

*“Keep Orlando a safe city by reducing crime and maintaining livable neighborhoods.”*

**ORLANDO POLICE DEPARTMENT POLICY AND PROCEDURE**

**1702.12, FIREARMS AND POLICE IDENTIFICATION**

EFFECTIVE DATE:	10/30/2024
RESCINDS:	P&P 1702.11
DISTRIBUTION GROUP:	SWORN EMPLOYEES
REVIEW RESPONSIBILITY:	PROFESSIONAL STANDARDS SECTION COMMANDER
ACCREDITATION STANDARDS:	4, 10
RELATED LAWS:	N/A
RELATED POLICIES:	N/A
CHIEF OF POLICE:	ERIC D. SMITH

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**1. PURPOSE**

Members are encouraged to limit their choices of personally owned handguns for police use to firearms of the same type and caliber as Department-issued because of their well-proven serviceability, ammunition standards, and interchangeability. Members may, under certain conditions, receive approval to carry personally owned handguns.

**2. POLICY**

Only firearms and ammunition meeting Agency approval are to be used in the performance of an employee’s duty (both on and extra-duty). (4.06) For the purposes of this Policy, all requirements for on-duty members shall also apply to members working in an extra-duty capacity. The Department allows, but does not require, off-duty members to carry a firearm so they may be prepared to act as police officers when authorized by law and when circumstances are

appropriate. However, members are forbidden to use police authority or carry firearms when they are impaired, by any reason that would impact upon their duty performance.

### 3. DEFINITIONS

N/A

### 4. PROCEDURES

#### 4.1 PROFICIENCY QUALIFICATION

Prior to being granted approval by the Chief of Police to carry a firearm, each member must demonstrate his or her proficiency with a firearm by qualifying at the Department range on a course appropriately designed for the particular type of weapon used. Additionally, no member shall carry a firearm or be placed into a position in which deadly force might be required without first receiving training in and copies of the Department's policies on the use of deadly force and the capture of fleeing felons.

##### 4.1.1 QUALIFICATION SCORE

Qualification must be made with each firearm to be carried. Qualification must be made within a reasonable number of attempts, as determined by the Range Master, on the scheduled requalification date.

##### 4.1.2 REQUALIFICATION

In addition to the initial qualification, each member carrying a firearm must demonstrate his or her proficiency by qualifying with his or her firearm periodically at the direction of the Chief of Police. At minimum, requalification shall be required annually.

Qualification must be made with each firearm to be carried or for which approval to carry is sought.

If a firearm is used that requires ammunition other than Department issued, the individual must furnish his or her own ammunition and in the case of pistols, a sufficient number of spare magazines to complete the entire course without timing modification or reloading devices.

Members must qualify with approved personally owned handguns for on-duty use at each scheduled handgun qualification.

Members are required to qualify at each scheduled qualification. Any member who fails to complete their qualification during the annual firearms block training cycle or annual recertification and has not been excused by competent authority shall be subject to discipline and may be placed on limited duty status without privileges (i.e., not permitted to work, either on duty or extra-duty, in assignments that require the member to carry a firearm) until the member qualifies with a passing score. The Range staff shall schedule the qualification and any related training as soon as possible.

After the scheduled Department qualification, each person who does not attain a passing score must contact the Firearms Training Unit to schedule remedial training. The remedial training will be conducted within seven days of the failed qualification. It will consist of instruction in basic firearms skills, safety issues, and any other factors that may affect the shooter's performance, such as the wearing of bifocal lenses. The Range Master will ensure that the member's division commander is notified immediately of the member's failure to qualify during the scheduled Department qualification. The division commander will notify the member's chain of command and ensure that the member is placed on limited duty status without privileges until the member has completed the remedial training and successfully qualified.

The qualification courses to be used will be developed by the Range Master, and approved by the Professional Standards Division Commander.

## **4.2 ON-DUTY FIREARMS**

While on-duty, the member will only carry a handgun that meets the criteria listed in [Section 4.3](#) or has been authorized by proper authority. This will include authorized ammunition.

Each member who is authorized by the Chief of Police to carry a firearm and is working in uniform will carry his or her department-issued Sig Sauer pistol in the department-issued holster.

Each member who is on-duty and working in civilian clothes will have, in his or her immediate possession, his or her issued or approved handgun, at least one spare magazine, handcuffs, badge, and identification folder, which are to be carried concealed and never displayed for other than official action.

