.126, HR 218 Law Enforcement Officer Safety Act 2004 (18 USC 926C)
Reference: None
Resource: ODNR Law Enforcement Administrator
Chief Legal Counsel

Purpose

This is the Ohio Department of Natural Resources directive regarding the retired ODNR law enforcement officer's handgun qualifications.

Background

On September 9, 2008 Senate Bill 184 became effective. This bill amends sections **2307.60, 2901.05, 2923.12, 2923.121, 2923.122, 2923.125, 2923.126, 2923.128, 2923.129, 2923.1210, 2923.1212, 2923.1213, 2923.16, and 2929.14** and to enact sections **2307.601, 2901.09, and 2923.163 of the Revised Code**. 2923.126 of the Ohio Revised Code specifies exemption of carry concealed permit requirements for qualified peace officers and specifies requalification program requirements on the part of the officer and agency.

The Ohio Department of Natural Resources will adopt a requalification program for retired law enforcement staff until changed by law or direction of the Ohio Peace Officer Training Council.

Retired Officer Considerations

A. When an individual retires from the Ohio Department of Natural Resources as a "Peace Officer" and wishes to meet the exemption for concealed carry outlined in 2923.125 & 2923.126 of the ORC the following guidelines must be met:

1. Before retiring from service as a peace officer with ODNR, the person was regularly employed as a peace officer for an aggregate of fifteen years or more, or, in the alternative, the person retired from service as a peace officer with ODNR, after completing any applicable probationary period of that service, due to a service-connected disability, as determined by the agency.
2. The person retired in good standing from service as a peace officer with the agency, and the retirement was not for reasons of mental instability.
3. Before retiring from service as a peace officer with ODNR, the person was authorized to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law and the person had statutory powers of arrest.

4. At the time of the person's retirement as a peace officer with that agency, the person was trained and qualified to carry firearms in the performance of the peace officers duties.

Agency Requirement

A. When an individual retires as a peace officer in good standing with the agency, the following guidelines must be met for carrying a concealed handgun pursuant to 2923.125 & 2923.126 of the ORC.

1. A retired peace officer identification card was issued to identify the person by name, contains a photograph of the person, identifies the agency and specifies that the person retired in good standing from service as a peace officer with the Ohio Department of Natural Resources. When issuing credentials to active law enforcement officers who serve the agency, the agency may comply by issuing the same credentials to persons who retired from service as a peace officer with the agency, provided that the credentials so issued to retired peace officers are stamped with the word "RETIRED."

Agency Considerations

- A. ODNR will provide persons who retired from service as a peace officer a retired peace officer identification card. ODNR may charge a fee for replacement of a lost or damaged card.
- B. ODNR may charge a reasonable fee to pay for costs associated with the re-qualification program to include range fees, certification documents, targets, cardboard and other program expenses.
- C. Upon retirement the ODNR officer will receive a requalification card with the last requalification date listed.

Retired Officer Requalification Program

- A. ODNR retired officer firearms requalification program will be approved pursuant to 109.801 of the Revised Code.
- B. Retired officers must successfully complete the course yearly for 18 USC 926C, HR218 or once every five years for Ohio CCW under 2923.126 of the ORC.
- C. Retired officers participating in qualifications will supply the firearm, ammunition and personal safety equipment required on the range by the ODNR firearm instructor.
- D. The retired peace officer shall be issued an ODNR firearms requalification certification that identifies the retired peace officer by name, specifies that the retired peace officer successfully completed the re-qualification program, specifies the date on which the course was successfully completed, and specifies that the requalification is valid for one year for the law enforcement safety act (H.R.218) and five years for Ohio CCW under 2923.126 of the ORC from that date of successful completion.
- E. All certification records are to be maintained by the retired officer participating in the requalification. **ODNR is not responsible or liable for maintaining officer specific information documenting the qualification.**

