

Arming

801.1 PURPOSE:

This directive is for departmental use only and does not apply in any criminal or civil proceeding. This department procedure should not be construed as a creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive will form the basis for departmental administrative sanctions.

Purpose:

To provide guidelines regarding the authorization to carry firearms, the use of firearms and training/qualification requirements. This procedure applies to all officers authorized by the Chief Probation Officer to carry a firearm. It is the responsibility of all armed officers to remain thoroughly familiar with this procedure at all times and to always handle firearms in the safe manner required herein.

801.2 DEFINITIONS:

Department Issued Firearm: Any firearm issued to a Probation Officer/Director/Administrator by the department Range Master and authorized by the Chief Probation Officer.

Mounted Firearm Light: A battery-operated tactical flashlight that is mounted to the rail of the firearm.

Officer: For the purposes of this procedure, the term officer will describe a Probation Officer who has met the qualifications and has been granted the authority to carry a department issued firearm.

On Duty Work Hours: Department paid work hours to include regular duty, overtime, on call and stand by time.

Personal Firearm: Any firearm that is in the possession of an employee of the department, but has not been issued by the department.

801.3 GUIDELINES:

- A. All officers bear the responsibility for conducting regular basic inspections of their equipment (i.e., visual and physical inspections of holsters, magazine pouches, etc). Officers are to immediately report and replace any equipment which is unsafe, non functional, extremely worn, etc. All officers shall wear all safety equipment in the most professional, safe and secure way possible.
- B. All officers share the responsibility to report any observed negligence/recklessness by an officer when carrying and/or using a firearm to a supervisor or the Range Master/Assistant Range Master. Negligence/recklessness shall be documented by the supervisor or Range Master and reported to administration via their chain of command.

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- C. The Department reserves the right to reassign officers in armed positions who do not meet the requirements set forth in this procedure and therefore cannot be armed.
- D. Officers shall NOT carry a personal firearm while on duty.
- E. Officers are authorized to use another officer's firearm in immediate life threatening situations.
- F. During the course of their duties, officers are authorized to carry their firearms into courthouse facilities. Pursuant to the San Bernardino Superior Court, Court Facilities Weapons Screening Policy, on-duty peace officers entering a courthouse on official business who display a current, valid, official photographic identification from a governmental law enforcement agency are exempt from weapons search, except for good cause otherwise reasonably appearing to weapons screening staff.
- G. Any deviation from this procedure must be approved by the Chief Probation Officer.

801.4 RESPONSIBILITIES:

Titles/Responsibilities:

Range Master:

The Probation Department shall have one Range Master. The Range Master must successfully complete a P.O.S.T. certified firearms instructor course. Range Master responsibilities include, but are not limited to:

- A. Conducting firearms training and quarterly qualifications as dictated by law, state training standards and as outlined in this procedure
- B. Ensuring mandated training and quarterly qualifications are reported to POST, STC, and/or other agencies as required.
- C. Submitting a quarterly firearms qualification report to the Chief Probation Officer, which shall include all firearms related equipment which is not issued by the department but approved by the Range Master.
- D. Developing and implementing qualification courses of fire.
- E. Maintain an adequate supply of both duty and practice ammunition for all firearms issued by the department.
- F. Establishing and enforcing rules of conduct on the shooting range to ensure range safety by observing the handling of firearms by officers and taking immediate action to address all unsafe handling practices, up to and including the surrender of an officer's firearm.
- G. Maintaining firearms training/qualification records for all officers authorized to carry firearms.
- H. Maintain documentation of all firearms related equipment which is not issued by the department but approved by the Range master.
- I. Ensuring all department purchased firearms are registered in the Automated Firearms System (AFS) via the California Law Enforcement Telecommunications System (CLETS) within ten (10) days of acquisition, pursuant to Penal Code Section 26600(c).

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- J. Maintaining an inventory/database of all firearms, to include confirmation of registration in AFS.

Assistant Range Master:

The Assistant Range Master must successfully complete a P.O.S.T. certified firearms instructor course. Assistant Range Master responsibilities include, but are not limited to:

- A. Assisting the Range Master in completing all duties previously outlined for the Range Master.
- B. Assuming responsibility for all Range Master duties in the event of the Range Master's absence.

