

To	From
	BOARD OF HARBOR COMMISSIONERS
	EXECUTIVE DIRECTOR
	DED & CHIEF OF STAFF
	DED & CHIEF FINANCIAL OFFICER
	CHIEF OF PUBLIC SAFETY & EMERG MGT
	DED - MKTG & CUSTOMER RELATIONS
	DED - DEVELOPMENT
	SR DIRECTOR, COMMUNICATIONS
	SR DIRECTOR, GOVERNMENT AFFAIRS
	ACCOUNTING
	CARGO/INDUSTRIAL REAL ESTATE
	CARGO MARKETING
	CITY ATTORNEY
	COMMISSION OFFICE
	COMMUNITY RELATIONS
	CONSTRUCTION
	CONSTRUCTION & MAINTENANCE
	CONTRACTS & PURCHASING
	DEBT & TREASURY MANAGEMENT
	EMERGENCY MANAGEMENT

CITY OF LOS ANGELES  
HARBOR DEPARTMENT

OFFICE MEMORANDUM

March 22, 2018

To	From
	ENGINEERING
	ENVIRONMENTAL MANAGEMENT
	FINANCIAL MANAGEMENT
	GOODS MOVEMENT
	GRAPHICS
	HUMAN RESOURCES
	INFORMATION TECHNOLOGY
	LEGISLATIVE AFFAIRS
	MANAGEMENT AUDIT
	MEDIA RELATIONS
	PLANNING & STRATEGY
	PORT PILOTS
XX	PORT POLICE X
	RISK MANAGEMENT
	TRADE DEVELOPMENT
	WATERFRONT/COMM REAL ESTATE
	WHARFINGERS

### SPECIAL ORDER 18-03

**TO: All Port Police Personnel**

**SUBJECT: Modification to Policy 312 Firearms and Cancellation of Policy 432 Patrol Rifles**

Effective immediately, revised Policy 312 shall be implemented and Policy 432 is cancelled. Policy 312 has been revised in order to permit magazine bump guards, to provide policy regarding carrying firearms while off-duty and storage of firearms in vehicles, and to include all policy related to patrol rifles.

All staff are directed to read and be familiar with the attached policy which will be incorporated into the Policy Manual at its next publication.



THOMAS E. GAZSI  
Chief of Police

TEG:GPC:ng

## Firearms

### 312.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

### 312.2 POLICY

The Los Angeles Port Police will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

### 312.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Rangemaster. Except in an emergency or as directed by a supervisor holding the rank of sergeant or above, no firearm shall be carried by a member who has not qualified with that firearm at an authorized Department range.

All other weapons not provided by the Department, including, but not limited to edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by Department policy, may not be carried by members in the performance of their official duties without the express written authorization of the Chief of Police. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law or a fixed blade knife carried concealed and in such a manner as to prevent loss of physical control (Penal Code section 17515).

All weapons shall at all times be in unmodified, factory condition as to internal and functional components and shall be equipped with a manual safety, decocker, drop safety or internal safety. All firearms shall be set to factory specifications as to spring pressures, trigger resistance etc. Extended slide release mechanisms may be approved by the Rangemaster on a case by case basis. External components such as grips, sights or lasers may be approved by the Commanding Officer over the Range upon recommendation by the Rangemaster.

Supervisors and Range staff are authorized to disallow the use of any weapon for the above reasons, for any concern regarding the safety of the weapon or the operation of the weapon due to either the weapon or the proficiency of the officer.

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Port Police weapons and authorized equipment are for the official and on duty use by Port Police personnel. Only those with an assignment requiring training in the use of specified weapons for official use are authorized to handle, use or train with those weapons. No Port Police weapons may be used, possessed or handled by non-Port Police personnel without approval from the Rangemaster AND a member of the rank of Captain or above and then only under the direct and immediate supervision of the Rangemaster or designated range staff.

No recreational use of Port Police weapons is permitted unless participating in Department sanctioned competition or practicing at an appropriate firearms training facility.