Only those members who have been trained by the Department and have qualified in the use of the Department rifle will be issued and required to carry the Department rifle. All members issued a department rifle are required to be qualified yearly. All members issued a Department rifle shall carry their rifle as outlined in P&P 1802, Use of City Vehicles, when on duty or working in an off-duty capacity as an Orlando Police Officer.

### **4.2.1 FIREARMS OTHER THAN DEPARTMENT-ISSUED CALIBERS**

In the best interest of Department standards and control, a personally owned firearm carried on duty will be of the same caliber as Department-issued firearms with the following three exceptions.

#### **4.2.1.1 CONCEALMENT OF THE FIREARM WHILE UNDERCOVER**

In the event that a member is given an undercover assignment in which concealment of his or her firearm is critical, and the issued firearm would be impractical because of its overall size, the immediate supervisor of that member may authorize him or her to carry a firearm smaller in caliber and overall size. The member must have a current qualification with this firearm. In this case, the supervisor who authorizes such a weapon is responsible for reasonably ensuring that the firearm is in a safe, workable condition and that the serial number of the weapon is recorded and on file with the Civil Service Office.

#### **4.2.1.2 PLAINCLOTHES PERSONNEL**

On-duty plainclothes personnel may choose to carry a personally owned handgun instead of the department-issued pistol. Such firearms must comply with the following:

- a. Approved by and registered with the Department.
- b. Pistol, none other than a .357 Sig, 9 mm, .40, or a .45 as the primary weapon.
- c. Fired regularly on the range for periodic qualification.
- d. At least one complete reload must be carried by officers using personally owned handguns; these being carried in a spare magazine.
- e. Tracer, armor-piercing, shot-shell cartridge, hand-loaded, or similar ammunition is forbidden.

#### **4.2.1.3 HIDEOUT FIREARMS**

Division commanders may authorize subordinates to carry a second hideout firearm for the officer's protection in case he or she is disarmed. In the event that a member is armed with a hideout firearm, the following will apply:

- a. Must be concealed at all times.
- b. It will not be used in any event when the primary handgun could have been used instead.
- c. Record the make, model, and serial number in the Civil Service Office.
- d. Must be in a safe, workable condition and must be qualified within the range.

- e. Ensure the weapon is secured sufficiently in a safe holster to prevent loss during strenuous activity.

#### **4.2.2 PISTOLS**

Those members seeking approval to carry a personally owned pistol for on-duty use will be required to qualify with the weapon on a course designated by the Range Master.

Only pistols will be approved for use and must have the following:

- a. A first trigger pull of five and a half pounds or more and the following trigger pulls must be greater than four pounds.
- b. An internal firing pin block or hammer block safety system. These devices must block either the firing pin or the hammer until the final one-third trigger pull.
- c. A decocking lever or the capability of safely decocking the weapon other than by releasing the firing mechanism (sear, hammer, or firing pin striker) by pulling the trigger.

(Exception: Small caliber hideout/backup firearms must be carried without a round in the chamber.)

#### **4.3 APPROVED FIREARMS**

Before a member will be authorized by the Department to carry a firearm under the authority of Florida Statutes and be covered by City insurance, the firearm must be checked for mechanical safety by a range officer and be registered with the Department. The Department hereby limits the number of personally owned handguns to no more than two for which Department approval may be sought. Types and calibers for which this approval may be obtained are restricted to those described in [Section 4.2](#) of this directive. Any other non-approved personal firearm may be used or possessed by the member in the same manner and under the same legal restrictions as established by general law for civilian citizens.

Those members who choose to carry a personally owned handgun for on-duty use will present the firearm for inspection to the Range Master or armorer designee. If the firearm is mechanically sound and safely functional, a department range officer will schedule the member for an appropriate qualification course on the range.

A department range officer is an employee or member either permanently or temporarily assigned whose responsibility is to recommend the policy, procedures, and technology, and to execute approved procedures concerning firearms. The Department Range Master will review, inspect, and approve all weapons prior to carrying. (4.06a) If a department weapon is deemed unsafe by the Range Master, he or she will ensure that the weapon is repaired or properly disposed/destroyed. If a personally owned handgun is deemed unsafe, the Range Master will return the weapon to the member for repair or destruction.