Range Staff:

Range Staff are officers who assist with firearms training and qualifications. Each must successfully complete a P.O.S.T. certified firearms instructor course. Range Staff responsibilities include, but are not limited to:

- A. Conducting/assisting in firearms training and firearms qualifications as required by these procedures.
- B. Enforcing rules of conduct on the shooting range, as established by the Range Master.
- C. Securing/taking possession of firearms at the direction of the Range Master and/or Administration.

Head Armorer:

The Probation Department shall have one Head Armorer. The Head Armorer is a department employee who is certified by the department's chosen gun manufacturer(s) to maintain departmental firearms. Head Armorer responsibilities include, but are not limited to:

- A. Coordinating and completing the annual inspection of all department issued firearms to ensure proper function and maintenance.
- B. Maintaining firearm inspection records.
- C. Ensuring Armorers maintain current certifications.
- D. Ordering and maintaining firearm parts.
- E. Providing overall firearms information to the Range Master (e.g., annual inspection reports, safety issues reported by the firearm manufacturer, etc).

Armorers:

Armorers are department employees who are certified by the department's chosen gun manufacturer(s) to maintain department firearms. Armorer responsibilities include, but are not limited to:

- A. Inspecting firearms for proper maintenance functionality.
- B. Identifying weapon malfunctions and completing repairs as necessary.
- C. Assisting in the completion of annual inspections for all department issued firearms.

Responsibilities:

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Authorization to Carry a Department Issued Firearm on Duty:

- A. The decision to authorize individual Probation Officers to be armed is at the discretion of the Chief Probation Officer.
- B. The Department reserves the right to direct an officer to complete a physical or psychological examination to determine ability to safely carry/use a firearm.
- C. Authorization to carry a department issued firearm on duty requires the officer comply with specific conditions, which include, but are not limited to:
 - 1. Completing a psychological evaluation and being found psychologically suitable;
 - 2. Adhering to Penal Code Section 830.5(a) and all Department policies/procedures regarding department issued firearms;
 - 3. Successful completion of all Department required firearms training.
 - 4. Immediately notifying their supervisor of any restriction, medication or illness that may impair their ability to safely carry/use a firearm upon reporting for duty or upon discovery while on duty.
 - (a) A Supervisor shall immediately report a potential impairment to their Director. The Director shall consult with the Deputy Chief Probation Officer of their Division to determine an appropriate course of action including, but not limited to, surrender of a firearm.
- D. Officers hired prior to [REDACTED] have the option whether or not to be armed. However, officers promoted to a higher rank under job specifications with arming requirements are required to complete arming training and be willing to carry a firearm regardless of hire date.

Authorized Equipment (Ammunition, Holsters, Mounted Firearm Light):

- A. Officers authorized to carry firearms on duty shall carry and use only the firearms related equipment issued/approved by the probation department. Alternate holsters and mounted firearm lights may be used only if approved by the Range Master. Officers must demonstrate proficiency with alternate equipment before utilizing them on duty.
- B. Departmental firearms shall be limited to those approved by the Chief Probation Officer and issued by the department.
- C. Approved ammunition shall be commercially manufactured and departmentally issued.
- D. Practice ammunition is not department approved duty ammunition and shall only be used on the shooting range for practice.
- E. Ammunition shall be stored in a secure, dry location separate from any other materials, equipment or supplies.
- F. Firearms, holsters, mounted firearms lights, magazines and ammunition issued by the department are not to be altered in any way, unless prior written approval is received from the Range Master. Following any modification, an officer must qualify/demonstrate proficiency before carrying the equipment on duty.

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Required Training:

- A. The following training must be satisfactorily completed prior to the issuance of a firearm:
 - 1. The Probation Department's twenty-four (24) hour Basic and sixteen (16) hour Advanced Firearms Training Courses.
 - 2. CPR and First Aid
 - 3. P.C. 832 - Arrest and Firearms
 - 4. Civil Liabilities
 - 5. Training in verbal alternatives to confrontation
 - 6. Defensive Tactics
 - 7. Expandable Baton
 - 8. Chemical Agents (O.C. Spray)
 - 9. Other training as required by the Department.
- B. In order to maintain authorization to carry a firearm, officers must satisfactorily meet minimum training requirements at a frequency determined by the department. Required training includes, but is not limited to:
 - 1. CPR and First Aid
 - 2. Use of Force
 - (a) OC Spray
 - (b) Expandable Baton
 - (c) Defensive Tactics
 - (d) Scenario Based Training
 - 3. Quarterly Firearm Qualification
 - 4. Communications training
- C. All officers with a break in service, extended absence or extended unarmed status, must consult directly with the Range Master and Training Supervisor to determine which mandatory training must be completed/made current before they will be issued a firearm.
- D. Directors and above shall maintain authorization to carry a firearm pursuant to the Use of Force Training for Administration and Sworn Managers procedure.

