

# STATE OF CONNECTICUT



## DEPARTMENT OF PUBLIC SAFETY OFFICE OF THE COMMISSIONER

James M. Thomas  
Commissioner

Lieutenant Edwin S. Henion  
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February 10, 2011

Rep. Stephen Dargan, Co-Chairman  
Sen. Joan Hartley, Co-Chairman  
Public Safety and Security Committee  
Legislative Office Building  
Hartford, CT 06106

### **SB 552 AN ACT CONCERNING RETIRED OFFICERS' AUTHORITY TO CARRY CONCEALED FIREARMS**

#### **The Department of Public Safety comments on bill.**

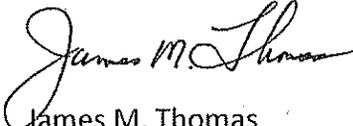
This proposed bill requests that the general statutes be amended to permit any qualified retired law enforcement officer to apply for and receive from the Department of Public Safety permission to carry a concealed firearm.

Currently, any law enforcement officer that is separated from their agency has the ability to obtain a Connecticut Pistol Permit as long as they are not otherwise prohibited. This proposed bill may be intended as a reference to the federal Law Enforcement Officers Safety Act (LEOSA). If a person is covered by the LEOSA, then "notwithstanding any other provision of the law of any State or any political subdivision thereof," he or she may carry a concealed firearm in any state or political subdivision thereof. See Title 18, USC, Section 921. A person with a valid permit from another state and LEOSA identification who is visiting Connecticut can carry a concealed weapon pursuant to this federal law.

The federal government has established the basic guidelines for this program to allow for the separated, in good standing officer, to also qualify under the LEOSA law after being trained by their agency. (The term "retired" has been removed from the statute.) One of the requirements is that during the most recent 12-month period, the applicant has met, at the expense of the individual, the State's standards for training and qualification for active law enforcement officers to carry firearms. Currently DPS provides training and identification for previous DPS employees as well as a group of other individuals (federal, out of state, etc).

The area where some confusion arises is when a person previously permitted in another state takes up residence in Connecticut and wants Connecticut to approve them as qualifying pursuant to LEOSA to carry in other states. Administratively there is no approved method to run a NICS (federal background) eligibility check on these individuals unless they possess a Connecticut permit to carry a pistol or revolver. Federal law requires that NICS checks are to be used only for the pistol permitting process or for the purchase of a firearm. As stated earlier, a person with a valid permit from another state and LEOSA identification who is *visiting* Connecticut can carry a concealed weapon pursuant to this federal law. A retired or separated law enforcement officer who is moving to Connecticut can obtain a permit to carry within Connecticut with the safety training required of any applicant. A retired or separated law enforcement officer who is moving to Connecticut and wants authority to carry outside of Connecticut under LEOSA must have the appropriate training and qualification that active law enforcement officers do. Either a simple permit to carry or a permit to carry and certification of the appropriate training to meet LEOSA standards will require a NICS check to make sure that the individual, although a former law enforcement officer, has not committed a felony, been adjudicated to have a mental disability or have some other federal disqualifier.

Sincerely,

  
James M. Thomas  
COMMISSIONER