Port Police firearms are not to be removed from any storage location, armory, checked out, transported or moved without a written record or log that is submitted to a supervisor of higher rank detailing the purpose of use, who has possession and responsibility for the weapons, their locations and serial numbers. Individually issued duty pistols which are logged out by the Rangemaster are in compliance with the requirements of this section.

Unless being used in a police operation, no Port Police weapons, other than the personally issued duty pistol, may be taken to or stored in any facility that is not an official Port Police facility. This includes personally owned vehicles and residences. Commanding Officers may make exceptions to the storage and transportation prohibitions on a case by case basis for operational needs such as detective roll out teams. A written record of any deviations must be kept.

#### 312.3.1 HANDGUNS

The authorized department-issued handgun is the Glock Model 22, .40 S&W or Model 21 .45ACP.

The following additional full size, semi-automatic, handguns are approved for optional on-duty use after inspection and approval by the Rangemaster or authorized assistant.

The Rangemaster shall only authorize an optional weapon if the user can demonstrate a high degree of proficiency with and knowledge of the weapon:

MAKE	MODEL	CALIBER
Beretta	92, 96 & M9 Series and variants	9mm, .40 S&W
Glock	Non-compensated variants	9mm, .40 S&W, .45 Auto
Heckler and Koch	USP Series and variants	9mm, .40 S&W, .45 Auto
Sig Sauer	P220, P226, P229 and variants	9mm, .40 S&W, .45 Auto
Sig Sauer	Sig Pro 2340, 2022	.40 S&W
Smith & Wesson	3rd Generation variants	9mm, .40 S&W, .45 Auto
Smith & Wesson	M&P Series variants	9mm, .40 S&W, .45 Auto
Springfield	XD, XD(M) Series variants	9mm, .40 S&W, .45 Auto

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The following Firearms are approved for carry as secondary (backup) weapons.

The following are also approved for administrative carry, but only if they are semi-automatic, a caliber of 9mm, .40 S&W or .45 Automatic, AND if appropriate to the administrative assignment and approved by the Rangemaster.

MAKE	MODEL	CALIBER
Colt	2 inch "D" Frame Revolver series	.38 special
Colt	Mustang series	.380 auto
Glock	Compact and sub-compact. non-compensated	.380 auto, 9mm, .40 S&W, .45 auto
Ruger	LCP series	.380 auto
Ruger	LCR series	.38 special
Sig Sauer	P230, P232, P238, P239 and P245 series	.380 auto, 9mm, .40 S&W, .45 auto
Springfield	Compact and Sub-compact XD or XD(M) series	9mm, .40 S&W, .45 auto
Smith & Wesson	Compact and sub-compact 3rd Gen series	9mm, .40 S&W, .45 auto
Smith & Wesson	Compact and sub-compact M&M series	9mm, .40 S&W, .45 auto
Smith & Wesson	J Frame Revolver series	.38 special
Smith & Wesson	Bodyguard series	.380 auto
Walther	PPK series	.380 auto

#### 312.3.2 PRECISION PISTOL PROGRAM

The following pistols are approved pursuant to the requirements of the Precision Pistol Program and any additional requirements that may be imposed by the Rangemaster.

MAKE	MODEL	CALIBER
Sig Sauer	1911 variant	.45 Auto
Kimber	1911 variant	.45 Auto
Colt	1911 variant	.45 Auto
Springfield Armory	1911 variant	.45 Auto

No weapon shall be approved for use until after individual inspection and approval by the Rangemaster or designated range staff. The Rangemaster shall only approve optional weapons if the user can demonstrate a high degree of proficiency with and knowledge of the firearm for which approval is sought. All requirements to maintain the pistol in unmodified factory condition remain as set forth above.

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No officers shall be approved to carry the 1911 variant pistols until they have successfully completed a transition course to the satisfaction of the Rangemaster. No officer shall be approved to carry a precision pistol on or off duty unless they are able to perform to the level of Expert Shooter or Distinguished Expert on the approved course of fire as published by the Rangemaster. A qualifying score of marksman or greater on the bonus course as approved by the Rangemaster will be required to maintain approval to carry a 1911 variant. This must be demonstrated as ordered by the Rangemaster and in no case more than one year from the last qualifying score under the Precision Pistol Program.

