


**FLORIDA FISH AND WILDLIFE  
CONSERVATION COMMISSION**

**DIVISION OF LAW ENFORCEMENT  
GENERAL ORDERS**

**COLONEL JULIE JONES**



TITLE	<b>CARRY AND DISPLAY OF WEAPONS</b>	EFFECTIVE DATE	<b>May 11, 2009</b>
CHAPTER	<b>GENERAL ORDER 12</b>	RESCINDS/AMENDS	<b>December 16, 2008</b>
APPROVED		PAGES	<b>7</b>

**1  
POLICY**

- A** It is the policy of the FWC Division of Law Enforcement to direct sworn members in the use of weapons and to provide sworn members with requirements concerning training, equipment, and proficiency.
- (1) All sworn members will successfully complete the minimum state certification program prior to assignment in any capacity in which the sworn member is allowed to carry a firearm or is in any position to make an arrest.
- B** It is the policy of the FWC Division of Law Enforcement to direct members when carrying Division-issued or approved weapons and ammunition while on and off-duty in a law enforcement capacity.
- (1) Only Division-issued or approved intermediate weapons, firearms, magazines and ammunition will be used in the performance of duty.
  - (2) A record on each weapon approved by the agency for official use will be maintained by the Training Section in the officer's training folder.
  - (3) The expandable baton and OC spray are the only intermediate weapons authorized for use by FWC officers.
  - (4) Other Less-lethal ammunitions and weapons are not authorized for use by FWC officers.
  - (5) Prior to deployment of other less lethal or intermediate weapons, the Division's Training Section will conduct a review and evaluation of the weapon. Upon completion, the Training Section will submit a recommendation for approval to the Division Director or designee for final approval of deployment and use.
- C Safe Storage of Firearms**
- (1) When a sworn member is not on duty and is not carrying a firearm on their person, all firearms will be secured in accordance with section 790.174, Florida Statutes. This will apply to all firearms a sworn member may be in possession of, whether owned by the sworn member or the Commission.

- (a) A person who stores or leaves, on a premise under his control, a loaded firearm, as defined in section 790.001, Florida Statutes, and who knows or reasonably should know that a minor is likely to gain access to the firearm without the lawful permission of the minor's parent or the person having charge of the minor, or with the supervision required by law, shall keep the firearm in a securely locked box or container or in a location which a reasonable person would believe to be secure or shall secure it with a trigger lock, except when he is carrying the firearm on his body or within such close proximity thereto that he can retrieve and use it as easily and quickly as if he carried it on his body.
- (b) It is a misdemeanor of the second degree, punishable as provided in section 775.082, Florida Statutes or section 775.083, Florida Statutes, if a person violates subsection (1) by failing to store or leave a firearm in the required manner and as a result thereof a minor gains access to the firearm, without the lawful permission of the minor's parent or the person having charge of the minor, and possesses or exhibits it, without the supervision required by law.

#### **D Carrying Firearms**

- (1) Sworn members will be authorized to carry approved firearms and other Division-issued weapons within the State of Florida in accordance with Florida Statutes and FWC policy in the performance of their official duties.
- (2) Sworn members are authorized to carry approved firearms and other Division-issued weapons outside the State of Florida, commensurate with the laws in the jurisdiction in which the members are physically located.

#### **E Carrying Firearms Off-Duty**

- (1) Sworn members may carry concealed approved firearms and other Division-issued weapons when off-duty, in accordance with the provisions of section 790.052, Florida Statutes.
- (2) Sworn members, who are off-duty and carry a concealed weapon, or ammunition which has not been approved in accordance with this directive under the authority of section 790.06, Florida Statutes are acting as a private citizen and are not authorized by the department to use such weapon in any law enforcement capacity. The Commission will not be liable for an employee's use of a weapon or ammunition under such circumstances. The employee will abide by Florida Statutes governing such actions by ordinary citizens.
- (3) The sworn member will be discreet in the manner in which the firearm is worn. No firearms will be visible or openly flaunted in view of the public. Proper clothing will be worn to protect the firearm from view.
- (4) The sworn member will carry their ID card and badge on their person when carrying a firearm.
- (5) No Division firearms will be carried by off-duty sworn members during times when they have been, are currently, or will be consuming alcoholic beverages.

