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**Testimony to the Senate Federal and State Affairs Committee  
In Support of SB157  
March 14, 2013**

Chairman Ostmeier and Committee Members,

Our associations support SB157 which will permit LEOSA qualified individuals to carry concealed in the same locations as Kansas prosecutors as provided in KSA 75-7c10. LEOSA is the acronym for the federal law titled "The Law Enforcement Officer Safety Act." That law was designed to provide current law enforcement officers while off duty and out of their state of jurisdiction and to allow retired law enforcement officers to provide for their personal safety and to provide an increased number of armed trained law enforcement officers to protect the public.

There is a difference in qualifications between LEOSA and concealed carry qualifications. To maintain LEOSA qualifications a person must meet two criteria annually. One is to meet the law enforcement officer annual firearms skill qualification standards of their resident state each year. The second is to have their retiring agencies approval. This results in a well-structured and controlled renewal standard. This process provides a method to not only assure firearms proficiency but also a method to produce a check on the continued physical and mental capabilities required.

So why should the exemptions requested in this bill be granted to LEOSA qualified individuals? The answers are numerous. First, LEOSA qualifications require the person to be a current out of state law enforcement officer or a retired law enforcement officer with a minimum number of years of service and a departure from law enforcement service while in good standing. Law enforcement officers not only are trained, but are frequently subjected to situations where they may have to respond with deadly force in a public environment. They are instructed and drilled through practical training, and in many cases simulator training, to evaluate their surroundings in determining their response to a threat. We call this "shoot-don't shoot" scenario training. But the experience factor is also critical to the developed shoot-don't shoot response. This experience and training are not lost upon retirement or crossing a state border.

We believe this bill will provide a significant addition to public safety in the venues it will permit LEOSA qualified officers to carry. It will also enhance the safety of out of state and retired law enforcement officers.

We respectfully request you recommend this bill favorable for passage.

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## LEOSA REQUIREMENTS

18 United States Code 926B and 926C

### Active Officer:

1. Employee of a government agency.
2. Authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or the incarceration of any person for any violation of law;
3. Has statutory powers of arrest or apprehension under the Uniform Code of Military Justice;
4. Authorized by the agency to carry a firearm;
5. Not the subject of any disciplinary action by the agency which could result in suspension or loss of police powers;
6. Meets the standards established by the agency which require the employee to regularly qualify in the use of a firearm;
7. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance, and
8. Is not prohibited by Federal law from possessing a firearm.
9. must carry photographic identification issued by the governmental agency for which the individual is employed that identifies the employee as a police officer or law enforcement officer of the agency.

### Retired Officer:

1. Has separated from service in good standing with a government agency as a law enforcement officer
2. Served as a law enforcement officer for an aggregate of ten (10) years or more; or
3. Separated from such an agency due to a service-connected disability after completing any applicable probationary period of such service;
4. Was authorized by law to engage in or supervise the prevention, detection, investigation, prosecution or the incarceration of any person for any violation of law; or
  - a. Had statutory powers of arrest or apprehension under the Uniform Code of Military Justice;
5. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
6. Is not prohibited by Federal law from possessing a firearm.
7. Qualified retired law enforcement officers must carry the photographic identification issued by the agency for which they were employed and have now separated stating the officer has met the above requirements.
8. Must also carry documentation which certifies that they have met, within the most recent twelve month period, the active duty law enforcement standards for qualification for a firearm of the same type as the one they intend to carry.
9. An officer separating from service with his agency who has been officially found by a qualified medical professional employed by the agency to be unqualified for continued service for reasons related to mental health and, for that reason is not issued the photographic identification described above and in the statute, is not a qualified retired law enforcement officer as described in 18 USC 926C.