Firearm Qualifications:

- A. Officers authorized to carry a firearm on duty must meet qualification standards set by the Probation Department Range Master and approved by the Chief Probation Officer. A passing score is established by the Range Master and approved by the Chief Probation Officer.

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- B. Officers shall qualify with issued/authorized firearms and equipment (holsters, duty belts, etc).
- C. Officers who fail to qualify during a specific session by reason of inadequate skill shall be evaluated by the Range Master or designated Range Staff and an individualized remediation plan shall be developed.
- D. The supervisor of any officer who fails to qualify during a specific session and/or by the end of the quarter will be notified
- E. Officers who fail to qualify by the end of the quarter are no longer authorized to carry a firearm.
- F. Officers are responsible for abiding by all range safety rules and commands given by any range staff.

Firearm Safety:

- A. Officers are responsible for observing and practicing the following safety regulations:
 - 1. All firearms shall be considered "loaded" until the officer has personally made the weapon safe.
 - 2. Firearms shall be handled in a safe manner/master grip while being holstered or unholstered (i.e., for cleaning, loading/unloading, repairing, etc).
 - 3. The firearm shall only be un-holstered in the office for:
 - (a) Storage
 - (b) Changing holsters
 - (c) Rendering clear and safe at a department approved loading/unloading station
 - (d) An inspection by an Armorer or Range Master
 - (e) When responding to emergency situations
 - 4. A department approved loading/unloading station shall be used for chambering a round in the firearm or for rendering the firearm safe and clear
 - 5. Loading/Unloading of firearms within a vehicle is prohibited

Firearm Storage:

- A. Firearm security is the responsibility of the officer to whom the firearm is assigned.
 - 1. While on duty, when not carrying the weapon on the officer's person, the firearm is to be stored in a department issued/approved securable storage container:
 - (a) Lock box
 - (b) Gun locker
 - (c) Personal equipment locker that is secured with a department issued lock
 - 2. Firearms shall not be left in the office overnight except in a gun locker or personal equipment locker that is secured with a department issued lock.

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3. Firearms shall not be stored overnight in any vehicle.
4. When the firearm is taken to the officer's residence, it shall be stored in a secure and safe place inaccessible to other individuals, particularly children as outlined in Penal Code Sections 25100, 25115 and 25200.
5. When entering a restricted building (e.g., court, correctional facility or a juvenile institution) the officer shall secure the weapon as prescribed by the facility.
The firearm may be stored temporarily, in a locked vehicle trunk or glove compartment of a vehicle provided the doors and windows are secured. The officer shall exercise caution so that he/she is not observed by the public when placing the firearm in the trunk or glove compartment.

Firearm Care and Maintenance:

- A. Cleaning and Inspection
 1. Officers are responsible for all cleaning necessary to maintain the assigned firearm in good working order.
 2. Firearms are to be thoroughly cleaned as soon as safely possible after being fired on the range.
 3. Firearms shall not be disassembled, modified and/or cleaned in an office. Range Masters, Range Staff and Armorer's are exempt when repairing/servicing or conducting firearms inspections.
- B. Maintenance
 1. All repairs and servicing of department firearms shall be performed by or under the direction of an Armorer.
 2. If there is a question about the proper functioning of the firearm, the officer shall submit the firearm to an Armorer for inspection.
- C. Annual Inspections
 1. All officers issued firearms shall submit them annually for inspection at the direction of the Range Master/Head Armorer.

Stolen or Lost Firearms:

- A. Officers shall immediately, upon discovery of a stolen or lost firearm:
 1. Notify their immediate supervisor/on call supervisor.
 2. File a report with the appropriate law enforcement agency.
 3. Complete an Incident Report by the end of shift, or the next business day if not on duty, unless otherwise directed by a Supervisor.
 4. Provide their supervisor with a copy of the law enforcement report upon its completion.
- B. Supervisors shall, immediately upon notification of a stolen or lost firearm, notify their immediate supervisor and the Range Master.