The following additional specifications shall be confirmed by the Rangemaster prior to authorizing any of the below listed precision pistols:

- (a) BARREL: Conventional or Bull Barrel taper only. Shall not be ported/vented or conspicuously protrude from the front of the slide.
- (b) BARREL RIFLING: Conventional, non-polygonal rifling.
- (c) BARREL/SLIDE LENGTH: Duty pistol, 4 to 5 inches in length. Administrative, Plain Clothes, Off-Duty or Back-up pistol, 3-5 inches.
- (d) CALIBER: .45 Caliber ACP
- (e) CHECKERING: Factory applied, 20-30 lines per inch, checkering is approved on both the front strap and mainspring housing.
- (f) FINISH: Blue, Black, Satin/Brushed Stainless Steel. High luster finish is not authorized. Other finishes may be authorized by Rangemaster.
- (g) FRAME: Constructed of steel or aluminum. Conventional or utility rail on dust cover is authorized. Aftermarket utility rails are unauthorized.
- (h) GRIPS: Natural tone, Black, brown, or gray in color, with no additional ornamentation other than factory installed medallion or logo. Slip-on style grip sleeves are not authorized. All grips subject to Rangemaster approval.
- (i) GRIP SAFETY: Functional beaver tail style, with or without memory pad.
- (j) GUIDE ROD: Conventional or full length, one or two piece, non-polymer construction.
- (k) MAGAZINE: Magazine body must not protrude below the bottom pistol frame. A magazine bump guard may be affixed to the end of a magazine to prevent damage.
- (l) MAGAZINE FUNNEL: One or two piece steel or aluminum construction.
- (m) MAGAZINE RELEASE: Conventional size only, extended/oversized not authorized.
- (n) SIGHTS: Combat style fixed or adjustable sights with or without Tritium inserts. Dedicated target sights and/or sight ribs are unauthorized. Other sights may be authorized by Rangemaster.
- (o) SLIDE SERRATIONS: Front and rear serrations are authorized.
- (p) THUMB SAFETY: Standard or extended length, either single sided or ambidextrous.
- (q) TRIGGER: Constructed of steel or aluminum. Trigger press shall not be less than 3 ½ pounds.

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(r) SAFETIES:

1. Thumb safety, external, locks the slide and blocks the sear to the hammer.
2. Grip safety, external, must be depressed to allow trigger to be pulled.
3. Inertial firing pin, internal, firing pin is unable to impact primer if the gun is dropped on the hammer.
4. Slide safety, external, if slide is pushed back at muzzle, hammer will not fall, thus the gun will not fire.

### 312.3.3 SHOTGUNS

The authorized department-issued shotgun is the Remington Model 870, 12 Gauge.

When not deployed, the shotgun shall be properly secured in a locking weapons rack in the patrol vehicle with the magazine loaded, the action closed on an empty chamber, and the safety in the safe position.

### 312.3.4 PERSONALLY OWNED DUTY FIREARMS

- (a) Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Rangemaster. Once approved, personally owned duty firearms are subject to the following restrictions:
1. The firearm shall be in good working order and on the department list of approved firearms.
  2. The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
  3. Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
  4. Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

### 312.3.5 AUTHORIZED SECONDARY HANDGUN

- (a) Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:
1. The handgun shall be in good working order and on the department list of approved firearms.
  2. Only one secondary handgun may be carried at a time.
  3. The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
  4. The handgun shall be carried holstered and concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.

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5. The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
6. Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
7. Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
8. Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

### 312.3.6 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

Approved ammunition is Winchester Ranger T-Series, Federal Premium Hydra-Shock or Hornady Critical Defense in the following calibers: 9mm, .45ACP, .38 special +p, .38 special, .38+p and .380 auto.

Approved primary ammunition for shotguns is: 2-3/4 inch Winchester Ranger 00 Buckshot 12 gauge (Model No. RA12005); 2-3/4 inch Federal Tactical 00 Buckshot (Part No. LE13200) low recoil 9 pellet round.

