

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

The organizational structure of this department is designed to create an efficient means to accomplish our mission and goals and to provide for the best possible service to the public.

200.2 OPERATIONAL AND ADMINISTRATIVE STRUCTURE

The Chief Deputy Director, Park Operations is responsible for administering and managing the California Department of Parks and Recreation. There are eight operational or administrative functions in the Department as follows:

- Acquisition and Development - Comprised of Acquisition and Real Property Services Division, Accessibility Section, Northern Service Center, and Southern Service Center
- Administrative Services - Comprised of of Administrative Services Section, Budget Section, Labor Relations Section, Personnel Unit Section, and the Office of Information Technology.
- Communications Office - Comprised of the Partnerships and Consumer Strategies, Legislation Office, Planning Division, Legal Office, Audits Office, Concessions, Reservations and Fees Division, and Policy and Strategic Planning
- External Affairs - Comprised of the Community Involvement Section, Grants and Local Services Division, and Human Rights Section
- Office of Historic Preservation
- Off-Highway Motor Vehicle Division - The OHMVR Division consists of the following Law Enforcement and Emergency Services Divisions: Hollister Hills, Hungry Valley, Ocean Dunes, Octollo Wells, and Twin Cities.
- Park Operations - Park Operations includes the Northern and Southern Field Divisions, the Natural Resources Division, Archeology, History, and Museums Division, Interpretation and Education Division, Law Enforcement and Emergency Services Division, Law Enforcement Communication Centers, and the Facilities Management Division.

200.3 COMMAND PROTOCOL

200.3.1 SUCCESSION OF COMMAND

The Deputy Director, Park Operations, exercises command over all personnel within Park Operations. During planned absences, the Deputy Director, Park Operations will designate a Division Chief to serve as the acting Deputy Director, Park Operations.

Except when designated as above, the order of command authority in the absence or unavailability of the Deputy Director, Park Operations is as follows:

- (a) Field Division Chief

California Department of Parks and Recreation

Policy Manual

Policy Manual

Organizational Structure and Responsibility

- (b) Off-Highway Motor Vehicle Resources Division Chief
- (c) Chief, Law Enforcement and Emergency Services Division
- (d) Assistant Chief, LEES

Unless otherwise directed in writing by the Deputy Director, Park Operations, the order of command authority during a significant law enforcement or public safety emergency, in the absence or unavailability of the Deputy Director, Park Operations is as follows:

- (a) Chief, Law Enforcement and Emergency Services Division
- (b) Field Division Chief
- (c) Off-Highway Motor Vehicle Resources Division Chief
- (d) Assistant Chief, LEES

200.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., K-9), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

Peace Officer Identification Cards And Badges

201.1 PURPOSE AND SCOPE

The Peace Officer Identification Card and badge are distinctive symbols of the individual's authority as a State Park Peace Officer (SPPO), as well as their affiliation as an employee of the Department. Every employee of the Department who is designated a SPPO shall be issued a Peace Officer Identification Card and a badge, as evidence of such designation and authority. Use of the Peace Officer Identification Card and badge shall be in strict compliance with this policy.

The Law Enforcement and Emergency Services Division (LEES) shall be the repository for Peace Officer Identification Cards and badges. Changes in the design of either the Peace Officer Identification Card or badges may only be authorized by the Deputy Director, Park Operations, and the Chief of Law Enforcement and Emergency Services.

201.1.1 UNAUTHORIZED USE

Except as required for on-duty use by current employees, no Peace Officer Identification Card and no badge designed for carry or display in a wallet, badge case or similar holder shall be issued to anyone other than a current or honorably retired peace officer.

Department badges are issued to all sworn employees for official use only. The department badge, shoulder patch or the likeness thereof, or the department name shall not be used for personal or private reasons including, but not limited to, letters, memoranda, and electronic communications such as electronic mail or web sites and web pages.

The use of the badge, uniform patch and department name for all material (printed matter, products or other items) developed for department use shall be subject to approval by the Deputy Director, Park Operations.

Employees shall not loan his/her department Peace Officer Identification Card, official badge, or personally purchased additional badge(s) to others and shall not permit the Peace Officer Identification Card or badge to be reproduced or duplicated.

201.2 STATE PARK PEACE OFFICER ID CARD

Only Department-issued Peace Officer Identification Cards may be carried and used by an officer to identify him/herself as a State Park Peace Officer (SPPO). The Peace Officer Identification Card shall be carried whenever the SPPO is in uniform or is carrying a concealed weapon, on or off duty.

