


<b>POLICY 114</b>	<b>FIREARMS (APPROVALS/QUALIFICATIONS/LOANERS)</b>	
	NEW: 07/14, <b>07/17</b>	RELATED POLICIES: <b>117.1</b>
	CFA STANDARDS: <b>4.05, 4.06, 4.07, 4.08</b>	REVIEWED: AS NEEDED

**A. PURPOSE**

The purpose of this policy is to describe the Department approved firearms, ammunition, accessories, loaner procedures and their qualification requirements. The lists of specific Department approved firearms, rifles, shotguns, ammunition and accessories are maintained by and accessible through the Training Unit/Range Master. These lists are maintained outside of this policy due to their periodic updates and changes.

**B. POLICY**

The Fort Lauderdale Police Department has undertaken the task of examining and testing numerous types of firearms and ammunition in an effort to identify which of these items best serves the needs of the Department, its officers and the community. All officers are required to utilize only the firearms, ammunition and accessories approved by the Department and specified in this policy. All officers must be trained and demonstrate proficiency in the use of each weapon prior to utilizing such weapon in the performance of their duties.

**C. FIREARMS FOR SWORN PERSONNEL**

1. Uniformed Personnel:

- a. While on-duty, only firearms approved by the Chief of Police will be carried.
- b. All semi-automatic handguns cannot be single action only by design. These handguns must chamber a 9mm Luger (Parabellum) cartridge or .45 ACP with a barrel length from three (3) to five (5) inches. All semi-automatic handguns must contain a firing pin safety or other safety system that prevents the weapon from discharging without the trigger being pulled, or if the weapon is dropped. Firearms shall not be performance modified from their manufacturer's original state unless approved by the Training Unit Sergeant or his/her designee. Firearm modifications and/or repairs will be identified and documented prior to Department Qualification by the Training Unit.
- c. All uniform firearms will be carried in holsters approved by the Department. Holsters must be plain black, border-patrol/high-rise style, breakfront or security type. Flap-top style may only be worn by officers assigned to the Marine Unit and only when performing Marine Unit police duties.

- d. Uniformed officers assigned to administrative duties may carry any firearm approved for plainclothes, unless prohibited from carrying firearms by order of the Chief of Police or other authority.
- e. Uniformed officers shall carry a minimum of two (2) reloading devices on their duty gun belt.
- f. Additional on-duty firearms, when carried, shall be in a secure holster and concealed from plain view on the officer's person.

2. Plainclothes Personnel:

- a. While on-duty, only firearms approved by the Chief of Police will be carried.
- b. All semi-automatic handguns cannot be single action only by design. These handguns must chamber 9mm Luger (Parabellum), .45 ACP or .380 caliber ammunition. Semi-automatic handguns must have a barrel length from two and three quarters (2  $\frac{3}{4}$ ) to five (5) inches. All semi-automatic handguns must contain a firing pin safety or other safety system that prevents the weapon from discharging without the trigger being pulled, or if the weapon is dropped. Plainclothes officers may also carry any weapon described above for uniformed personnel.
- c. All revolvers must be designed to chamber .38 special +P ammunition and have a barrel length of one and seven eighths (1  $\frac{7}{8}$ ) inches to four (4) inches.
- d. All plainclothes firearms will be carried in a holster. Off-duty officers may also carry a firearm in a handbag or waist bag. When in plainclothes and the firearm is visible, the officer's badge must be clearly displayed.
- e. Plainclothes officers must have a minimum of one (1) reloading device for their approved duty firearms. For revolvers, speed loaders or strips are recommended.
- f. Additional on-duty firearms, when carried, shall be in a secure holster and concealed from plain view on the officer's person.

3. Firearms Qualification:

- a. The Training Unit will maintain all firearms training and qualification records. The CJSTC form 86A will be maintained in the officer's training file as set forth by CJSTC rule 11B-27.00212(15).
- b. All sworn officers will qualify with their duty firearms once every calendar year. If an officer wants to carry a secondary duty, off-duty, special assignment or special purpose tactical firearm, officers will also qualify with those firearms once every calendar year.

