

## BULLET BACKGROUND PAPER

ON

### USAF SF LAW ENFORCEMENT OFFICERS SAFETY ACT IMPLEMENTATION

#### **PURPOSE**

To present benchmark data collected from multiple large municipal and state police agencies, with respect to policy and procedures of 926(c) LEOSA credentials and recommend Courses of Action (COAs) for the United States Air Force

#### **DISCUSSION**

- The AFSFC is creating a specific 31 series AFI to address the implementation of LEOSA based on the draft DoDI for Law Enforcement personnel; active, retired and individuals separated with 10 years aggregate TAFMS that qualify based on their active duty functions

- Implementation of section 926 (c) of LEOSA will authorize retirees and separated members with 10 years aggregate service to carry the USAF issued LEOSA credential and, as per the LEOSA statute, carry weapon certification from the state in which they reside

- In accordance with H.R. 218 (LEOSA) section 926 (c) (7), to be considered a “retired qualified law enforcement officer” means an individual who – “is not prohibited by Federal Law from receiving a firearm”

-- USAF Security Forces will be the issuing arm of this credential for all SF personnel

-- It is each issuing agency’s responsibility to ensure all aspects of the definition of “qualified law enforcement officer” are met to issue the credential and must insure the individual is not “prohibited by Federal law from receiving a firearm”

-- Most large police agencies examined place an expiration date on the 926C LEOSA credential and require re-issue after a background check and confirmation of firearms qualification to insure compliance with section 926 (c)(7) of H.R. 218

-- Data collected from these agencies are depicted in Table 1 (below)

-- AFOSI and sister services do not/are not placing expiration dates on 926(c) credentials, however, after discussion, are considering the addition of expiration dates (POC below)

-- 802<sup>nd</sup> JA, (Ms. Arlene Christilles) was consulted and it was opined there is nothing in H.R. 218 that neither mandates nor prohibits placing an expiration date on 926(c) credentials

#### **COURSES OF ACTION (COA)**

- COA 1: Do not place an expiration date on the USAF SF 926C LEOSA credential and validate compliance with section 926 (c)(7) of H.R. 218 only at time of issue

-- Pro: This will place the USAF in compliance with the law and doesn’t incur additional work after the initial issue

-- Con: No recurring means to determine if the individual in possession of the 926(c) LEOSA credential subsequently is in violation of the Lautenberg Amendment after initial issue

- COA 2: Place a one year expiration date on the USAF SF 926C LEOSA credential and re-validate compliance with section 926 (c)(7) of H.R. 218 each year

-- Pro: Allow verification of current state weapon certification and compliance with Lautenberg Amendment. Additionally, it will help prevent potential financial and public affairs liabilities

-- Con: Cost

- COA 3: Place a five year expiration date on the USAF SF 926C LEOSA credential and re-validate compliance with section 926 (c)(7) of H.R. 218 every five years

-- Pro: This will allow verification of current state weapon certification and compliance with Lautenberg Amendment. Additionally, it will help prevent potential financial and public affairs liabilities

-- Con: Cost

Table 1

Department	Expiration Date	Background Check	Comments
New York PD	Yes (1 Yr)	Yes	
Chicago PD	Yes (1 Yr)	Yes	Issued by Centralized State agency
Los Angeles PD	Yes (5 Yr)	Yes	Multiple forms used
Philadelphia PD	Yes (1 Yr)	Yes	
Houston PD	Yes (5 Yr)	Yes	
Washington DC PD	Yes (1 Yr)	Yes	
Miami-Dade PD	Yes (1 Yr)	No	Validate weapon qualification
San Antonio PD	Yes (1 Yr)	Yes	
New Orleans PD	No	Yes (initial)	One time background check
Denver PD	Yes (1 Yr)	Yes (initial)	Validate weapon qualification
Atlanta PD	Yes (1 Yr)	No	Validate weapon qualification
El Paso PD	No	No	
San Diego	Yes (5 Yr)	Yes (initial)	One time background check
Louisiana State Police	No	No	
Anchorage PD	No	No	Alaska has open carry
USAF OSI	No	No	POC: Mr. Lee Porter
US Army	No	No	POC: Mr. Tracey Williams
US Marine Corps	No	No	POC: Mr. Shane Groah

Data was collected from departments indicated to be in the top 25 largest police agencies in the country, AFOSI and Sister Services. Several departments contacted would not relinquish the information over the phone, or refused to respond. A total of 18 agencies did respond to our request for information

#### SUMMARY

This BBP depicts data collect from multiple large municipal and state police agencies with respect to policy and procedures of 926(c) LEOSA credentials and provides three COAs for the expiration date of the credential