All assignments or returns of badges and peace officer ID cards will be documented on an Assignment of Peace Officer Protective Equipment, DPR 103E. All returned badges and ID cards must be returned to LEES along with the DPR 103E.

Initial assignment of the ID card and badge with POPE will be the responsibility of the Training Center

- Both current and retired SPPO ID cards are renewed and replaced through the Law Enforcement and Emergency Services Division

California Department of Parks and Recreation

Policy Manual

Policy Manual

Peace Officer Identification Cards And Badges

Peace Officer Identification Cards are the property of the Department and must be returned upon termination of employment, retirement, or on demand. Cards are valid for 5 years from the date of issue.

201.3 PEACE OFFICER BADGE

Only Department-approved peace officer badges may be displayed, carried, worn in uniform or used by a State Park Peace Officer to identify him/herself as a State Park Peace Officer. Peace Officer badges shall be worn whenever a State Park Peace Officer is in uniform, in conformity to the Department Operations Manual Uniform Chapter (DOM 2200) and the Uniform Handbooks for the respective classifications.

All assignment or returns of badges will be documented on an Assignment of Peace Officer Protective Equipment, DPR 103E.

- Initial assignment of the peace officer badge shall be the responsibility of the Training Center
- Replacement badges are distributed through the Law Enforcement and Emergency Services Division

Peace Officer badges are the property of the Department and must be returned upon termination of employment, retirement, or on demand see Policy Manual §201.3.2).

201.3.1 ADDITIONAL BADGES

Sworn officers may purchase, at his/her own expense, additional official State Park Peace Officer badges through the Law Enforcement and Emergency Services Division. The use of the personally purchased official badges is subject to all the same provisions of departmental policy as the official Department-issued badge.

Should any additional personally purchased badge(s) become lost, stolen, or otherwise removed from the officer's control, he/she shall make the proper notifications as outlined in Policy Manual § 201.4.

A State Park Peace Officer may keep his/her personally purchased badge(s) upon separation from the Department or retirement, however the badge(s) may not be used to misrepresent the former employee or retiree as an active peace officer (Penal Code § 538d).

201.3.2 UPON RETIREMENT

Upon honorable retirement employees will be reissued through LEES by application his/her Department-issued badge for display purposes. It is intended that the duty badge be used only as private memorabilia as other uses of the badge may be unlawful (Penal Code §538d) or in violation of this policy.

For the purpose of this policy, "honorably retired" includes all peace officers who have qualified for, and accepted, a service or disability retirement, however, shall not include any officer who retires in lieu of termination.

California Department of Parks and Recreation

Policy Manual

Policy Manual

Peace Officer Identification Cards And Badges

A "RETIRED" banner may be added to the bottom of the badge at the retiree's expense. Law Enforcement and Emergency Services Division shall assist retired officers in coordinating installation of the banner with the Department's official badge supplier.

201.4 LOST OR STOLEN PEACE OFFICER ID OR BADGE

The employee that had custody of the Peace Officer ID or badge will complete a Public Safety Report, and an Assignment of Peace Officer Protective Equipment, DPR 103E. In addition to the normal distribution, copies of the reports are to be forwarded to the LEES Division.

- The officer shall notify local law enforcement to make a report if not lost or stolen on State Park property.
- The officer shall notify the Department Communication Center serving his/her district.
- A Supervising State Park Peace Officer shall report the lost or stolen Peace Officer ID or badge to the Joint Regional Intelligence Center (JRIC).

The Property and Evidence Section Superintendent shall determine the employee's responsibility for the loss or theft. If the employee has been deemed responsible (through carelessness or negligence) for the loss of his/her Department issued badge, he/she shall be responsible for the cost of replacement.

If a Department-issued peace officer badge or peace officer identification card is lost, stolen, damaged, or out of date, the Property and Evidence Section Office will submit a memo to LEES, requesting replacement. LEES will ensure that a new identification card and replacement badge are issued. Upon receipt of the replacement identification card, the old card, if available, will be returned to LEES.

Retirees with a badge or retired ID card lost or stolen should contact LEES.

Departmental Directive

204.1 PURPOSE AND SCOPE

Departmental Directives establish an interdepartmental communication that may be used by the Deputy Director, Park Operations and/or the Chief, LEES, to make immediate changes to procedure consistent with the current Memorandum of Understanding and as permitted by Government Code § 3500 et seq. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

The Department Notice process will remain the Department's vehicle for policy changes to this *Policy Manual*.