Approved rifled slug rounds for shotguns are authorized for use in certain tactical situations but are not to be carried in the gun. Slug rounds shall be loaded for use when tactical situations merit their use. The approved slug rounds are: 2-3/4 inch Winchester Ranger 12 gauge rifled slug (Model No. RA12RS15); 2-3/4 inch Federal 12 gauge rifled slug (Model No. LE127RS).

### 312.3.7 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) The member may use his/her duty firearm or may use a personally owned firearm that is carried and inspected in accordance with the Personally Owned Duty Firearms

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requirements in this policy. A member carrying his/her duty firearm will be deemed to have complied with (d), (e) and (f) of this section.

- (b) The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (c) The firearm shall be carried concealed at all times and in such a manner as to prevent accidental unintentional cocking, discharge or loss of physical control.
- (d) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.
- (e) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (f) The member will successfully qualify with the firearm prior to it being carried.
- (g) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.
- (h) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (i) Members shall only carry department-authorized ammunition.
- (j) When armed, officers shall carry their badges and Los Angeles Port Police identification cards under circumstances requiring possession of such identification.

#### 312.3.8 PATROL RIFLES

The authorized Department-issued patrol rifle is the semi-automatic Colt M4 Carbine Variant.

Patrol rifles shall be issued, inventoried and tracked as individually issued, equipment in the ArmorerLink system.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.



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When not deployed, the patrol rifle shall be properly secured consistent with Department training in a locking weapons rack in the patrol vehicle.

### 312.3.9 FIREARMS CAPABLE OF BURST OR AUTOMATIC FIRE

The Department authorized select-fire, burst or automatic fire capable, rifle is the Colt M16-A2 Variant.

The Department authorized select fire, burst or automatic fire capable, sub-machine pistols are the Heckler and Koch UMP 40 and the Heckler and Koch MP5-K.

Firearms capable of burst or automatic fire shall be secured in the locked OIS locker inside the secure PPHQ kit room.

Firearms capable of burst or automatic fire shall be issued, inventoried, and tracked using the ArmorerLink system each time they are removed from the kit room or deployed.

Supervisors of the rank of Sergeant and above may issue firearms capable of burst or automatic fire for deployment if the following conditions are met:

- (a) Exigent circumstances exist that could reasonably be expected to require the use of firearms with the expanded capabilities of burst or automatic fire.
- (b) The deployment is specifically approved on a case by case basis by a sworn member of command staff holding the rank of Captain or above.
- (c) The Command Duty Officer is notified of their deployment as soon as practicable.
- (d) Any officer issued a firearm capable of burst or automatic fire must be currently certified by the Rangemaster as holding current training and qualification for the use of that firearm. This training shall include POST rifle training and any additional use, updates, and perishable skills training required by the Rangemaster.

## 312.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

### 312.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for Department use may be repaired or modified only by a person who is Department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

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#### 312.4.2 HOLSTERS

Only Department-approved holsters shall be used and worn by members.

Duty holsters for officers in uniformed assignments with a Sam or Sally Brown are limited to the following:

- (a) The Safariland SLS that is issued for the Department issued weapon or the same, in appropriate model number for other approved weapons; with or without the capability to accept a light.
- (b) Other holsters may be approved by the Commanding Officer over the Range upon recommendation of the Rangemaster if the following conditions are met:
  - 1. The holster must be a Level 2 Retention or above as defined herein. The holster must completely cover the barrel and the trigger guard. Level 2 retention is defined to require the manipulation of the holster with two distinct muscle movements before the weapon may be pulled from the holster. Tension screws or devices that merely create resistance to removal of the pistol from the holster are not considered a valid level of retention.
  - 2. No holster shall be recommended by the Rangemaster or approved unless it has been demonstrated that the officer who proposes to use it has demonstrated a high level of proficiency in its use and qualified with it to the satisfaction of the Rangemaster.

#### 312.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

#### 312.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

#### 312.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry

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fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.

- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

#### 312.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Firearms may be safely stored in lockers or another approved location at the end of the shift. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building, using a clearing barrel, and then stored in the appropriate equipment storage room.

