

# FORMER LAW ENFORCEMENT OFFICER CERTIFICATION INSTRUCTIONS

## Certification Requirements:

- Applicant is a Wisconsin resident.
- Applicant is not prohibited from possessing a firearm under federal or state law.
- Separated in good standing from service as a law enforcement officer at a federal law enforcement agency or out-of-state law enforcement agency.
- Aggregate service of at least 10 years or separated due to service-connected disability after completion of probation.
- Applicant provides documentation satisfying s. 175.49 (3)(b)1-3, Wis. Stats. on DOJ form DJ-LE-290 (available on DOJ website)
- Completes firearms qualification required for active law enforcement officers as denoted in s. 175.49(3)(b)5, Wis. Stats.
- Type of firearm applicant is certified to carry.

## Fees and Payment:

The fee for a retired federal or out-of-state law enforcement officer certification is \$25 and is non-refundable. Payment may be made via check or money order payable to "Wisconsin Department of Justice." Name and address must be imprinted on the checks (no "counter or starter checks"). Checks refused by the bank will result in the cancellation of any license issued pursuant to s. 20.905(2), Wis. Stats. along with a \$20 insufficient funds fee.

DO NOT SEND CASH.

## What Must Accompany the Application:

- A signed and completed application form containing:
  - Current and valid Wisconsin driver license or identification card number (not expired, cancelled, denied, surrendered or voided).
  - Acceptable proof of firearms qualification: a *Minimum Standards Handgun Qualification Course* certificate issued by a LESB firearm instructor (see requirements on page 3).
  - Payment of \$25 fee
  - Current photograph (see photograph requirements for details)
  - A signed form from the former officer's agency affirming compliance with s. 175.49(3)(b) 1 - 3, Wis. Stats.

All applications are to be mailed to:

**Wisconsin Department of Justice**  
**ATTN: Firearms Unit**  
**P.O. Box 7130**  
**Madison, WI 53707-7130**

Incomplete applications will be returned along with the payment. Any accepted application, where the applicant is then found to be ineligible for certification, will be denied and the payment will not be returned.

## Certificate Expiration:

All certificates issued are valid for a period of 12 months from the date of the firearms qualification determination. The firearms qualifications test is at the expense of the applicant and must meet the current standards for active law enforcement officers to carry a firearm established by the Wisconsin Law Enforcement Standards Board.

## Availability of Certificate Information:

Per s. 175.49 (3)(c) Wis. Stats., the department shall maintain a computerized record of all certifications issued. Law enforcement may request and be provided the information by name, date of birth, and sex of the certified person or by the identification number assigned to the certificate for the purposes of:

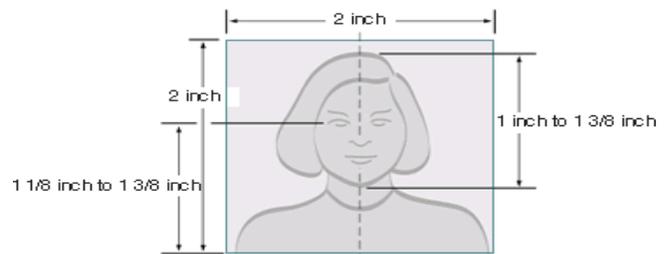
1. Confirming that a certification card produced at the request of a law enforcement officer is valid.
2. If an individual carrying a concealed firearm claims to have a valid certification card, but does not have his or her certification card, to confirm the individual holds a valid certification card.
3. To investigate whether an individual submitted an intentionally false application.

No person other than a law enforcement officer may request information regarding a certification card issued under this section, except as specified in s. 175.60(12)&(12g), Wis. Stats.

## Photograph Requirements:

The one photograph required for a certification card must be included with the application which meets the requirements for a passport photo.

- In color.
- Printed on photo quality paper.
- Taken in front of a plain white or off-white background.
- Taken in full-face view directly facing the camera.
- With a neutral facial expression and both eyes open.
- 2 x 2 inches (51 x 51 mm) in size. Sized such that the head is between 1 inch and 1 3/8 inches (between 25 and 35 mm) from the bottom of the chin to the top of the head. Taken within the last 6 months to reflect your current appearance.
- Taken in clothing normally worn on a daily basis. Uniforms should not be worn except religious clothing that is worn daily. Do not wear a hat or head covering unless worn daily for a religious purpose. Your full face must be visible, and the head covering must not cast any shadows on your face.
- Headphones, wireless hands-free devices or similar items are not acceptable in your photo. Dark glasses or non-prescription glasses with tinted lenses are not acceptable unless needed for medical reasons.
- If you normally wear prescription glasses, a hearing device or similar articles, they may be worn for your photo. Glare on glasses is not acceptable in your photo.
- Photo template follows:





## Wisconsin Department of Justice

### FORMER LAW ENFORCEMENT OFFICER CONCEALED FIREARM CERTIFICATION APPLICATION

### APPLICANT INFORMATION

Applicant's Legal Name (Last, First, Middle, Suffix)					Application form codes: <span style="float: right;">DOJ Use Only</span>		
Sex	Race	Date of Birth (MM/DD/YYYY)	Height (ft/in)	Eye Color	Sex Codes F - Female M - Male		
Wisconsin Driver License/Identification Card Number					Race Codes A - Asian or Pacific Islander B - Black I - American Indian or Alaskan Native W - White		
Current Wisconsin Residential Address (P.O. Boxes alone are not acceptable)					Eye Color Codes BLK - black      GRN - green      MAR - maroon BLU - blue      GRY - gray      MUL - multicolored BRO - brown      HAZ - hazel      PNK - pink		
City			State	Zip Code	Application Number (DOJ use only)		
Maiden/Former/Alias Name(s) Used					Approval/Denial Number (DOJ use only)		
Maiden/Former/Alias Name(s) Used					Qualifying Firearm		
Federal or Out-of-State Agency from which applicant separated							
Yes	No	ALL APPLICANTS: Please answer "Yes" or "No" to all questions by placing an "X" in the appropriate column.					
		1. Have you ever been convicted in any court of a felony, including a felony in Wisconsin or a crime committed elsewhere that would be a felony in Wisconsin, or any other crime for which the judge could have imprisoned you for more than 1 year?					
		2. Have you been adjudicated delinquent for an act committed on or after April 21, 1994, that if committed by an adult in Wisconsin, would be a felony <b>and</b> have not been exempted from the firearm prohibition by order of a court pursuant to s. 941.29(8)?					
		3. Have you ever been found not guilty of a felony in Wisconsin by reason of mental disease or defect, <b>or</b> not guilty of or not responsible for a crime elsewhere that would be a felony in this state by reason of insanity, or mental disease, defect, or illness?					
		4. Are you currently under indictment or have a felony charge pending against you in any court?					
		5. Have you ever been convicted of a misdemeanor crime of domestic violence?					
		6. Are you an unlawful user of, or addicted to, marijuana or any depressant, stimulant, narcotic drug, or any other controlled substance?					
		7. Are you currently free on bond or bail for a pending felony or misdemeanor offense, or as a witness, where the court has ordered you not to possess a dangerous weapon?					
		8. Are you a fugitive from justice?					
		9. Are you subject to a court order (domestic abuse injunction, domestic abuse tribal injunction, child abuse injunction, harassment injunction) that prohibits you from possessing a firearm?					
		10. Have you ever been adjudicated mentally defective (which includes a determination by a court, board, commission, or other lawful authority that you are a danger to yourself or to others or are incompetent to manage your own affairs) <b>or</b> have you ever been committed to a mental institution? Further definitions of the disqualifiers can be found at: <a href="https://www.atf.gov/file/61446/download">https://www.atf.gov/file/61446/download</a>					
		11. Have you ever been dishonorably discharged from the armed forces?					
		12. Have you ever renounced your United States citizenship?					
		13. Are you an alien <b>illegally</b> in the United States or a nonimmigrant alien?					
		14. Are you a citizen of the United States? If no, include your Alien Registration or INS # :					
		15. Are you a resident of the State of Wisconsin and possess a current and valid Wisconsin driver license or identification card?					
		16. Are you at least twenty-one (21) years of age?					
		17. Do you meet the firearms qualification requirements for active law enforcement officers in the State of Wisconsin pursuant to s. 175.49(3)(b)5?					
		18. Did you separate from service in a federal law enforcement agency pursuant to the requirements of s. 175.49(3)(b)1-3, Wis. Stats.?					

I affirm that in accordance with s. 175.49(3) Wis. Stats.: (1) I have read and understand the license requirements; AND (2) I state that the information in this application and any document submitted with the application is **true and complete** to the best of my knowledge. I understand I may be prosecuted if I intentionally give false information on the application or submit any falsified document. The penalty for making a false statement is a fine of up to \$10,000, imprisonment of up to 9 months, or both [s. 946.32(2), Wis. Stats.] and for falsifying a document a fine of up to \$10,000, imprisonment up to 9 months or both [s. 943.38, Wis. Stats.]