204.1.1 DEPARTMENTAL DIRECTIVE PROTOCOL

Departmental Directives will be incorporated into the manual as required upon issuance by the Deputy Director, Park Operations, or the Chief, LEES. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

Departmental Directives shall be incorporated into the *Policy Manual* during the quarterly update process, or when appropriate.

Departmental Directives shall be numbered consecutively starting with the last two digits of the year, followed by the number "01" For example, 11-01 signifies the first Departmental Directive for the year 2011.

204.2 RESPONSIBILITIES

204.2.1 STAFF

The staff shall review and approve revisions of the *Policy Manual*, which will incorporate changes originally made by a Departmental Directive.

204.2.2 DEPUTY DIRECTOR, PARK OPERATIONS

The Deputy Director, Park Operations and/or the Chief, LEES, shall issue all Departmental Directives.

Disaster Plan

206.1 PURPOSE AND SCOPE

The State of California Emergency Management Agency has prepared the State Emergency Management Plan (SEP), for guidance of executive branch agencies in the event of a major disaster or other emergency event. The SEP assigns the Department a support role in twelve of the State Emergency Functions.

The Department has a comprehensive Continuity Plan and Emergency Plan Program. Each subdivision of Park Operations and Off-Highway Motor Vehicle Recreation Division is covered by the Continuity Plan and an Emergency Response Plan (ERP). All other Department facilities are covered by a Continuity Plan and an Emergency Plan (EP).

- Continuity Plans address maintaining or reestablishing normal essential functions within 12 hours
- Emergency Response Plans (ERP) address the response to public health and safety emergencies
- Emergency Plans (EP) address procedures for employee safety in an emergency

For more information on Continuity and Emergency Planning, refer to DOM Chapter 15.

206.2 ACTIVATING THE EMERGENCY PLAN

The Emergency Management Plan can be activated in a number of ways. The Deputy Director, Park Operations or the highest ranking official on duty may activate the Emergency Management Plan in response to an emergency.

206.2.1 RECALL OF PERSONNEL

In the event that the Emergency Management Plan is activated, all employees of the California Department of Parks and Recreation are subject to immediate recall. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Deputy Director, Park Operations or the authorized designee.

Failure to promptly respond to an order to report for duty may result in discipline.

206.3 LOCATION OF THE PLAN

Emergency Planning Documents are available to managers online at the Continuity and Emergency Plan Website and the Shift Supervisor's office. All SPPOs should familiarize themselves with their Emergency Plans and what roles law enforcement personnel will play when a plan is implemented.

206.4 UPDATING OF MANUALS

Continuity and Emergency Plans are reviewed annually and updated as needed by the manager responsible for the area covered by the plan. Refer to DOM Chapter 15 for more information.

Training

208.1 PURPOSE AND SCOPE

It is the policy of this department to administer a training program that will provide for the professional growth and continued development of its personnel. By doing so, the Department will ensure its personnel possess the knowledge and skills necessary to provide a professional level of service that meets the needs of the community.

208.1.1 DOM 300

Refer to DOM 300 for the Department's complete training policy.

208.2 PHILOSOPHY

The Department seeks to provide ongoing training and encourages all personnel to participate in advanced training and formal education on a continual basis. Training is provided within the confines of funding, requirements of a given assignment, staffing levels, and legal mandates. Whenever possible, the Department will use courses certified by the California Commission on Peace Officer Standards and Training (POST).

208.2.1 PROGRAM IMPROVEMENT TEAMS

The Chief of LEES shall convene program improvement teams to review policy, training, equipment, cross-over issues, current law, case law, and trends and best practices. The improvement team for each area shall consist, at a minimum, of the Chief of LEES (or designee), DPR staff instructors, a POST AICC trained SPPO and other designees as applicable. Current program improvement teams include Advanced Officer Training (AOT), Lifeguard, Firearms, Bola Wrap, Emergency Medical Services, Conducted Energy Devices (CED; Taser), Use of Force, Emergency Vehicle Operators Course, and Defensive Tactics. These may adjust at the discretion of the Chief of LEES, in discussion with the Field Division Chiefs.

Program Improvement Team (PIT) shall ensure State Park Peace Officers are trained with current industry standard techniques, monitor and update Lexipol as industry/departmental standards have changed, and ensure Handbooks are in line with Lexipol.