- c. An officer shall meet the firearm standards set by FDLE, CJSTC rule 11B-27.00212(15), prior to being authorized to carry any firearms. The Training Unit must meet the reporting standards on all even numbered years. During odd numbered years, officers must demonstrate proficiency on a qualification course in order to be authorized to carry any firearm.
  - d. Any officer who fails to meet the standard set by FDLE with their primary firearm shall not perform the duties of a sworn officer as set forth by CJSTC rule 11B-27.00212(15). If the officer fails to shoot a qualifying score, he/she will be assigned to an administrative duty position and not be allowed to perform the duties of a sworn officer, operate a marked police vehicle, or work off-duty details, until such time he/she can shoot a qualifying score. The Training Unit will within one (1) week, offer a four (4) hour remedial training class and the officer will then be given another opportunity to shoot a qualifying score. If an officer requires the four (4) hour remedial handgun course to qualify for three (3) consecutive years, on the third year, the officer is required to attend a basic handgun course.
  - e. All sworn officers who carry a duty handgun will attend a handgun retraining course no less than once every thirty-six (36) months.
  - f. For duty weapons qualifications, officers shall dress as follows;
    - (1). All sworn personnel may wear their duty uniform.
    - (2). When not in uniform, officers will wear professional attire with nonrestrictive pants with pockets and closed toe shoes.
    - (3). Officers' equipment shall consist of the weapon(s) and duty gear they wear while on duty, including loading devices and body armor.
4. Firearms Not Authorized:
- a. The Colt "D" frame .38 special caliber revolver.
  - b. Smith & Wesson aluminum alloy frame revolvers not rated for +P ammunition.
  - c. Any semi-automatic pistol not equipped with a firing pin safety or other safety system to prevent the weapon from discharging without the trigger being pulled, or if the weapon is dropped.
5. Firearms Carried While Off-Duty (Absent a Current /Valid Florida CCF License):
- a. It is the intention of this policy that off-duty sworn personnel may carry any firearm which has been approved for on-duty use.
  - b. Any officer carrying a firearm while off-duty must also carry their badge and Department identification.

- c. All firearms carried by Department personnel while off-duty shall conform to the requirements set forth in this policy.
  - d. This policy shall not apply to Department personnel while hunting, fishing or involved in other non-law enforcement recreational activities.
6. Special Assignment and Special Purpose Tactical Firearms:
- a. Special duty firearms of a type not approved in this policy may only be carried with the written permission of the Chief of Police. The Training Unit/Range Master shall maintain a copy of all letters authorizing such firearms.
  - b. Special purpose tactical firearms are defined as any firearm other than those approved in this policy.
  - c. Special purpose tactical firearms will be supplied to personnel by the Department as necessary.
  - d. Special purpose privately owned tactical firearms will be carried and used only with the written permission of the Chief of Police. The Training Unit/Range Master shall maintain a copy of all letters authorizing such firearms.
7. Carrying Firearms Out of State:
- a. In July 2004, H.R. 218 became Federal law and can be found in Chapter 44 of Title 18 U.S. Code, section 926B. This law allows sworn officers to carry a concealed firearm across state lines. The requirements of H.R. 218 state that the sworn officer must meet the qualification standards of the agency to carry a firearm, have full statutory arrest powers, not subject to current Department restrictions by order of the Chief of Police, and must carry the Department issued photo identification card. Sworn officers who travel across state lines and carry their firearm must adhere to Department policy regulating the carrying of weapons while off-duty in addition to the full context of H.R. 218.
  - b. The ability to carry a firearm while on board an aircraft is covered by Federal regulation Title 49 CFR 1544.219 "Carriage of accessible weapons". The following procedures must be conducted prior to a sworn officer being able to carry a firearm on board an aircraft;
    - (1). The Chief of Police or their designee will not sign the required letter authorizing the carriage of the firearm unless a sworn officer has met all of the requirements of the regulation which include, but are not limited to the following;

- (a). Certification from the “Flying Armed” training class. Personnel shall contact the Training Unit to complete this training.
  - (b). An email to the Chief of Police via the sworn officer’s chain of command identifying the need to have the weapon accessible from the time he/she would otherwise check the weapon, until the time it would be claimed after deplaning.
- (2). Sworn officers wishing to fly armed must submit a National Law Enforcement Telecommunications System (NLETS) message prior to travel. The NLETS message sent by the Department will replace the current original letter of authority signed by the Chief of Police.
- (3). Once the NLETS message is received by the Transportation Security Administration (TSA), a return NLETS message will be sent to the Department with an eight (8) character Unique Alphanumeric Identifier for verification at the airport on the day of travel.
- (4). Failure to use the NLETS message in lieu of the Original Letter of Authority (Chief’s Letter) will result in denial to the sterile area for failure to comply with the “Letter of Authority” requirements delineated in 49 CFR 1544.219.