When satisfied that the member is aware of the particular handgun's safety features and has demonstrated safe handling and qualified shooting, the qualifying range officer will initiate a Personal Firearms Approval Request and Registration Form, fully describing the handgun and ammunition and signifying approval. The form will be filed in the employee's personnel file in Civil Service.

A personally owned, approved firearm does not confer upon the member any extra-jurisdictional right or duty to engage in law enforcement action beyond that conferred by statute or mutual aid agreement.

The member will present the handgun and request form to his or her section and division commanders for approval of the secondary or hideout firearm if it is to be used on-duty.

#### **4.3.1 APPROVED AMMUNITION**

Members carrying approved, personally owned on-duty handguns, regardless of caliber, shall be required to carry department-issued ammunition. Ammunition will be obtained from a range officer when the member is qualified with his or her personally owned firearm or at such time as replacement ammunition is required.

The Department Range Master shall maintain an approved list of ammunition and handguns. The Range Master shall stay abreast of ammunition technology and seek management approval for an updated list as he or she deems appropriate.

Only department-issued ammunition is approved for use with shoulder weapons.

#### **4.3.2 APPROVED HOLSTERS**

Members carrying approved personally owned on-duty handguns shall be required to utilize Department-approved holsters. Approved holsters must meet the following standards:

- a. Have a covered trigger guard.
- b. Be designed specifically for that handgun.
- c. Have a retention device built into the holster that retains the firearm while snapped or unsnapped during vigorous activity.
- d. Will not collapse when the firearm is drawn.
- e. Can be safely and quickly reholstered with one hand.

Holsters meeting the above criteria must be presented to the Range Master for inspection and approval. Supervisors of personnel who are authorized to wear an approved holster on duty are required to conduct a bi-annual inspection of their personnel to make sure they are in compliance.

#### **4.3.3 APPROVED UTILITY HOLSTERS**

In situations of operational necessity, a manager may approve the use of a utility holster. A manager may approve the elimination of a holster during actual undercover operations. A utility holster must meet the following guidelines:

- a. Have a covered trigger guard.
- b. Have some type of retention device (snap or Velcro)
- c. Conceal the firearm.
- d. Be reapproved by a range officer at each periodic firearms qualification.

The appropriate manager shall determine the necessity for utilization of this category.

#### **4.3.4 MANAGER'S RESPONSIBILITY**

Managers must examine each situation they approve with safety in mind. Providing an overall safe working environment is the primary concern. Managers must, in all cases, be able to justify any departure from these guidelines.

#### **4.4 CARRYING FIREARMS AND IDENTIFICATION WHILE OFF-DUTY**

The member will adhere to specific guidelines governing the display and use of the firearm, badge, and police identification while off duty. A member must have his or her identification folder when carrying an approved firearm while off duty.

These items are to be carried concealed and are never to be displayed for other than official law enforcement action within the jurisdictional boundaries established by law, or as otherwise provided by state law.

When off duty, members will act only when serious misdemeanor or felony offenses occur within the City of Orlando's jurisdictional limits and shall exercise good judgment and discretion. Members have no extraterritorial jurisdictional

authority to engage in law enforcement action except as otherwise provided by state law or mutual aid agreement. Members have no special police authority outside the jurisdictional limits of the City of Orlando. Off-duty members who engage in any police action outside those jurisdictional boundaries have only the citizen's arrest authority that is conferred on all citizens. [H.R. 218 \(Law Enforcement Officers Safety Act of 2004\)](#) does not confer any authority to engage in extra-jurisdictional law enforcement activity.

When an off-duty member is involved in any matter requiring the display of his or her firearm or police identification or takes official action, he or she will immediately contact the Communications Service Desk to request a district vehicle be dispatched. If the off-duty member makes an arrest, he or she will revert to an on-duty status and will report to the booking office as soon as possible to complete the required reports.

Members will notify their supervisors of the incident and the amount of time spent in an on-duty status. Notification will be made no later than the member's next tour of duty. If a member is in vacation status, notification shall be made within 48 hours of the incident.

Reckless, careless, or unnecessary display or use of the firearms, handcuffs or identification will be cause for disciplinary action.

Members who become aware of a violation of the law while either off duty, unarmed or without police identification will, when possible, summon an on-duty member to take appropriate action.

Members shall not carry department-issued firearms outside the State of Florida unless in the course of official business of the Department. Members may be permitted to carry department-issued firearms outside the State of Florida when appearing in uniform for a department-related activity such as the Law Enforcement Memorial ceremonies in Washington, D.C., provided they have specific written permission from the Chief of Police.

