

Headquarters U.S. Air Force

Integrity - Service - Excellence

Law Enforcement Officer Safety Act (LEOSA) Update



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What Is LEOSA

- LEOSA is a Federal law that allows individuals who have been identified as having apprehension authority and are identified as qualified law enforcement officers (QLEO), active, retired or separated with 10 or more years aggregate service in a position as a QLEO to carry privately owned weapons (POW) concealed.
- The National Defense Authorization Act for Fiscal Year 2013 expanded LEOSA to include individuals who were granted authority to make apprehensions under Article 7b of the Uniform Code of Military Justice (UCMJ). Thus allowing military members meeting the definition of a QLEO to carry concealed, while off duty and outside the boundary of the installation.



Who Can Apply

-
- All Security Forces; AD, ANG, Reserve, DAF
 - Must be currently working in a QLEO position (unit or Staff) or Retired/Separated Security Forces, ANG, Reserve, & DAF
 - Personnel must have 10 yrs aggregate service as a DoD QLEO or
 - Have been Medically separated after becoming a QLEO w/less than 10 yrs aggregate
 - Two types of credentials can be issued.
 - Most currently serving will receive credential under 926B
 - Retired/Separated/currently serving but separated from SF will receive credential under 926C



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926B Requirements

- USAF definition of a “Qualified Law Enforcement Officer”
 - Enlisted
 - Serving in a 3P0X1 position
 - Obtain 5 skill level
 - Complete all DOD POST LE standards in DODI 5525.15
 - Officer
 - Serving in a 31P position & completion of BOC
 - Obtain the rank of First Lieutenant
 - Department of AF Police
 - Must meet conditions of employment/received qualification training
 - CC suitability letter



926B Requirements Cont...

- “Authorized” to carry a firearm by the agency
 - Qualified on AF M9 pistol course (must carry AF 629)
 - If not required to fire semi-annually, follow requirements in section 926C
- **“This credential does not grant the bearer any authority to act on the agency’s behalf or to exercise any law enforcement authority, when off duty.”**



926C Requirements

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- Retired military and separated members
 - Must have had 10 years aggregate service as a qualified Law Enforcement Officer in Air Police, Security Police, or Security Forces or
 - Have been Medically separated after becoming a QLEO w/less than 10 yrs aggregate
 - Once vetted, must carry USAF LEOSA credential AND state firing certification from where the individual resides (must indicate within the last 12 months)
 - If state does not have a course of fire, USAF SF course of fire will be the standard
 - Training at individual's expense by state certified instructor
 - Active Serving prior SF members not covered under Section 926B must meet these qualifications to carry



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926C Requirements

-
- **“This credential does not grant the bearer any authority to act on the agency’s behalf or to exercise any law enforcement authority.”**



- LEOSA AFMAN published 22 April 14
 - Based upon H.R. 218, S.B. 1132, H.R. 4310 and DoDI 5525.12
 - Working IC 1 to cover Appellate Process, CC Endorsement Format and AFRC 629C proof of service
- Contract Request for Proposals (RFP) Received from industry...awaiting contract award by AFICA ECD: 11 Jun 14
 - Once awarded, AFSFC will work with contractor to develop Authoritative Database and Commercial On-Line Application Process ECD: 15 Sep 14
 - Application Testing with limited participants ECD: 15 Aug 14



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LEOSA Credentials

- Contingent on contract
- Requires NCIC Check
- Left service in “good standing”
- Probationary period if separated or discharged
- Contractor is responsible for credential issuance
- Central solution vs. Unit solution
 - Coordinating with AF Installation Contracting Agency, Wright-Patterson
 - HQ AFSFC seeking no cost contract
 - Request for proposal submitted
 - Contract award decision NLT 23 May 14
 - Army/Navy collaborating to use same model



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Monitoring/Controlling Authorization

- Active Serving personnel
- HQ Air Force Security Forces Center (AFSFC) will be the issuing authority for USAF SF LEOSA credentials
- Active Serving personnel issued 926B will be monitored at the unit level for suitability to arm
- If placed on a “Do Not Arm” roster, regardless of current qualification, 926B credential will be suspended until authorization to bear firearm for duty is returned
- 926B will not be valid if individual is currently the subject of any disciplinary action, under the influence of alcohol or any intoxicating or hallucinatory drug/substance, or is prohibited by Federal Law from receiving a firearm as indicated in the Lautenberg Amendment



Monitoring/Controlling Authorization Cont...

- Retired/Separated Personnel
- AFSFC will revoke or recall the 926C if conditions exist that prevent an individual from purchasing, possessing, or carrying a firearm and come to the services attention
- Retired/Separated personnel will have their 926C revoked if found to be under the influence of alcohol or any other intoxicating or hallucinatory drug
- Individuals found to be prohibited by Federal Law from receiving a firearm will have their credential revoked IAW DoDI 5525.12



Monitoring/Controlling Authorization Cont....

