

Department of the Interior Law Enforcement Policy

Effective Date: July 20, 2009

Series: Law Enforcement and Security

Chapter 24: Retirement Credentials, Honorary Credentials, and Photographic Identification Cards Policy

Originating Office: Office of Law Enforcement and Security

24.1 **Purpose.** This chapter establishes policy concerning the practice of:

- A. Issuing credentials to retired Department of the Interior law enforcement officers;
- B. Issuing honorary credentials; and/or
- C. Issuing photo identification cards to retired Department of the Interior LEOs for the purposes of the Law Enforcement Officers Safety Act of 2004.

24.2 **Scope.** This policy applies to all bureaus and offices.

24.3 **Definitions.** For the purpose of this chapter, the terms below are defined as follows:

A. Law Enforcement Officer (LEO): A DOI law enforcement officer sworn and commissioned to enforce criminal statutes and authorized to carry firearms, execute and serve warrants, search, seize, make arrests, and perform such duties as authorized by law.

B. Credential: A bureau or office issued badge with photographic identification card that confirms the individual LEO's position held and status (i.e. retired or honorary).

C. Photographic Identification Card: A bureau or office issued photographic identification card issued to retired LEOs for the purposes of the Law Enforcement Officers Safety Act of 2004.

24.4 **Policy.** A bureau or office may issue retirement credentials to LEOs who retire in good standing from duty as a sworn LEO from their law enforcement program; honorary credentials to LEOs who leave in good standing prior to their retirement or other individuals whose record of service has advanced the bureau or office law enforcement program; and photographic identification cards to retired LEOs for the purposes of the Law Enforcement Officers Safety Act of 2004.

24.5 Responsibilities.

A. Deputy Assistant Secretary - Law Enforcement, Security, and Emergency Management is responsible for policy development and provides program guidance and oversight of the Department's law enforcement programs.

B. Heads of Bureaus/Offices are responsible for promulgating any counterpart policy or procedure required to implement the policy established in this chapter.

C. Bureau/Office LEOs are responsible for complying with established policy and procedures governing the issuance of retirement credentials, honorary credentials, and photographic identification cards.

24.6 **Standards.** This section sets forth minimum standards for the issuance of credentials to retired LEOs.

A. Retirement Credentials.

(1) A bureau or office may issue retirement credentials to a LEO who retires from that bureau or office law enforcement program.

(2) The retirement credential does not convey any law enforcement authority or authority to carry a concealed weapon under the provisions of the Law Enforcement Officers Safety Act of 2004.

(3) A bureau or office may not issue retirement credentials if the LEO:

(a) Retired during a pending internal affairs or administrative investigation in which the employee has been proposed for removal or the facts would likely lead to removable; or

(b) Is in the process of having their security clearance suspended or revoked.

(4) The retirement credential will be clearly marked "Retired."

(5) Retirement credentials will at a minimum contain the following:

(a) The name of the retired LEO;

(b) A photographic image of the retired LEO;

(c) The seal of the bureau or office from which the credential was issued;

(d) A hologram unique to the DOI or bureau or office; and

(e) An identification number traceable to the bearer.

B. Honorary Credentials.

(1) A bureau or office may issue honorary credentials to a LEO who leaves service prior to retirement or to any individual whose record of service has contributed to the advancement of the bureau or office law enforcement program.

(2) The honorary credential does not convey any law enforcement authority or authority to carry a concealed firearm nor does it meet the requirements of, or convey to the bearer any rights of, the Law Enforcement Officers Safety Act of 2004.

(3) A bureau or office may not issue honorary credentials if the LEO:

(a) Left service during a pending internal affairs or administrative investigation in which the employee has been proposed for removal or the facts would likely lead to removal; or

(c) Is in the process of having their security clearance suspended or revoked;

(4) The honorary credential will be clearly marked with the term “Honorary.”

C. Bureau/Office Photographic Identification Card.

(1) In accordance with the Law Enforcement Officers Safety Act of 2004, as codified in 18 USC § 926C, a bureau or office may issue a photographic identification card to a LEO upon retirement for purposes of carrying a concealed firearm.

(2) The photographic identification card does not convey any law enforcement authority to the bearer.

(3) A bureau or office shall only issue a photographic identification card to a retired LEO meeting the criteria of a “qualified retired law enforcement officer” as set forth in 18 USC § 926C(c)(1)-(4),(6),(7); specifically, an individual that:

(a) retired in good standing from service with a public agency as a law enforcement officer, other than for reasons of mental instability;

(b) before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;

(c) before such retirement, was regularly employed as a law enforcement officer for an aggregate of 15 years or more; or retired from service with such agency, after

completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

(d) has a nonforfeitable right to benefits under the retirement plan of the agency;

(e) is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and

(f) is not prohibited by Federal law from receiving a firearm.

(4) For purposes of carrying a concealed firearm, possession of the photographic identification card alone will not satisfy the requirements of the Law Enforcement Officers Safety Act of 2004. In order to be used for purposes of carrying a concealed firearm, the photographic identification card must, in accordance with 18 USC § 926C(d)(2), be accompanied by a certification issued by the State in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the State to meet the standards established by the State for training and qualification for active law enforcement officers to carry a firearm of the same type as the concealed firearm.

(5) A bureau or office shall make no determination as to whether a retired LEO meets the training and qualification standards required by 18 USC § 926C(d)(2), nor will a bureau or office perform firearms qualification/certifications for a retired LEO.

(6) A retired LEO shall not use firearms training and qualification records generated during their federal employment for purposes of obtaining state certification necessary under 18 USC § 926C(d)(2).

(7) The information contained on the photographic identification card should include:

- (a) The name of the bureau or office of retirement;
- (b) The name of the retired LEO;
- (c) A photographic image of the retired LEO;
- (d) An identification number traceable to the retired LEO;
- (e) The date the LEO retired from the law enforcement program;
- (f) Language clearly identifying the retired LEO as a “Retired Law Enforcement Officer.”

(h) Language disclaiming that the retired LEO has any official status with the agency. Bureaus and offices should consider language such as: “This card identifies the bearer as a retired law enforcement officer of the bureau/office. The bearer is not an officer or agent of the bureau/office and this photographic identification card does not give the bearer any authority to act on the bureau/office’s behalf or to exercise law enforcement authority.”

(g) Language stating that the photographic identification card must be accompanied by a current (within the most recent 12 months) firearms qualification certification from the bearer’s state of residence.