#### **F Carrying Firearms on Commercial Aircraft**

- (1) Only sworn members who completed the Transportation Security Administration's (TSA) course entitled "Law Enforcement Officers Flying Armed" will be eligible to receive an authorization letter from the Division Director or designee.
- (2) When a sworn member travels on commercial aircraft and is required to carry their firearm on their person, a letter granting Authorization to Fly Armed from the Division Director or designee is required. The letter is included in the Armed Air Travel Information Package (FWC/DLE-559AR), which includes a checklist for members to ensure compliance with applicable Transportation Security Administration (TSA) rules and regulations.
- (3) Upon receiving authorization to fly armed, the member is responsible for submitting a copy of the letter of authorization along with the travel information to the appropriate Regional Communications Center **at least 24 hours** prior to travel.
- (4) Upon receipt of the letter of authorization, the Regional Communications Center will

immediately initiate a NLETS message to the Transportation Security Operations Center (TSOC at ORI VAFAM0199) requesting a Unique Alphanumeric Identifier.

- (5) Immediately upon receipt, the Regional Communications Center will forward the TSOC Response with the Unique Alphanumeric Identifier to the traveling member.
- (6) The Regional Communications Center will maintain the letter of authorization, the NLETS Message and the response in a file that is accessible 24/7 by the duty officers until after completion of the member's travels.
- (7) On the day of travel the member checks-in at the airline ticket counter, provides identification and presents the original letter of authorization. The member completes the armed traveler paperwork provided by the airline and proceeds to the Armed LEO Screening Checkpoint.
- (8) At the Armed LEO Screening Checkpoint the member provides the Unique Alphanumeric Identifier from the TSOC response and displays his/her badge, ID card, boarding pass, a second form of government-issued identification, proof of having completed the TSA Course "Law Enforcement Officers Flying Armed.", and the required airline paperwork.
- (9) The final approval or denial to carry a weapon on a commercial aircraft is at the sole discretion of the commercial airline.

### **G Approved Weapons, Magazines and Ammunition**

- (1) Sworn members may carry any weapon issued to them by the Division and for which they have received the required training.
- (2) Weapons approved for use by sworn members when acting in their official capacity are as follows:
  - (a) Glock 17 9mm
  - (b) Glock 26 9mm
  - (c) Remington Marine Magnum Shotgun
  - (d) Remington 870
  - (e) Beretta 1200 FP
  - (f) Bushmaster M-4 Carbine
  - (g) M1 Rifle
  - (h) Ruger Mini-14 Rifle
  - (i) Colt M16 Rifle
  - (j) Colt M4 Carbine
  - (k) FN Mark 46 (belt fed machine gun)
  - (l) Aversive Conditioning Firearm
  - (m) OC spray
  - (n) Expandable Baton
  - (o) Member-provided back-up and off duty weapons must be .380 or larger caliber
  - (p) Member-provided AR-15 military spec rifle in 223 caliber
- (3) Members who carry a Division-issued rifle are not authorized to carry personal rifles.
- (4) Member-provided backup and off-duty weapons intended for use in law enforcement activities must be:
  - (a) Handguns .380 or larger caliber

- (b) Member-owned rifles must be 223 caliber and must be on the approved list on the Division's training web page as listed
- (5) Knives may be carried concealed (the clip portion of a knife may be visible) or on the gun belt in an issued holder. The Division considers knives as tools not weapons.
- (6) Only Division-issued magazines and ammunition will be carried in issued weapons on-duty, off-duty and during extra-duty employment.
- (7) Ammunition carried in non-issued firearms will be unaltered, factory ammunition. Reloads are not authorized. Full metal jacketed bullets are prohibited for use in duty rifles.