X \_\_\_\_\_  
Applicant Signature

## CERTIFICATION REQUIREMENTS

### 175.49(3) CERTIFICATION OF FORMER FEDERAL AND OUT-OF-STATE LAW ENFORCEMENT OFFICERS.

- (a) Upon the request of a former federal law enforcement officer or a former out-of-state law enforcement officer and at the expense of that law enforcement officer, the department may, except as provided in par. (b), issue the former federal law enforcement officer or former out-of-state law enforcement officer a certification card as described in sub. (4) stating all of the following:
1. The type of firearm the former federal law enforcement officer or former out-of-state law enforcement officer is certified to carry, but no former federal law enforcement officer or former out-of-state law enforcement officer may be certified to carry a machine gun, a firearm silencer, or a destructive device.
  2. The former federal law enforcement officer or former out-of-state law enforcement officer has been found by the state, or by a certified firearms instructor if such an instructor is qualified to conduct a firearms qualification test for active law enforcement officers in the state, to meet the standards for qualification in firearms training for active law enforcement officers to carry a firearm of the type under subd. 1., that are established by the state or, if the state does not establish standards, by any law enforcement agency in the state.
  3. The date on which the finding under subd. 2. was made and an expiration date that is 12 months later than that date.
  4. That, due to the finding under subd. 2., the former federal law enforcement officer or former out-of-state law enforcement officer is qualified to carry a concealed firearm of the type under subd. 1.
- (b) The department may not issue the former federal law enforcement officer or out-of-state law enforcement officer a certification card under par. (a) unless the department first verifies all of the following:
1. The former federal law enforcement officer or former out-of-state law enforcement officer separated from service as a law enforcement officer with the law enforcement agency in good standing.
  2. The former federal law enforcement officer or former out-of-state law enforcement officer served as a law enforcement officer for an aggregate of at least 10 years or the former federal law enforcement officer or former out-of-state law enforcement officer separated from law enforcement service due to a service-connected disability, as determined by the law enforcement agency from which the former law enforcement officer separated, after completing any applicable probationary period.
  3.
    - a. A qualified medical professional employed by the law enforcement agency from which the former federal law enforcement officer or former out-of-state law enforcement officer separated has not found the former officer to be unqualified to be a law enforcement officer for reasons related to the former officer's mental health.
    - b. The former federal law enforcement officer or former out-of-state law enforcement officer has not entered into an agreement with the law enforcement agency from which he or she separated from service in which the former officer acknowledges that he or she is not qualified to be a law enforcement officer for reasons related to his or her mental health.
  4. The former federal law enforcement officer or former out-of-state law enforcement officer is not prohibited under federal law from possessing a firearm as indicated by a search of the transaction information for management of enforcement system and the national criminal background check system.
  5. The former federal law enforcement officer or former out-of-state law enforcement officer has, during the previous 12 months at his or her own expense, been found by the state, or by a certified firearms instructor if such an instructor is qualified to conduct a firearms qualification test for active law enforcement officers in the state, to meet the standards for qualification in firearms training for active law enforcement officers to carry a firearm of the type under par. (a) 1., that are established by the state or, if the state does not establish standards, by any law enforcement agency in the state.

### (4) CERTIFICATION CARDS.

- (a) I. Subject to pars. (b), (c), and (d) and sub. (3) (a), the department shall design a certification card to be issued by the department under sub. (3) (a).
- (b) A certification card shall contain on one side all of the following:
1. The full name, date of birth, and residence address of the person who holds the certification card.
  2. A photograph of the certification card holder and a physical description that includes sex, height, and eye color.
  3. The name of this state.
- (c) A certification card shall include a statement that the certification card does not confer any law enforcement authority on the certification card holder and does not make the certification card holder an employee or agent of the certifying agency or department.
- (d) A certification card may not contain the certification card holder's social security number.

**(7) GOING ARMED WITH A FIREARM.** This section does not limit a former officer's right to go armed with a firearm that is not concealed.

## TYPE OF FIREARM QUALIFIED TO CARRY REQUIRED

Each application must include the type of firearm the former federal officer or former out-of-state officer is certified to carry. These firearms must be those for which the former federal officer or former out-of-state officer has been deemed qualified as a result of meeting the standard qualification for firearms training for active law enforcement officers established by the state.

The type of firearm qualified to carry shall be specified on the *Minimum Standards Handgun Qualification Course* certificate issued by a Wisconsin Law Enforcement Standards Board-certified firearm instructor, which must accompany this application.

## RESTRICTIONS ON CARRYING OF WEAPONS

**175.60 (16) PROHIBITED ACTIVITY.** (a) Except as provided in par. (b), neither a licensee nor an out-of-state licensee may knowingly carry a concealed weapon, a weapon that is not concealed, or a firearm that is not a weapon in any of the following places:

1. Any portion of a building that is a police station, sheriff's office, state patrol station, or the office of a division of criminal investigation special agent of the department.
2. Any portion of a building that is a prison, jail, house of correction, or secured correctional facility.
3. The facility established under s. 46.055 [secure mental health facility for sexually violent persons].
4. The center established under s. 46.056 [Wisconsin Resource Center].
5. Any secured unit or secured portion of a mental health institute under s. 51.05, including a facility designated as the Maximum Security Facility at Mendota Mental Health Institute.
6. Any portion of a building that is a county, state, or federal courthouse.
7. Any portion of a building that is a municipal courtroom if court is in session.
8. A place beyond a security checkpoint in an airport.