- Program Improvement Team shall consist of the following Members:
 - Training Section representative
 - Medical Director (as needed)
 - LEES Division Representative
 - Department Consultant or their representative (if applicable)
 - A minimum of 3, maximum of 5 Staff Instructors
 - PIT Chairperson
- The role and responsibilities of the Program Improvement Team are as follows:

California Department of Parks and Recreation

Policy Manual

Policy Manual

Training

- Meets at least annually, but more often as needed, to review status and health of program.
- Monitors and implements changes through the Program Improvement Team.
- Recommends program improvement strategies or Lexipol updates to the representative of Law Enforcement and Emergency Services Division.
- Assists in the development and implementation of updates to handbooks, training and testing processes, lesson plans, and equipment recommendations.
- Serves as Staff Instructors at Department trainings.
- Performs test validation of testing procedures.
- Serves as advisors to the field regarding the various program areas.
- The decision-making process of the PIT will be as follows:
 - Members of the PIT will bring issues to the Chair. The Chair will bring the issue to the entire PIT who will discuss and then vote on the best course of action.
 - All changes will be brought forward to the Chief of LEESD and may move through Park Ops Policy Group for approval.
 - All members have equal voting power on issues brought before the PIT.
- Members of the PIT will be selected as follows:
 - Training Section representative – Assigned by Lieutenant of In-service training or Superintendent of the Academy
 - Medical Director – Current Medical Director
 - LEES Division Representative – Assigned by Deputy or Asst. Chief of LEES Division
 - Department Consultant or their representative – Current Consultant (if applicable)
 - A minimum of 3, maximum of 5 Staff Instructors – Assigned by Deputy or Asst. Chief of LEES Division
 - The PIT Chairperson will be selected by the Deputy or Assistant Chief of LEES Division.
 - When a PIT membership is vacant, current PIT members will nominate a new member. PIT Chair will bring the nominee to the Deputy or Asst. Chief of LEES Division for placement on the PIT Team. Each PIT will develop criteria for nominating a new member and will provide this documentation alongside the nominee.

208.3 OBJECTIVES

The objectives of the Training Program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of our personnel.

California Department of Parks and Recreation

Policy Manual

Policy Manual

Training

- (c) Provide for continued professional development of department personnel.
- (d) Ensure compliance with POST rules and regulations concerning law enforcement training.

208.4 TRAINING PLAN

A training plan will be developed and maintained by the Training Officer. It is the responsibility of the Training Officer to maintain, review, and update the training plan on an annual basis. The plan will address the following areas:

- Legislative changes training
- State mandated changes training
- Critical issues training

208.5 TRAINING NEEDS ASSESSMENT

The Training Section will conduct an annual training-needs assessment of the Department. The needs assessment will be reviewed by staff. Upon approval by the staff, the needs assessment will form the basis for the training plan for the fiscal year.

208.6 TRAINING RECORDS

Training records will be maintained electronically. These records shall be reviewed periodically by supervisors to ensure that officers are completing all mandatory training. Emergency response and management credentials shall be included in the electronic documentation.

208.7 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisor. Excused absences from mandatory training should be limited to the following:
 - 1. Court appearances
 - 2. First choice vacation
 - 3. Sick leave
 - 4. Physical limitations preventing the employee's participation.
 - 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
 - 1. Notify his/her supervisor as soon as possible but no later than one hour prior to the start of training.
 - 2. Document his/her absence in a memorandum to his/her supervisor.
 - 3. Make arrangements through his/her supervisor and the Training Officer to attend the required training on an alternate date.

California Department of Parks and Recreation

Policy Manual

Policy Manual

Training

208.8 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local, and POST training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

208.9 TRAINING MANAGER

The Department shall designate a training manager who is responsible for developing, reviewing, updating, and maintaining enforcement and use of force training guidance so that required training is completed. The Training Section should create and review an annual training plan.

208.9.1 TRAINING RESTRICTION

The Chief of LEESD is responsible for establishing a process to identify officers who are restricted from training other officers for the time period specified by law because of a sustained use of force complaint (Government Code § 7286(b)).

Law Enforcement and Emergency Services Division Policy Training

209.1 PURPOSE AND SCOPE

This policy directive is intended to ensure officers have an understanding of LEES Division policies and what is expected of them so that they can provide safe, timely and effective enforcement services for the public, maintain the integrity and efficiency of the department and protect themselves from unnecessary criticism or liability.

209.2 POLICY

It is the policy of LEES to provide law enforcement officers with updates of pertinent policies and procedures. Officers are expected to regularly review and have a working understanding of these policies to guide them in making appropriate work related decisions.

Staffing Levels

216.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that proper coverage is available for all shifts. The Department intends to balance the employee's needs against the need to have flexibility and discretion in using personnel to meet operational needs. While balance is desirable, the paramount concerns are officer and public safety, along with the need to meet operational requirements of the Department.