8. Loaner Firearms:

- a. If an officer requires a loaner weapon due to an on-duty shooting investigation, the Support Services Facilities Captain or his/her designee shall be contacted via Communications. The Training Unit Sergeant or his/her designee shall also be contacted via Communications to assist with the issuance of a loaner weapon.
- b. If an officer requires a loaner weapon for any other reason, the Training Unit Sergeant or his/her designee shall be contacted via Communications.
- c. When practical and prior to returning to full duty with the loaner weapon, the officer shall qualify by the same standards as discussed previously in this policy.
- d. Some loaner weapons are available from the range armory. When possible, the loaner firearm will be the same make and model as the firearm being replaced. There is no guarantee that a firearm, including a specific make and model will be available.
- e. Loaner weapons will be issued on a need basis, usually when the officer’s personal weapon cannot be utilized (i.e., malfunctioning, repairs, investigations, etc.).

- f. The officer in need of a loaner firearm or his/her supervisor must complete a "Loaner Weapon Out" form/card (Z-608-A). The form/card can be found on top of the loaner firearms locker. By signing the form/card, the officer/supervisor accepts responsibility for the firearm's proper return. The Weapon Out form/card shall include documentation of the reason for the firearm loan (on back) and an estimated amount of time the firearm is needed. Firearms shall not be loaned in excess of ninety (90) days unless approved by the Support Services Facilities Captain or his/her designee.
- g. Loaned firearms must be returned to the Training Unit/Range Master or their designee who will inspect and ensure the firearm is in working condition before being placed back into the loaner firearms locker.
- h. The Training Unit/Range Master shall maintain loaner firearms records to assure compliance with this policy. The Training Unit/Range Master shall conduct quarterly inspections and inventories of all loaner firearms. The results will be forwarded to the Major of the Administrative Support Division for review.

#### **D. RIFLES FOR SWORN PERSONNEL**

- 1. Fort Lauderdale Police Officers who have completed the required 16-hour training and qualification course are authorized to purchase and carry Department approved AR-15 and Mini 14 rifles chambered in .223 caliber.
- 2. When carried on-duty and not in use, these weapons must be securely locked in the vehicle. Until a rifle rack is installed in the vehicle, the weapons must be kept locked in the trunk with the trunk release button locked or disconnected.
- 3. All weapons must be designed to fire a single shot with each trigger pull. No weapon may fire multiple shots with a single trigger pull.
- 4. Sworn personnel are authorized to carry personally owned rifles. It is required that these rifles are selected from the Department's list of authorized rifles only. Personally owned rifles shall not be performance modified from their manufacturer's original state unless approved by the Training Unit Sergeant or his/her designee. Approved accessories may be added to the exterior of the rifle which will be inspected by the Training Unit/Range Master prior to qualification.
- 5. Personally owned rifles which require repair will need to be repaired by an authorized armorer. It shall be the responsibility of the officer who qualified with and carries the rifle to have it repaired.
- 6. Department owned rifles shall be issued to qualified personnel only. Care and maintenance of the Department issued rifle will be the responsibility of the receiving officer.
  - a. The Training Unit/Range Master will inspect the rifles during annual qualifications or as needed. If a rifle is found to be in poor/neglected

condition, the inspector will retain the rifle and have it reissued once the rifle is restored to an acceptable condition.

- b. An officer, who fails to properly maintain an issued Department rifle, as identified by the Training Unit/Range Master, will lose his/her privilege to carry a Department issued rifle. The officer will be required to attend a basic rifle class for recertification prior to being authorized to carry another Department issued or personally owned rifle.
- c. Department owned rifles will not be modified in any way. Approved accessories may be added to the rifle but only by an approved Department armorer.