## H Wearing and Care of Firearms

- (1) The appropriate issued gun belt, holster, weapons and badge will be worn by uniformed sworn members.
- (2) Non-uniformed sworn members will prominently display approved badges when their firearm is in view.
  - (a) If the firearm is in plain view the member must possess handcuffs.
- (3) The Commission identification card will also be possessed by the member at all times in possession of issued or approved weapons.
- (4) If a back-up weapon is carried, it must be concealed.
- (5) Sworn members will only wear firearms in a holster designed to fit that particular firearm.
- (6) Sworn members must demonstrate proficiency with each holster to be carried.
- (7) Shotguns will be loaded to the capacity of the magazine, but a round is not to be chambered until the weapon is to be used (cruiser ready).
- (8) Rifles will be loaded two less than the capacity of the magazine, but a round is not to be chambered until the weapon is to be used (cruiser ready).
- (9) All firearms carried under the authority of the Commission are the responsibility of the sworn member and will be subject to inspection at any time.
- (10) All firearms will be maintained in a clean and fully functional condition.
- (11) When a sworn member is transferred within the Division, all firearms and associated equipment will be retained by the transferred sworn member. (Excluding SOG firearms and offshore patrol vessel rifles)

## I Loading and Unloading of Firearms

- (1) All weapons will be loaded and unloaded safely minimizing endangerment to life and property. Except for law enforcement use of force purposes, a member will not remove a firearm from its holster/case inside a commission facility unless a supervisor, firearms instructor, or armorer authorizes it and the removal/clearing/reloading is done utilizing a commercially manufactured clearance device.

## J Destroying Injured Animals, Dangerous Animals or Harmful Exotic Reptiles

- (1) Sworn members are permitted to use **issued** firearms to kill seriously injured or dangerous animals when other disposition is impractical and the discharge of a firearm will not endanger persons, property or create a negative public image of the Commission.
- (2) Only issued firearms may be used, except as provided in Section 1 (Policy), Subsection G, *Approved Weapons, Magazines and Ammunition*, Bullet (4) of this General Order.
- (3) Sworn members are permitted to use issued firearms to kill exotic reptiles, specifically pythons, boa constrictors, anacondas, and iguanas, found on lands under the management or control of the Commission, on lands under the management or control of the South Florida Water

Management District and land management areas partnered with FWC. Discharge of a firearm for this purpose is only allowed when it will not endanger persons, property or create a negative public image of the Commission. In every instance an exotic reptile is killed on such lands, the officer will record the following information: Time; date; latitude and longitude coordinates obtained by GPS; type of reptile; and estimated length of reptile. This information will be provided to the Regional Wildlife Biologist

- (4) In each case a firearm is discharged in accordance with Section J, an Incident Summary Report will be submitted by the member through the chain of command to the Regional Commander or Section Leader within 72 hours, documenting all circumstances involving the action.

## **2 RESPONSIBILITIES**

### **A Division Responsibilities**

- (1) All sworn members will be properly trained and demonstrate proficiency in the use of all issued or carried weapons when acting in an official capacity.
- (2) The Training Academy will maintain a record of firearms proficiency for all sworn members.
- (3) The Division armorers will be responsible for inspecting weapons for serviceability and approving all firearms carried by sworn members in an official capacity.

### **B Member Responsibilities**

- (1) All sworn members must demonstrate proficiency with each weapon they carry in an official capacity.
- (2) A sworn member will not use an issued weapon for hunting or recreation.
  - (a) Supervisors may approve law enforcement competitions
- (3) Reserve members will only carry weapons of the same make, model and caliber as the standard full-time sworn members issue and for which they have received the same required training.
- (4) Sworn members may be required to provide ammunition for proficiency testing with non-issued weapons.

## **3 PROCEDURES**

### **A Weapon or Firearm Repair and Disposal**

- (1) Disassembly beyond field stripping, alteration or repair to issued firearms is prohibited except by a Division armorer. Any alteration to Division-issued firearms will be approved in writing by the Advanced Training Captain. Rifle sights must be military specification, must allow for the use of factory sights or flip-up iron sights, must not have laser or light projection, and must not have magnification capabilities (scopes). A list of approved sights will be on the Division's Training Web page.
- (2) When a firearm is damaged, in need of repair or has been submerged, it will be immediately taken to a Division armorer. The armorer will notify the appropriate supervisor. The firearm will be repaired or a replacement firearm will be issued to the sworn member.
- (3) A Division armorer will repair or send the firearm to the manufacturer for repair or replacement. Once repaired and tested, the firearm should be returned to the sworn member from whom it was taken and a weapon work order will be placed in the appropriate Regional Training Lieutenant's weapon history file.