216.2 PATROL ON WEEKENDS, HOLIDAYS, AND NIGHTS

The California State Personnel Board job specifications and position requirements state that a State Park Peace Officer must have a "willingness to work unusual hours and on Saturdays, Sundays, and holidays." Most park use occurs on weekends and holidays. When possible, in the interest of officer and public safety, staffing will be maximized during periods of peak activity, which include weekends, holidays, and nights.

216.2.1 LAW ENFORCEMENT SUPERVISION

It is the policy of the Department that anytime a State Park Peace Officer is on-duty there will be a designated State Park Superintendent (Peace Officer) directly responsible for providing immediate supervision (i.e. Watch Commander). This supervisor will, at all times, be available for immediate dispatch by the Communications Center. District Superintendents will establish formal arrangements with adjacent Districts for law enforcement supervisory oversight of all on-duty peace officers. Lists of supervisory peace officers and their contact telephone numbers should be made available to all State Park Peace Officers and Communication Centers.

Retiree Concealed Firearms

220.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of California Department of Parks and Recreation identification cards under the Law Enforcement Officers' Safety Act (LEOSA) and California law (18 USC § 926C; Penal Code § 25455).

220.2 POLICY

It is the policy of the California Department of Parks and Recreation to provide identification cards to qualified retired officers as provided in this policy.

220.3 INTERSTATE CCW (LAW ENFORCEMENT OFFICERS SAFETY ACT - LEOSA)

The Deputy Director, Park Operations may issue an identification card for interstate CCW (LEOSA) purposes to any qualified retired officer of this department who (18 USC § 926C(c)):

- (a) Retired from service in good standing from this department as an officer.
- (b) Before such retirement, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, retired from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

220.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card shall contain a photograph of the retired officer and identify him/her as having been employed as an officer.

If the California Department of Parks and Recreation qualifies the retired officer, the LEOSA identification card or separate certification shall indicate the date the retired officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

220.3.2 AUTHORIZATION

Any retired officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

California Department of Parks and Recreation

Policy Manual

Policy Manual

Retiree Concealed Firearms

agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
- (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - (c) Not prohibited by federal law from receiving a firearm.
 - (d) Not in a location prohibited by California law or by a private person or entity on his/her property if such prohibition is permitted by California law.

220.4 CALIFORNIA IDENTIFICATION CARD ISSUANCE AND MAINTENANCE

Any sworn officer of this department who was authorized to carry a concealed firearm during the course and scope of his/her employment shall be issued an identification card with a Carrying Concealed Weapon endorsement, "CCW," upon honorable retirement (Penal Code § 25455).

- (a) For the purpose of this policy, honorably retired includes all peace officers who have qualified for, and accepted, a service or disability retirement (Government Code §§ 20066, 21060, 21151). It shall not include any officer who retires in lieu of termination.
- (b) No CCW endorsement shall be issued to any officer retiring because of a psychological disability (Penal Code § 26305).

CCW endorsement is valid for five (5) years from the date of issuance of the card. It is the responsibility of the retiree desiring to maintain CCW privilege to contact LEES Division in a timely manner to petition for renewal (Penal Code § 25465; PM § 220.4.1).

220.4.1 RETIREE RESPONSIBILITIES

CCW endorsement is valid for five (5) years from the date of issuance of the card. It is the responsibility of the retiree desiring to maintain CCW privilege to contact LEES Division in a timely manner to petition for renewal (Penal Code § 25465).

In order to maintain a California "CCW" endorsement on a retired peace officer identification card, the retired officer shall (Penal Code § 26305):

- (a) Remain subject to all Department rules and policies as well as all federal, state and local laws.
- (b) Shall petition the Law Enforcement and Emergency Services Division for a retired peace officer CCW identification card at any point after retirement (DPR 797).
- (c) Shall submit to the LEES Division an application (DPR 797) for a renewal at least 90 days prior to the expiration date of the retired peace officer CCW identification card. The retired officer no longer has CCW authorization when the CCW identification card

California Department of Parks and Recreation

Policy Manual

Policy Manual

Retiree Concealed Firearms

expires. It is the responsibility of the retired officer to contact LEES Division for renewal of CCW authorization.

CCW endorsement authorizes a retired officer to carry a concealed weapon in California. California CCW endorsement is also required if the retired officer elects to carry a concealed weapon in states other than California, in compliance with the provisions of 18 USC § 926C and PM § 312.8.