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- C. The Range Master shall consult with Administration to determine if the replacement of the firearm is appropriate.

Carrying the Firearm:

- A. Officers may only carry department issued firearm(s) on duty (including breaks and lunches) when authorized, pursuant to and in accordance with existing laws and departmental procedures.
- B. While carrying the firearm officers shall:
 - 1. Ensure the firearm is in a department approved holster, fully loaded with a round chambered and the magazine topped off with duty ammunition only.
 - 2. When in full uniform, have both their cloth badge and name clearly displayed.
 - 3. Be in possession of their department issued identification.
 - 4. Wear required corrective lenses.
 - 5. At a minimum, have OC spray and handcuffs accessible.
 - 6. When not clearly identified with a cloth badge and name (i.e., duty shirt, tactical vest, etc), have the metal badge visible when the firearm is visible.
 - 7. When not wearing a duty belt, ensure the firearm is carried on a belt which fully supports the weight of the firearm.
- C. Officers conducting fieldwork shall carry issued safety equipment in conjunction with their firearm. Basic safety equipment includes, but is not limited to, department issued/ approved:
 - 1. Duty belt
 - 2. Body Armor
 - 3. OC Spray
 - 4. Handcuffs/Key
 - 5. Expandable Baton
 - 6. Firearm
 - 7. Magazines
- D. Officers traveling to or from assigned department duties who encounter circumstances that present an immediate threat of death or serious bodily harm to either themselves or another, are authorized at their own discretion, to place themselves "on duty" solely for the purpose of protecting themselves or others from an immediate threat of death or serious bodily harm.
- E. Officers are prohibited from carrying department issued firearms under the following circumstances:
 - 1. While under the influence of alcohol and/or medication, if the medication adversely affects the employee's motor skills, reflexes or judgment.

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2. While suffering an injury or in a physical condition causing inability to use a firearm properly, e.g., broken hand, eye injury causing blindness, etc.
3. When ordered by the Chief Probation Officer or other superior officer not to carry a firearm.
4. When boarding an aircraft without specific written approval of the Chief Probation Officer.
5. While off duty, with the exception of travel to and from assigned department duties, work sites, or authorized functions.

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

Revocation of Authority to Carry/Surrender of a Firearm:

- A. The Chief Probation Officer may revoke the authorization to carry a firearm at any time at his/her sole and absolute discretion.
- B. Officers may be instructed to surrender or not carry their firearm. The authority to do so is shared by Administration, Directors, Supervisors, the Range Master, Assistant Range Master, and range staff. When an order to surrender is made, the person who ordered the surrender shall immediately notify the Chief Probation Officer via the chain of command and prepare a memorandum indicating the circumstances in support of the surrender. Notification shall also be made to the officer's immediate supervisor.
- C. An officer's authorization to carry a firearm may be revoked, they may be instructed to surrender or may be instructed not to carry their firearm for the following reasons, which include, but are not limited to:
 1. Failure to qualify in the required time frame.
 2. Failure to submit their firearm(s) for annual inspection.
 3. Demonstrated inability or lack of physical and/or mental capacity to safely handle the firearm.
 4. When the officer has carried, exhibited or used the firearm in an unsafe, careless or other inappropriate manner.
 5. When the officer has violated firearms related procedures.
 6. Failure to attend and/or failure to demonstrate proficiency in required training (e.g., Use of Force, PC832, etc).

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7. Whenever an officer has been administratively reassigned to an unarmed position.
 8. A certified medical condition or restriction which affects the officer's ability to safely carry and use a firearm.
 9. Failure to report to his/her supervisor the use of any medication or physical/psychological impairment that could affect the officer's ability to safely carry and use a firearm.
 10. When the officer is under investigation for, or has been arrested for, an offense punishable as a felony or misdemeanor.
 11. For such other good cause as defined by administration.
- D. Upon revocation of authorization by the Chief Probation Officer the officer shall immediately cease carrying the firearm and shall surrender the firearm to a supervisor or above, Range Master, Assistant Range Master, Range Staff, or Armorer.
- E. Written requests for reinstatement of the authorization may be made to the Chief Probation Officer via the chain of command.