#### 312.5.2 STORAGE AT HOME

Members shall ensure that all firearms are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

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### 312.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, or has taken any drugs or medication, has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

### 312.5.4 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container which is placed out of view, or in a locked container that is permanently affixed to the vehicle's interior and not in plain view (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

Officers are exempt from this requirement during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

California law (Penal Code 21540) and this policy will additionally allow handgun storage as follows: A peace officer, when leaving a handgun in an unattended vehicle not equipped with a trunk, may, if unable to otherwise comply with subdivision (a), lock the handgun out of plain view within the center utility console of that motor vehicle with a padlock, keylock, combination lock, or other similar locking device.

## 312.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete qualification training quarterly, or more frequently as ordered, with any firearm carried as a primary duty weapon.

Members will qualify with off-duty and secondary firearms at least once a year or more frequently as ordered. Training and qualifications must be on an approved range course.

At least annually, or more frequently as ordered, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

### 312.6.1 RIFLE TRAINING

Officers shall not carry or utilize the patrol rifle unless they have successfully completed the required training. This training shall consist of an initial POST certified patrol rifle user's course and qualification with a certified patrol rifle instructor. Officers shall thereafter be required to successfully complete biannual training and qualification conducted by a certified patrol rifle instructor. In addition to this training and qualification, officers will go through manipulation-only training biannually.

### 312.6.2 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor, and submit a copy to the Rangemaster, prior to the end of the required training or qualification period.

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Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
  - 1. Unauthorized range make-up.
  - 2. Failure to meet minimum standards or qualify after remedial training.

Members who fail to attend, or to satisfactorily complete required training, or to meet minimum standards may be removed from field assignment and may be subject to disciplinary action.

Any officer who fails to successfully complete the required training and qualifications for patrol rifles as specified will no longer be authorized to carry the patrol rifle without successfully retaking the 16 hour Department Rifle Course.

### 312.7 FIREARM DISCHARGE

- (a) Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

#### 312.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, Department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, Conducted Energy Device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting

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a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

#### **312.7.2 INJURED ANIMALS**

With the approval of a supervisor, and where other dispositions are impracticable, a member may euthanize an animal that is so badly injured that the most humane course of action is to euthanize that animal. Penal Code § 597.1(e)).

Injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made (Penal Code § 597.1(b)). Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed.

#### **312.7.3 WARNING AND OTHER SHOTS**

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

#### **312.8 RANGEMASTER DUTIES**

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Commanding Officer over the Range listing officers who are not current with required training or standards. Failure of any member to sign in and out with the Rangemaster may result in non-qualification.

The range shall remain operational and accessible to Department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm and it will not be returned to service until inspected by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Commanding Officer over the Range documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Commanding Officer over the Range.

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### **312.9 USE OF RANGE FACILITIES**

Port Police weapons facilities are for the official, on-duty use of Port Police personnel who are authorized to carry firearms in the performance of their duty. Port Police facilities include all facilities used for weapons training including those owned, rented, leased or otherwise used in whole or in part for Port Police training.

Only those with an assignment requiring training in the use of weapons for official use are authorized to use Port Police equipment or facilities unless approved by the Rangemaster AND a member holding the rank of Captain or above and then only under the direct supervision of the Rangemaster.

Visitors entering Port Police firearms facilities shall be recorded in a log and be required to sign a liability waiver and indemnification agreement.

Police capabilities, training and tactics are security sensitive information that should not be viewed or accessed by non-Port Police persons. This includes but is not limited to ride alongs, family members, media, other City employees or members of the public.

The use of personal firearms is not permitted in Port Police facilities except those firearms approved for duty, secondary or administrative use.

This section does not prohibit qualified Port Police retirees from qualifying with approved firearms as required under Rangemaster supervision.

### **312.10 FLYING WHILE ARMED**

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Los Angeles Port Police identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
- (c) The Los Angeles Port Police must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Los Angeles Port Police an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel must also accompany the officer. The letter should outline the officer's need to fly armed, detail

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his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.

- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the Department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

#### **312.11 CARRYING FIREARMS OUT OF STATE**

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Los Angeles Port Police identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.