220.4.2 CALIFORNIA IDENTIFICATION CARD FORMAT

The identification card issued to any qualified and honorably retired officer shall be 2 inches by 3 inches, and minimally contain (Penal Code § 25460):

- (a) A photograph of the retiree.
- (b) The retiree's name and date of birth.
- (c) The date of retirement.
- (d) The name and address of this department.
- (e) A stamped CCW Approved endorsement along with the date by which the endorsement must be renewed (not more than five years). If a CCW endorsement has been denied or revoked, the identification card shall be stamped "No CCW Privilege."

220.5 MAINTAINING LEOSA ENDORSEMENT

LEOSA CCW endorsement is valid for twelve (12) months from the date of qualification. It is the responsibility of the retiree desiring to maintain LEOSA CCW privilege to petition for renewal (18 USC § 926C; PM § 220.5.1).

In order to qualify to carry a concealed weapon in the United States outside of California, the retired officer:

Must qualify annually on the department's normal course of fire for the type of weapon(s) that will be carried, under the direction of a State Parks Firearms Instructor. Either the regular Duty Qualification or the Second Weapon Qualification (PM § 220.5.1) will be used, depending on the type of weapon(s) to be carried. (Travel out of state with a concealed weapon under the authority of 18 USC § 926C is legal only while carrying the same type of firearm(s) that was used to qualify with, and only within 12 months of successfully completing the qualification course);

Or: If the State of residence is other than the State of California, qualify annually in firearms training for active law enforcement officers as determined by the State in which the individual resides,

Or, if the State or residence has not established such standards, either a law enforcement agency within the State in which the individual resides or the standards used by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officers within that State.

220.5.1 RETIRED OFFICER RESPONSIBILITIES

LEOSA CCW endorsement is valid for twelve (12) months from the date of qualification. It is the responsibility of the retiree desiring to maintain LEOSA CCW privilege to petition for renewal following this policy section (18 USC § 926C).

California Department of Parks and Recreation

Policy Manual

Policy Manual

Retiree Concealed Firearms

- (a) If the retired officer possesses a department-issued retired ID card without a California CCW endorsement, then at least 90 days in advance of the required qualifying pistol shoot, complete a DPR 797 and submit the completed application to LEES. The retired officer will have to have been approved for the California CCW endorsement prior to being allowed to participate in the LEOSA CCW range shoot.
- (b) If the retired officer already possesses a department-issued retired ID card with California CCW endorsement, then at least 30 days in advance of the required qualifying pistol shoot, complete a DPR 797 and submit the completed application to LEES.
- (c) A retiring officer must submit a DPR 797 at least 90 days in advance of the effective date of retirement. The retiring officer must also have successfully completed the LEOSA CCW range qualification prior to their retirement date. The retiring officer will have to have been approved for the California CCW endorsement prior to being allowed to participate in the LEOSA CCW range shoot.
- (d) The retired/retiring officer shall provide the Superintendent of Law Enforcement Services with any pertinent information requested such as retirement date, date of birth, etc., in the event there is a question as to whether the retired/retiring officer meets the requirements of 18 USC § 926C(1), (2) and (3)
- (e) The retired officer will contact the District Public Safety Coordinator, in the general area desired by the retired officer, to shoot a qualification course. The Firearms Instructor from the applicable district will inform the retired officer when and where the next available range shoot is schedule to take place. Districts are not required to hold a special range for the retiree seeking to qualify; however, districts will attempt to accommodate retirees in a reasonable time frame. As needed, contact the LEES Superintendent of Law Enforcement Services for District Public Safety Coordinator contact information.
- (f) The retired officer must provide their own body armor, eye and ear protection, hat, and ammunition.
- (g) For retired officers living out-of-state, a copy of the completed and signed range qualification record for the type(s) of weapon(s) to be carried, as provided by that out-of-state agency or certified instructor, is to be provided by the retired officer to LEES Superintendent of Law Enforcement Services.
- (h) In order to obtain or retain a LEOSA identification card, the former officer shall:
 - 1. Sign a waiver of liability of the [Department/Office] for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the [Department/Office].
 - 2. Remain subject to all applicable [department/office] policies and federal, state and local laws.
 - 3. Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.