7. Rifle Qualifications:

- a. Prior to carrying an authorized Patrol rifle, officers must attend and successfully complete the Department Rifle Certification course. If an officer does not successfully complete the course, he/she will not be eligible to carry the rifle.
- b. Rifle certified officers who continue to carry a personally owned or Department issued rifle will be required to prove proficiency no less than once every calendar year on the Department's rifle qualification course.
- c. Officers must demonstrate proficiency in the safe manipulation of the rifle as part of the qualification course.
- d. Officers must qualify using any optical sight accessory along with the iron sights prior to carrying the rifle on duty.
- e. If an officer fails to meet the qualification standards, he/she will not be authorized to carry the rifle and must attend the 4-hour remedial rifle course. The officer will be given another opportunity to qualify after the remedial course. If the officer fails to qualify, then he/she will be required to return the Department issued rifle (if applicable) and will be removed from the eligibility list. If the officer further wishes to carry a rifle, he/she will be required to complete the basic rifle certification course. If an officer requires the 4-hour remedial rifle course to qualify for three (3) consecutive years, on the third year, the officer is required to attend the basic rifle certification course.
- f. All sworn officers who carry a personally owned rifle or have a Department issued rifle will attend the Advanced Patrol Rifle retraining course no less than once every thirty-six (36) months.

**E. SHOTGUNS FOR SWORN PERSONNEL**

- 1. Shotguns are authorized to be carried by sworn personnel who have successfully completed a shotgun familiarization course and pass the Department's shotgun

qualification course. Included in the qualification course is the requirement of the officer to demonstrate safe manipulation of the shotgun. If the officer does not successfully complete the courses, he/she will not be eligible to carry a shotgun.

2. The shotguns must utilize slings and be chambered for 12 gauge 00 buckshot and rifle slugs, and have an 18”–20” barrel. Shotguns shall not be performance modified from their manufacturer’s original state unless approved by the Training Unit Sergeant or his/her designee. Shotgun modifications and/or repairs will be identified and documented prior to Department Qualification by the Training Unit.
3. Shotgun Qualifications:
  - a. Shotgun certified officers who continue to carry a personally owned or Department issued shotgun will be required to qualify no less than once every calendar year on the Department’s shotgun qualification course.
  - b. Officers must qualify using any approved optical sight accessory along with the iron sights prior to carrying the shotgun on duty.
  - c. If an officer fails to meet the qualification standards, he/she will not be authorized to carry the shotgun and must attend the 4-hour remedial shotgun course. The officer will be given another opportunity to qualify after the remedial course. If the officer fails to qualify, then he/she will be required to return the Department issued shotgun (if applicable) and will be removed from the eligibility list. If the officer further wishes to carry a shotgun, he/she will be required to complete the basic shotgun certification course. If an officer requires the 4-hour remedial shotgun course to qualify for three (3) consecutive years, on the third year, the officer is required to attend the basic shotgun certification course.
  - d. All sworn officers who carry a personally owned or Department issued shotgun will attend the Advanced Shotgun retraining course no less than once every thirty-six (36) months.

## **F. AMMUNITION**

1. Uniformed or plainclothes officers on administrative assignment are not required to carry extra ammunition or reloading devices while in a Police Department building.
2. Officers are authorized to carry more ammunition than provided for in this policy, however, it must be of the same type as currently issued by the Department.
3. For extenuating circumstances beyond the normal operating hours of the Department’s Police Supply, extra ammunition has been placed in the small Police Supply room. This room is adjacent to Police Supply and is accessible to sworn supervisors.



## **G. WEAPONS INSPECTIONS**

1. Training Unit personnel, the Range Master or their designee shall inspect all weapons for safety prior to qualification. All newly purchased weapons shall be inspected for safety by the Training Unit/Range Master or their designee prior to the officer carrying the weapon on the road.
2. A sworn supervisor may, at any time, inspect any weapon carried for use by a subordinate.
3. In the event that a sworn supervisor/firearms instructor believes any weapon to be functionally questionable, the Training Unit will be notified. The Training Unit will inspect the weapon as soon as practical. In the interim, a loaner weapon of the same manufacturer and model (if available) will be issued to the officer, or the officer may carry another personally owned and approved weapon that he/she has qualified with during the past twelve (12) months.
4. If an officer's weapon is found functionally unserviceable, he/she can be issued a weapon of the same manufacturer and model (if available) from the loaner weapon locker in the Range, or use another personally owned, Department approved weapon that he/she has qualified with during the past calendar year.
5. If the Training Unit/Range master or Department armorer finds a weapon dysfunctional, the officer owning the weapon shall notify his/her supervisor prior to returning to duty. The dysfunctional weapon must be repaired and re-inspected as soon as possible, prior to the officer using the weapon for duty purposes. Once repaired, the weapon shall be inspected by the Training Unit/Range Master prior to use for duty.

## **H. NON-SWORN PERSONNEL**

No firearms shall be possessed or transported in a city owned vehicle by any employee, other than sworn law enforcement officers, at any time unless within the scope of their job related duties.