- Once certified/issued credentials, members will be required to have 926B or 926C at all times when carrying a concealed weapon
- Personnel will need to carry proof of current firearms training
 - Active Serving
 - AF Form 522 or proof of state certified qualification indicating weapons qualification expiration date
 - Retired/Separated
 - Approved/issued certification or documentation of training from state which individual resides



Take Aways

- DODI 5525.12 & AFMAN 31-125 tell us that DoD will implement LEOSA
- AFSFC will serve as single point of approval for all SF LEOSA Credentials
 - Contract process at “no cost” to the government...If members want a credential, they will have to pay for it
- CC will provide “Suitability” letter as part of all 926B applications
 - CCs should not use this letter as a means of disagreeing with LEOSA...IT IS THE LAW!
- Credentials will begin issue in the Fall of 2014 via on-line commercial application website
- Monitor SMARTNET for all LEOSA links/actions
- Everyone MUST educate themselves on LEOSA implications



REFERENCES

- Public Law 108-277, Law Enforcement Officers Safety Act of 2004
- Public Law 111-272-, Law Enforcement Officers Safety Act Improvements Act of 2010
- Public Law 112-239, National Defense Authorization Act for Fiscal Year 2013
- DoDI 5525.12, Implementation of the Amended Law Enforcement Officers Safety Act of 2004 (LEOSA)
- AFMAN 31-125, Security Forces Implementation of the Law Enforcement Officers Safety Act) LEOSA



REFERENCES

- NRA Military LEOSA: <http://le.nra.org/leosa.aspx>
- FOP LEOSA: <http://www.fop.net/legislative/index.shtml>
- Police Magazine:
<http://www.policemag.com/channel/weapons/articles/2014/01/does-the-leosa-carry-law-apply-to-you.aspx>



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Questions

Questions?



FAQ

Q: I'm about to retire/separate/cross train, can I apply for LEOSA credentials?

A: Yes, if you have attained 10 years aggregate (all together) as a QLEO then you may apply for AF Form 688E, USAF LEOSA 926C.

Q: I currently have a UIF and I am on a control roster, can I apply?

A: No, while having a UIF or under a control roster you will not be eligible for a LEOSA credential.

Q: Do I need to have concealed carry or self-defense insurance?

A: While not a requirement, it is highly recommended in the event you become involved in an off duty LEOSA incident. The Air Force is not liable and will not provide you with legal defense should you be involved in an off duty LEOSA incident.



FAQ

Q: Does having a LEOSA credential override the Installation Commanders authority to deny my entry to the installation while carrying a concealed firearm?

A: No, Commanders still have authority to deny entry as outlined in section 930 of Reference (d), section 797 of Title 50, U.S.C., and DoD Instruction 5200.08. LEOSA credentials only authorize you to carry a concealed firearm while off duty and off the installation.

Q: I've been issued a LEOSA credential, can I now conceal carry any type of firearm I want?

A: No, once you are issued your LEOSA credential you may only carry a semi-automatic pistol or revolver only as outlined in AFMAN 31-125 Security Forces Implementation of the Law Enforcement Officers Safety Act.



FAQ

Q: Now that I am certified to carry a concealed weapon, when I do or will I have any law enforcement authority?

A: No, being credentialed under LEOSA does not confer upon the holder any rights or privileges to act in a law enforcement officer capacity.

Q: What is the purpose of the one year probationary period required after meeting all Peace Officer Standards and Training?

A: This period is used to ensure the suitability of the member to carry concealed after all requirements have been met. This period can be extended on a case by case basis.



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FAQ

Q: I meet the definition of a QLEO, but my duty position does not require me to be currently qualified on the M9. Will I still be able to obtain a 926B under LEOSA?

A: Yes, as long as you meet the definition of an QLEO and still maintain apprehension authority under Art 7(b) of the UCMJ. However, you will need to complete the USAF handgun qualification course conducted by a state certified instructor, utilizing your own firearm and ammunition. Lesson plans for this course can be obtained on the USAF SF website: <https://afsfmil.lackland.af.mil/>



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FAQ

Q: Does the agency I retired from, or the agency that qualifies me, have any liability or concerns for qualifying me?

A: No, LEOSA places the liability on the individual. Identification cards are simply a statement of fact by the agency that the individual is either an active duty or retired law enforcement officer.



FAQ

Q: I'm about to retire or separate and currently possess a 926B credential. Will I be able to continue to use this or will I have to obtain a 926C credential?

A: You will have to contact the Contractor to have the 926B replaced with a 926C. As long as you're current with the requirements needed for the LEOSA credential you will be able to do so.

Q: If I qualify with my duty weapon (i.e. 9mm Semi) do I have to carry a Semi while off duty

A: No. You can carry any handgun.

Q. If I qualify at my State Certified Range on a revolver, do I have to carry a revolver off duty?

A; No. Under LEOSA, type of weapon is defined as handgun therefore, you can carry any Handgun