



# POLICY & PROCEDURE

## PORTAGE POLICE DEPARTMENT

SUBJECT: **RETIRED OFFICER/CONCEALED  
CARRY WEAPON**

NUMBER: 1.14

SCOPE: All Sworn Personnel  
DISTRIBUTION: Policy & Procedures Manual

ISSUED: 03/02/2022

EFFECTIVE: 03/02/2022

RESCINDS

AMENDS

REFERENCE: 18USC.926C, Act of 2010 (LEOSA), Wis.  
Stat. 175.48, 175.49, 941.23

WILEAG 5<sup>TH</sup> EDITION

STANDARDS: N/A

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**PURPOSE:** The purpose of this Policy & Procedure is to establish procedures for the use of concealed firearms carry privileges to eligible retired officers of the Portage Police Department. Eligible retired officers are those officers that meet the criteria as set forth in 18USC.926C, Act of 2010 (LEOSA), Wis. Stat.175.48, 175.49, 941.23

This Policy & Procedure consists of the following numbered sections:

- I. LAW ENFORCEMENT AUTHORITY
- II. DEFINITIONS
- III. PROCEDURE
- IV. BACKGROUND INVESTIGATION
- V. FIREARMS QUALIFICATION
- VI. AUTHORIZATION/IDENTIFICATION
- VII. RENEWAL
- VIII. REQUIREMENTS/RESTRICTIONS
- IX. DISCLAIMERS/LIABILITY
- X. ADMINISTRATION

I. LAW ENFORCEMENT AUTHORITY

- A. Retired officers granted Concealed Carry Weapon (CCW) privilege are not granted arrest powers or law enforcement authority and they are not to act in the capacity of a law enforcement officer on behalf of the Portage Police Department. Any action taken would be limited to that which is available to any citizen as authorized by law.

## II. DEFINITIONS

- A. Definitions related to this policy include:

Certification card - A card complying with Wis. Stat. § 175.49 indicating:

- The card holder has met the standards for qualification established by the Law Enforcement Standards Board (LESB).
- The qualification was conducted by a certified LESB firearms instructor.
- The type of firearm the qualified former law enforcement officer is certified to carry.
- The date of the qualification and an expiration date of the certification (12 months later).
- A statement that the issued person meets the criteria of a qualified former law enforcement officer under Wis. Stat. § 175.49.
- The qualified former law enforcement officer's full name, birth date, residence address, photograph, physical description (including sex, height and eye color), and the name of our state.
- A statement that the certification card does not confer any law enforcement authority on the certification card holder and does not make the holder an employee or agent of this department. The certification card may not contain the cardholder's social security number. Proof of qualification - State-approved documentation evidencing a person has successfully completed a handgun qualification course as adopted by the Law Enforcement Standards Board (LESB) and conducted by a firearms instructor that is LESB-certified. Qualified former law enforcement officer - An individual who meets the criteria of Wis. Stat. § 175.49 in that they:
  - Separated from this office in good standing as a law enforcement officer.
  - Before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or incarceration of a person for any violation of law and had statutory powers of arrest while serving as a law enforcement officer.

- Before such separation, had regular employment as a law enforcement officer for a total of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after any applicable probationary period due to a service-connected disability as determined by the Office.
- Has not been disqualified to be a law enforcement officer for reasons related to mental health.
- Has not entered into an agreement upon separation from the Office acknowledging that they are not qualified to receive a firearm qualification certificate for reasons related to mental health.
- Is not prohibited by federal law from possessing a firearm.

### III. PROCEDURE

- A. Retirees shall complete and submit an Application/Authorization/Waiver form and any other appropriate documentation requested whenever they are seeking authorization.
- B. Retirees shall meet all standards for as stated in 18USC.926C.

### IV. BACKGROUND INVESTIGATION

- A. A background investigation will be completed. The application, results of the background review, and recommendation will be forwarded to the Chief of Police for approval.

### V. FIREARMS QUALIFICATION

- A. Upon successful completion of the background investigation, the retiree must qualify with the weapon(s) they intend to carry. The qualification course will be that which is required of full time officers of the department.
- B. It is the retiree's responsibility to schedule the qualification with the Police Department's firearms instructors. The retiree must furnish all ammunition required for the training and qualification and may be required to pay for the firearms instructor/range time.

### VI. AUTHORIZATION/IDENTIFICATION

- A. Upon successful completion of the qualification course and approval by the chief of police the retiree will be issued a "Retired Officers Firearms Authorization Card" (Wis. Stat. 175.49).
- B. The card and other forms of identification MUST be carried any time the retiree goes armed. Upon demand by any authority, the retiree must present the card and identification.

## VII. RENEWAL

- A. Retirees must submit an application form annually, but no later than 30 days of the expiration date appearing on their current card.
- B. Annual firearms qualification is required and it is the retiree's responsibility to contact the department to schedule a qualification time.

## VIII. REQUIREMENTS/RESTRICTIONS

- A. Retirees are required to obey all current federal, state, and local firearms laws, restrictions, and registration.

## IX. DISCLAIMERS/LIABILITY

- A. This Policy & Procedure does not authorize concealed carry any place that firearms are prohibited.
- B. Retirees are required to know and comply with the National LEO Safety Act and all department firearms-related policies.
- C. Retirees are required to notify the department immediately of any changes in their original application. Failure to do so will void the CCW privilege.
- D. Retirees are required to notify the department immediately of any contact with law enforcement as a result of concealed carry.
- E. Retirees are prohibited from carrying concealed while under the influence of alcohol or drugs.
- F. Retirees are prohibited from carrying concealed any firearm(s) that are not recorded with the department or are otherwise prohibited by law.
- G. The department shall assume no liability for falsification of any information provided by a retired law enforcement officer.
- H. The department shall not provide legal representation for any act arising from the use of a firearm authorized under this procedure.

## X. ADMINISTRATION

- A. The Chief of Police or designee will maintain any and all records pertaining to the authorization of retirees to conceal carry.
- B. The firearms instructors shall prepare documentation on retirees as directed by the Chief.

### C. School Grounds

1. Pursuant to 2015 WI Act 23, off duty officers, qualified out of state law enforcement officers, and retired law enforcement officers are allowed to carry firearms on or near school grounds.

Keith J. Klafke  
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 03/02/2022  
Updated 03/12/2026