California Department of Parks and Recreation

Policy Manual

Policy Manual

Retiree Concealed Firearms

4. Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

220.5.2 FIREARMS INSTRUCTOR RESPONSIBILITIES

Department Firearms Instructors are authorized to certify range qualification for the LEOSA CCW for retired State Park Peace Officers per the following provisions:

- (a) When requested by a retired officer, schedule the retired officer to attend the next scheduled range shoot;
- (b) Verify that the retiree has a current Department-issued California CCW endorsed retired peace officer identification card;
- (c) The Firearms Instructor has discretion to utilize either the Duty Qualification or Second Weapon Course, depending on if the retired officer will be carrying a large or small-frame weapon. A course of fire is required for every type of weapon the retired officer wishes to carry out-of-state;
- (d) Once the course(s) is completed and passed, the Firearms Instructor will complete and sign the DPR 155, and provide a copy to the retired officer. This form will serve as temporary documentation to meet requirements of 18 USC § 926C (certification). This form must be carried by the retired officer, along with the retired officer's Department-issued California CCW endorsed retired peace officer ID card, until the Department issues a LEOSA CCW-endorsed authorization card. The DPR 155 and subsequent issued LEOSA CCW-endorsed authorization card are valid only for one year from the date of the successful completion of the Department's Duty Qualification Course and/or Second Weapon Course;
- (e) The Firearms Instructor shall keep a copy of the DPR 155 for his/her records and forward a copy immediately to the Superintendent of Law Enforcement Services, LEES.

220.5.3 LEES DIVISION RESPONSIBILITIES

When requested, the Superintendent of Law Enforcement Services will provide the District Public Safety Coordinator's contact information to the retired officer. The Superintendent of Law Enforcement Services will also provide to the District Public Safety Coordinator the name of the retired officer requesting to shoot a qualification course. The District Public Safety Coordinator will pass the information along to the Firearms Instructor in charge of the range. Upon receipt of the completed and signed DPR 155 or the signed out-of-state range qualification record, LEES will issue and mail to the retired officer a LEOSA CCW Peace Officer Authorization card.

220.5.4 MAINTAINING A CALIFORNIA IDENTIFICATION CARD CCW ENDORSEMENT

In order to maintain a CCW Approved endorsement on an identification card issued under California law, the retired officer shall (Penal Code § 26305):

- (a) Qualify annually with the authorized firearm at a course approved by this department at the retired officer's expense.
- (b) Remain subject to all applicable department policies and federal, state and local laws.

California Department of Parks and Recreation

Policy Manual

Policy Manual

Retiree Concealed Firearms

- (c) Not engage in conduct that compromises public safety.
- (d) Only be authorized to carry a concealed firearm inspected and approved by the Department.

220.6 FIREARM USE BY RETIREE

In accordance with existing Department policies and procedures, any use of a firearm by an honorably retired State Park Peace Officer (other than for recreational purposes) shall be reported to the Law Enforcement and Emergency Services Division. Failure to report an incident may constitute justification for revocation of permission to carry a concealed firearm.

220.7 DENIAL, SUSPENSION, OR REVOCATION OF A CALIFORNIA CCW ENDORSEMENT CARD

A CCW endorsement for any officer retired from this department may be denied or revoked only upon a showing of good cause. The CCW endorsement may be immediately and temporarily revoked by the Shift Supervisor when the conduct of a retired peace officer compromises public safety (Penal Code § 25470).

- (a) In the event that a CCW endorsement is initially denied, the retired officer shall have 15 days from the date of denial to request a formal hearing. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received.
- (b) Prior to revocation of any CCW endorsement, the Department shall provide the affected retiree with written notice of a hearing by either personal service or first class mail, postage prepaid, return receipt requested to the retiree's last known address (Penal Code § 26315).
 - 1. The retiree shall have 15 days from the date of service to file a written request for a hearing.
 - 2. The hearing, absent written agreement between the parties, shall be held no later than 120 days after the request is received (Penal Code § 26315).
 - 3. The failure to submit a timely written request for a hearing shall be deemed a waiver of such right.
- (c) A hearing for the denial or revocation of any CCW endorsement shall be conducted before a hearing board composed of three members, one selected by the Department, one selected by the retiree or his/her employee organization, and one selected jointly (Penal Code § 26320).
 - 1. The decision of such hearing board shall be binding on the Department and the retiree.
 - 2. Any retiree who waives the right to a hearing or whose CCW endorsement has been revoked at a hearing shall immediately surrender his/her identification card. The Department will then reissue a new identification card which shall be stamped "No CCW Privilege."