**(b) The prohibitions under par. (a) do not apply to any of the following:**

1. A weapon in a vehicle driven or parked in a parking facility located in a building that is used as, or any portion of which is used as, a location under par. (a).
2. A weapon in a courthouse or courtroom if a judge who is a licensee is carrying the weapon or if another licensee or out-of-state licensee, whom a judge has permitted in writing to carry a weapon, is carrying the weapon.
3. A weapon in a courthouse or courtroom if a district attorney, or assistant district attorney, who is a licensee is carrying the weapon.

**175.60(15m) EMPLOYER RESTRICTIONS.** (a) Except as provided in par. (b), an employer may prohibit a licensee or an out-of-state licensee that it employs from carrying a concealed weapon or a particular type of concealed weapon in the course of the licensee's or out-of-state licensee's employment or during any part of the licensee's or out-of-state licensee's course of employment.

(b) An employer may not prohibit a licensee or an out-of-state licensee, as a condition of employment, from carrying a concealed weapon, a particular type of concealed weapon, or ammunition or from storing a weapon, a particular type of weapon, or ammunition in the licensee's or out-of-state licensee's own motor vehicle, regardless of whether the motor vehicle is used in the course of employment or whether the motor vehicle is driven or parked on property used by the employer.

**943.13 (1m)(c) TRESPASS TO LAND** Whoever does any of the following is subject to a Class B forfeiture:

1. While carrying a firearm, enters or remains at a residence that the actor does not own or occupy after the owner of the residence, if he or she has not leased it to another person, or the occupant of the residence has notified the actor not to enter or remain at the residence while carrying a firearm or with that type of firearm. In this subdivision, "residence," with respect to a single-family residence, includes the residence building and the parcel of land upon which the residence building is located, and "residence," with respect to a residence that is not a single-family residence, does not include any common area of the building in which the residence is located or any common areas of the rest of the parcel of land upon which the residence building is located.
2. While carrying a firearm, enters or remains in a common area in a building, or on the grounds of a building, that is a residence that is not a single-family residence if the actor does not own the residence or does not occupy any part of the residence, if the owner of the residence has notified the actor not to enter or remain in the common area or on the grounds while carrying a firearm or with that type of firearm. This subdivision does not apply to a part of the grounds of the building if that part is used for parking and the firearm is in a vehicle driven or parked in that part.
3. While carrying a firearm, enters or remains in any part of a nonresidential building, grounds of a nonresidential building, or land that the actor does not own or occupy after the owner of the building, grounds, or land, if that part of the building, grounds, or land has not been leased to another person, or the occupant of that part of the building, grounds, or land has notified the actor not to enter or remain in that part of the building, grounds, or land while carrying a firearm or with that type of firearm. This subdivision does not apply to a part of a building, grounds, or land occupied by the state or by a local governmental unit, to a privately or publicly owned building on the grounds of a university or college, or to the grounds of or land owned or occupied by a university or college, or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of a building, grounds, or land used as a parking facility.
4. While carrying a firearm, enters or remains at a special event if the organizers of the special event have notified the actor not to enter or remain at the special event while carrying a firearm or with that type of firearm. This subdivision does not apply, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the special event grounds or building used as a parking facility.
5. Enters or remains in any part of a building that is owned, occupied, or controlled by the state or any local governmental unit, excluding any building or portion of a building under s. 175.60 (16) (a), if the state or local governmental unit has notified the actor not to enter or remain in the building while carrying a firearm or with that type of firearm. This subdivision does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the building used as a parking facility.
6. Enters or remains in any privately or publicly owned building on the grounds of a university or college, if the university or college has notified the actor not to enter or remain in the building while carrying a firearm or with that type of firearm. This subdivision does not apply to a person who leases residential or business premises in the building or, if the firearm is in a vehicle driven or parked in the parking facility, to any part of the building used as a parking facility.

**941.237 (2) CARRYING HANDGUN WHERE ALCOHOL BEVERAGES MAY BE CONSUMED OR SOLD:** Whoever intentionally goes armed with a handgun on any premises for which a Class "B" or "Class B" license or permit has been issued under ch. 125 is guilty of a Class A misdemeanor. This prohibition does not apply to a certification holder as long as they are not under the influence of alcohol. (s. 941.237 (3) (ct) & s. 941.20 (1)(b), Wis. Stats.)