

Michigan Commission on Law Enforcement Standards

Information on Carrying Concealed Weapons under the Michigan Retired Law Enforcement Officer Firearm Carry Act

The following information is for former law enforcement officers residing in Michigan who wish to apply for authorization to carry a concealed firearm pursuant to the **Michigan Retired Law Enforcement Officer's Firearm Carry Act**, MCL 28.511-527. The law enables qualified law enforcement officers to carry under the provisions of the federal Law Enforcement Officer's Safety Act (LEOSA) and Michigan law.

Certification Through MCOLES

A former officer, who meets the definition of a qualified law enforcement officer as defined in federal law (18 USC 926C), may obtain a credential from the Michigan Commission on Law Enforcement Standards (MCOLES) to carry concealed. The credential is a two-sided ID card. One side contains identification, including the applicant's photo and physical description, issued under the authority of the agency with which the officer was formerly employed. The other side contains a numbered certification indicating that the applicant has, within the last year, met the active duty standard in firearms training established by the State of Michigan to carry a firearm of the same type as the concealed firearm.

An applicant must meet the following requirements:

- Must be a legal resident of this state;
- Must have separated from service in good standing from service with a public agency as a law enforcement officer, including, but not limited to, service as service with the Amtrak Police Department, the Federal Reserve, or the executive branch of the federal government;
- Must have been 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;
- Must have had statutory powers of arrest;
- Must have served as a law enforcement officer for an aggregate of 10 years or more, or must have separated from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability;
- Must not have been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health and as a result of this finding will not be issued the photographic identification from his or her former employer as described in the first option, above; or
- Must not have entered into an agreement with the agency from which he or she has separated from service in which the former officer acknowledges that he or she is not qualified for reasons relating to mental health and for those reasons will not receive or accept the photographic identification from his or her former employer as described in the first option, above;

- Must not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- Must not be a person prohibited by federal law from receiving a firearm.

Some examples of circumstances under which a person will be **prohibited** by federal law from receiving a firearm include, but are not limited to:

- A person convicted, in any court, of a crime punishable by imprisonment for a term exceeding one year;
- A fugitive from justice;
- A person unlawfully using, or addicted to, any controlled substance, as defined in section 102 of the Controlled Substance Act, 21 USC 802;
- A person who has been adjudicated as a mental defective or committed to a mental institution;
- An alien who is illegally in the United States or who has been admitted to the United States under a nonimmigrant visa, as that term is defined in section 101(a)(26) of the Immigration and Nationality Act, 8 USC 1101(a)(26);
- A person discharged from the Armed Forces under dishonorable conditions;
- A citizen of the United States who has renounced his or her citizenship;
- A person convicted in any court of a misdemeanor crime of domestic violence;
- A person subject to a court order that was issued after a hearing for which he or she received actual notice, at which he or she had the opportunity to participate, if that order restrains him or her from harassing, stalking, or threatening an intimate partner or the child of the intimate partner, or engaging in other conduct that would place either of them in reasonable fear of bodily injury, and includes a finding that the person represents a credible threat to the physical safety of the intimate partner or child, or explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury.

This document outlines the process by which former law enforcement officers who reside in Michigan may make application to MCOLES to obtain a LEOSA certification that verifies a person's authorization to carry a concealed firearm in interstate travel.

This Web page includes links to these documents:

- An **Application** for Law Enforcement Officers Safety Act Certification. This form may be completed on line and then printed.
- The **Michigan statute** entitled: "Michigan Retired Law Enforcement Officer's Firearm Carry Act," Public Act 537 of 2008.
- A list of **Training / Test Centers** where approved former law enforcement officers may train and test for LEOSA certification.
- The MCOLES **template for the former employer's verification letter** (letters conforming to the MCOLES template are to be signed by an authorized representative of the agency with which the applicant was formerly employed).
- A Live Scan **fingerprinting application**.

APPLICATION PROCESS

The application process consists of the following 4 steps: a) fingerprint scan, b) application to MCOLES, c) meeting the active duty firearms standard, and d) approval from MCOLES.

Step 1: Fingerprint Scan

Former law enforcement officers seeking to obtain certification are required to submit to a fingerprint-based identification and a criminal history search in the initial application. Please note that fingerprinting is not required for renewal applications. Applicants must obtain a fingerprint scan for a criminal records check. Applicants may obtain the scan at their local sheriff's office, local law enforcement agency, or the law enforcement agency with which they were formerly employed, if such agencies have Live Scan capabilities and are willing to test "applicants." The Michigan State Police will NOT do the fingerprinting. Private vendors may be used as well. **Print cards will not be accepted.**

For a list of private fingerprint vendors, go to www.lid.com and click on "Enrollment Services," then "Schedule a Fingerprint Appointment Online." From the map of the United States, click on the state of Michigan, to find fingerprint locations in Michigan.

Applicants should call ahead to the location where they may want to be fingerprinted to determine if the location will do "applicant" fingerprinting and that they are capable of coding the "Reason for Fingerprinting" as "RLE," (NOT "CCW"). Not all Live Scan locations will do applicant fingerprinting. All the approved private vendors will do applicant fingerprinting.

Fingerprinting Fees: The federal charge is \$19.25; the state charge is \$30.00; and the private vendor charge is \$ 13.50. County and local law enforcement agencies are permitted to set their own fees.

Applicants must complete the form entitled "Live Scan Fingerprint Request" and submit the form to the law enforcement agency or private vendor where the prints are being taken.