California Department of Parks and Recreation

Policy Manual

Policy Manual

Retiree Concealed Firearms

- (d) Members who have reason to suspect the conduct of a retiree has compromised public safety shall notify the Shift Supervisor as soon as practicable. The Shift Supervisor should promptly take appropriate steps to look into the matter and, if warranted, contact the retiree in person and advise him/her of the temporary suspension and hearing information listed below.
 - 1. Notification of the temporary suspension should also be promptly mailed to the retiree via first class mail, postage prepaid, return receipt requested (Penal Code § 26312).
 - 2. The Shift Supervisor should document the investigation, the actions taken and, if applicable, any notification made to the retiree. The memo should be forwarded to the Deputy Director, Park Operations.
 - 3. The personal and written notification should be as follows:
 - (a) The retiree's CCW endorsement is immediately and temporarily suspended.
 - (b) The retiree has 15 days to request a hearing to determine whether the temporary suspension should become permanent revocation.
 - (c) The retiree will forfeit his/her right to a hearing and the CCW endorsement will be permanently revoked if the retiree fails to respond to the notice of hearing within the 15-day period.
 - 4. In the event that personal contact with the retiree cannot be reasonably achieved in a timely manner, the Shift Supervisor should attempt to make the above notice of temporary suspension through another law enforcement officer. For example, if a retiree was arrested or detained by a distant agency, the Shift Supervisor may request that a law enforcement officer from that agency act as the agent of the Department to deliver the written notification.

220.8 DENIAL, SUSPENSION OR REVOCATION OF A LEOSA IDENTIFICATION CARD

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief, LEES Division. The decision of the Chief, LEES Division, is final.

Retired Annuitant Program For State Park Peace Officers

221.1 PURPOSE AND SCOPE

State Park Peace Officers who have retired within the last three years may be hired as retired annuitants to perform State Park Peace Officer duties during peak season(s) or for other operational needs. This hiring process will be enacted on a case-by-case basis, with the approval of the Deputy Director, Park Operations, and must be in accordance with any Bargaining Unit agreement in terms of filling vacancies.

221.2 BACKGROUND INVESTIGATION REQUIREMENT

State law and POST policy requires any individual appointed to be a peace officer in the State of California to undergo a thorough background investigation to determine their suitability to be a peace officer. This requirement includes officers who are honorably retired from the agency wishing to re-appoint them as a peace officer.

Therefore, a Law Enforcement and Emergency Services Division Superintendent wishing to rehire and re-appoint a retiree as a Retired Annuitant Peace Officer shall first notify the Chief of Law Enforcement and Emergency Services to begin the background investigation. The background investigation shall cover the period between the time the last Department background investigation was completed and approved on the individual to the present.

No retired annuitant shall be re-appointed as a peace officer unless the background investigation has been approved by the Deputy Director, Park Operations.

Should a Law Enforcement and Emergency Services Division Superintendent wish to rehire a retiring State Park Peace Officer to continue in State service as a Retired Annuitant Peace Officer, no background investigation shall be required if there is no break in service between the last day of State service and the first day of re-employment as a Retired Annuitant Peace Officer. If there is any break in service, whether a day or a year, a background investigation must be conducted.

221.3 DUTY STATUS, IDENTIFICATION, AND EQUIPMENT

Upon re-appointment as a Retired Annuitant Peace Officer, the rehired employee's badge number shall be re-activated for that employee, and the official Department badge shall be reissued to the annuitant if he/she turned in the badge upon retirement.

Whether or not the re-appointed Retired Annuitant Peace Officer purchased their duty weapon upon retirement, the rehired employee shall be issued a Department weapon for use while on duty.

The Chief Ranger may authorize storage of duty gear and identification at alternate secure locations within the Property and Evidence Section to meet operational needs.

All retired annuitant peace officers have the same training and qualification requirements as active peace officers in the same classification.

California Department of Parks and Recreation

Policy Manual

Policy Manual

Retired Annuitant Program For State Park Peace Officers

221.4 TERMINATION OF RETIRED ANNUITANT PEACE OFFICER AUTHORITY

When the Department has no further need for the services of the Retired Annuitant Peace Officer or determines that the officer can no longer effectively qualify or perform full-range peace officer duties, the Department will rescind the officer's peace officer powers.

The Retired Annuitant Peace Officer shall return all Department issued equipment, including the duty weapon and Peace Officer Identification Card. The returns shall be documented on the DPR 103.

The Property and Evidence Section Superintendent shall notify the Law Enforcement and Emergency Services Division to ensure the Department's Peace Officer database is updated. The Property and Evidence Section Superintendent shall also follow normal employee separation procedures to remove the retired annuitant from the payroll, or move the Retired Annuitant Peace Officer into a non-peace officer classification.