Members who have been temporarily relieved of their law enforcement authority pursuant to a relief of duty action for any reason may not carry a firearm except as authorized under applicable provisions of [Chapter 790, Florida Statutes](#). Members relieved of law enforcement authority may not display or use their department-issued identification credentials in order to avoid concealed weapons laws in Florida or elsewhere. Members who are relieved of law enforcement authority may not carry Department-issued firearms at any time.

### **4.5 DISPLAYING POLICE BADGE WHILE IN CIVILIAN ATTIRE**

The member will adhere to specific guidelines governing the display and use of the police badge and identification, on or off duty.

Any police officer, while in civilian attire and present at a crime scene or police activity, on or off duty, where identification as a police officer is necessary, shall affix his or her official police badge or identification to his or her outer garment. The badge or identification shall remain attached while present at the crime scene or police activity.

Such display is not intended to thwart the police purpose as when undercover investigations are performed, but rather to identify officers clearly when there is no legitimate purpose to be served by concealing the fact.

### **4.6 FIREARMS SAFETY**

It is the member's responsibility to ensure that the members of his or her household are instructed in the safety aspects of the firearm.

The Department realizes that each member's household is different and is not dictating procedure to be strictly adhered to, but rather suggesting guidelines to secure the firearm while at home and off duty.

#### **4.6.1 SECURING FIREARMS AT HOME**

Firearms should be stored in a manner so they are inaccessible to, or inoperable by, others who should not have access to them. The following methods have proven effective and are just a few of the many acceptable ways to secure the firearm at home:

- a. High location such as a shelf or a closet.
- b. Locked cabinet or drawer.
- c. Gun safe or receptacle.
- d. Trigger lock or a set of handcuffs placed between the rear of the trigger and the trigger guard is a viable alternative.

#### **4.6.2 RESPONSIBILITY FOR THE SECURITY OF FIREARMS**

The firearm is issued equipment for which the member is ultimately responsible. The member will never loan the weapon or allow it to be used by unauthorized persons.

The current issue of P&P 1802, Use of City Vehicles, section 4.8, shall be adhered to when storing firearms in an unattended vehicle.

#### **4.6.3 PROHIBITED ACTIONS**

A weapon shall not be removed from its holster or handled preemptively while driving a city vehicle unless exigent circumstances present themselves up to and including deadly force.

Individual officers shall not simultaneously aim, display, or target a suspect with a firearm and CEW. This does not preclude officers from using contact and cover methods where one officer is using lethal contact, and a backup officer is using less lethal cover.

#### **4.7 FIREARM REPAIRS AND ALTERATIONS-AMMUNITION ALTERATIONS**

Any specialty equipment (lasers, silencers, etc.) deemed necessary for the completion of the SWAT mission will be the decision of the SWAT Commander and the Chief of Police. The Range Master will be available for consultation.

No member will repair or alter any part of his or her department-issued firearm or ammunition. Any member who believes a firearm is in an unsafe condition should immediately contact a range officer or deadline the weapon at the Quartermaster Unit.

Personally owned ammunition shall not be altered after a range officer has inspected and noted his or her approval on the Personal Firearms Approval Request and Registration Form.

If a member repairs or alters a personally owned firearm that he or she carries on or off duty, the member will have the firearm reinspected and reapproved by the Range Master or Department armorer and must requalify with the repaired or altered firearm before it is considered approved.

#### **4.8 WEAPON-MOUNTED LIGHT SYSTEMS**

Members may equip department-issued or approved handguns with department-issued or approved dedicated light systems. These light systems must be permanently attached to the handgun and secured in a department-issued or approved holster that is designed specifically for the weapon and light combination. The Range Master will maintain a list of Department-approved dedicated light systems and holsters.

Members are not permitted to attach or remove weapon lights while responding to calls on duty. Members may not use a handgun-mounted light system for general illumination purposes. Handgun-mounted lights are only to be used to illuminate or engage a threat.

Weapon-mounted light systems are an additional tool to be used under certain circumstances. Handgun-mounted light systems are not a substitute for basic handgun low-light proficiency skills. Members using handgun-mounted light systems will still be required to achieve passing scores on Department qualification courses using handgun-flashlight techniques.

## **5. FORMS AND APPENDICES**

N/A