The MCOLES ID number is "77061P." The Reason for Fingerprinting is "RLE."

Results of the print check will be automatically forwarded to MCOLES. Print cards will not be accepted. Obtain a copy of the completed "Live Scan Fingerprint Request" form as proof of fingerprinting. The photocopy must accompany the completed, signed application form.

Questions regarding this process can be directed to MCOLES at 517-322-3967.

Step 2: Application Packet

The applicant shall submit a complete application packet to MCOLES. The application packet must include:

- ___ The completed and signed *application form*.
- ___ An agency *letter* signed by an authorized representative of the agency with which the applicant was formerly employed on agency letterhead that conforms to the MCOLES template in all respects. Letters that do not conform to the MCOLES template will be rejected and render the application defective.
- ___ A passport quality *photograph*, which shall be: taken alone, taken within the last 6 months, with an image from bottom of chin to top of head, of between 1 and 1 3/8 inches. The photo must be clear, front view, full face, taken without a hat or dark glasses, with a white background. For certification renewals, a new photograph is required every 5 years.
- ___ A *photocopy of the proof of fingerprinting*.
- ___ A *photocopy of the driver's license* or state ID.
- ___ The *application fee* of \$35.00—checks made payable to the “State of Michigan.”

The applicant will be notified via U.S. mail by MCOLES when the application has been approved.

Step 3: Firearms Course of Fire and Knowledge Testing

The applicant should contact a Training/Test Center to schedule training and testing. The applicant is required to:

- Pay the Training/Testing Center fee of \$95.00.
- Provide their own handgun and ammunition (50 rounds, in the event of the need for a re-test) for qualification.

The applicant shall demonstrate compliance with Michigan’s active duty firearm standard at an MCOLES approved regional Training / Test Center. The active duty standard consists of two equally important components: a) an educational component, which consists of seven behaviorally-based outcomes and a test (decision-making) and b) a standard course of fire (mechanical skills).

The **educational component** of the active duty firearm standard consists of the following:

- The appropriate use of deadly force.
- Assessing a life threatening situation.
- Employing sound safety tactics.
- Appropriately discharging a firearm in a life threatening situation.
- The requirements of LEOSA and civilian carry laws.

The **course of fire** consists of 25 rounds of ammunition, using a standard academy target, at the following distances:

- 2-yards (6 rounds)
- 3 yards (6 rounds)
- 4 / 7 yards (2 targets, 10 rounds)
- 10 yards (3 rounds)

Remedial training is recommended in the event of a failure. One retest will be allowed during the test session. Failure on the retest will require scheduling a second training and testing session and payment of a second fee to the training and testing center.

Step 4: Processing Application

Test results from the regional Training/Test Center will be sent to MCOLES for further processing. MCOLES will ensure that all requirements have been met.

REQUIREMENTS AND RESTRICTIONS FOR CARRYING CONCEALED

To exercise the right to carry a concealed firearm, a qualified former law enforcement officer must carry the MCOLES credential and a valid Michigan driver license (or Michigan personal identification card). These instruments must be carried while in possession of a concealed firearm and must be produced on the demand of a peace officer. The MCOLES credential is valid for one year and must be renewed upon expiration in order to maintain the authorization to carry a concealed firearm under LEOSA. LEOSA restricts the carrying of certain types of firearms. For example, LEOSA does not authorize a person to carry a machinegun, as defined in section 5845 of the National Firearms Act, or any firearm silencer or destructive device, as defined in section 921 of Title 18 of the United States Code.

A person under the influence of alcohol or any other intoxicating or hallucinatory drug or substance may not carry a concealed firearm under this program.

The privileges granted under this program do not supersede or limit state and federal restrictions on the possession and use of firearms, and do not limit private persons or entities from restricting the possession and use of firearms on their property. Before carrying a concealed firearm in a particular jurisdiction, building, or premises, persons authorized under LEOSA should inquire about and become acquainted with legal and private restrictions on the possession and use of firearms.

All applicable state and federal laws must be met when an applicant purchases a firearm in the state of Michigan. A complete copy of the firearms laws in Michigan can be obtained on the Internet at <http://www.michigan.gov/msp>.

Those carrying a concealed firearm pursuant to this program shall immediately report to MCOLES, in writing, any of the following:

1. A change in status as a legal resident of this state.
2. A change in status of having been separate from employment in good standing as a law enforcement officer.
3. A conviction, in any court, of a crime punishable by imprisonment for a term exceeding one year, or of a misdemeanor crime of domestic violence.
4. Unlawful use, or addiction to, any controlled substance, as defined in section 102 of the Controlled Substance Act, 21 USC 802.
5. An adjudication as a mental defective or commitment to a mental institution.

6. Discharge from the Armed Forces under dishonorable conditions.
7. Renouncement of United States citizenship.
8. Being subject to a court order that was issued after a hearing for the applicant received actual notice, at which the applicant had the opportunity to participate, if that order restrains the applicant from harassing, stalking, or threatening an intimate partner or the child of the intimate partner, or engaging in other conduct that would place either of them in reasonable fear of bodily injury, and includes a finding that the applicant represents a credible threat to the physical safety of the intimate partner or child, or explicitly prohibits the use, attempted use, or threatened use of physical force against the intimate partner or child that would reasonably be expected to cause bodily injury.

Note: This certification to carry concealed confers NO law enforcement authority over and above that of any civilian.