- (4) A firearm that cannot be repaired or returned to the manufacturer for replacement will be classified as scrap property in accordance with the Commission's Internal Management Policies and Procedures (IMPP) Manual, section 5.8.5 *Surplus Property*.
- (5) All approved personal firearms must be re-examined by an FWC armorer after any repair or modification.

## **B Lost or Stolen Firearms**

- (1) All lost or stolen agency owned firearms will be reported immediately to the Regional Commander or Section Leader. It is the responsibility of the Commander or Section Leader to ensure entry into the FCIC/NCIC property data base.
- (2) An Incident Summary Report (FWC/DLE-045) will be submitted by the member to the Regional Commander or Section Leader within 24 hours, documenting all circumstances of such loss or theft, including police reports, if applicable. The Regional Commander or Section Leader will forward a copy to the appropriate Deputy Director.

## **C Securing Firearms**

- (1) At the conclusion of a sworn member's tour of duty, and unless being carried while off-duty, any authorized handgun will be secured in the locked trunk of the assigned vehicle or secured in the sworn member's residence. If the vehicle does not have a trunk, then the firearm will be out of sight and secured in the locked vehicle.
- (2) The Division will provide trigger locks for Division-owned handguns. If a trigger lock is used, the firearm must be unloaded first.
- (3) No firearms will be left in vehicles or vessels that are in the shop for repairs or stored at an unsecured storage facility.
- (4) Division-issued or authorized long gun retention devices will be used when provided. The use of unauthorized long gun retention devices is prohibited.
  - (a) If the vehicle does not have a trunk, then the firearm will be out of sight and secured in a locked vehicle.

## **D Firearms Proficiency Training**

- (1) Firearms proficiency training will take place once every six (6) months.
- (2) The course of fire will be approved in advance by the Advanced Training Director or the Academy Director.
- (3) The Division will provide ammunition for proficiency training for all Division-issued weapons.
- (4) Each proficiency training period will include safety instructions.
- (5) While on the range, the firearms instructor will have authority over all shooters. The range safety rules will be followed.

## **E Failure to Show Firearm Proficiency**

- (1) Sworn members are expected to qualify on the first attempt. If the sworn member does not qualify on the first attempt, they must qualify on two consecutive attempts on the same day. If the member does not qualify after the first three attempts, the member will receive individual remedial training with an instructor. At the conclusion of this one-on-one training, the member may have up to three additional attempts, of which the member must qualify with two consecutive qualifying scores.
- (2) At the conclusion of remedial training and qualification the first day the sworn member who fails to show proficiency with their primary weapon will be placed on administrative leave or non-law enforcement duties.
- (3) The Regional Training Lieutenant will coordinate remedial training for the sworn member

during the next 14 days. At the conclusion of the remedial training the sworn member will be allowed a maximum of six additional attempts. They must successfully show firearm proficiency by qualifying on two consecutive attempts.

- (4) The sworn member will be provided sufficient ammunition for practice along with individualized instruction as necessary.
- (5) At the conclusion of the 14-day period, any sworn member who fails to show proficiency will be immediately removed as a law enforcement officer.

#### **F Aversive Conditioning/Hazing Deployment Methods**

- (1) Only those members that have successfully completed an agency-approved black bear aversive conditioning course are authorized to apply aversive conditioning/hazing techniques.
- (2) Sworn members will only use firearms that have specifically been issued to them for aversive conditioning or hazing of black bears.
- (3) All issued firearms for aversive conditioning/hazing will have orange stocks so as to be readily identifiable as aversive conditioning/hazing firearms.
- (4) Members will only use firearms for aversive conditioning/hazing when the area within 100 yards behind the bear is free of persons and pets or has a barrier that will stop the rounds.
- (5) Sworn members will only use agency-approved, purchased and issued aversive conditioning/hazing ammunition.
- (6) At no time will it be permissible for any other ammunition other than the approved and issued ammunition (e.g. bean bag, aero socks, cracker) to be loaded into the aversive conditioning/hazing firearm. FWC prohibits the use of rubber slugs for aversive conditioning/hazing of black bears.
- (7) The correct rounds shall be loaded to the capacity of the magazine, but a round is not to be chambered until the weapon is ready to be used.
- (8) The issued aversive conditioning/hazing firearm will be kept, handled and maintained at the same level as other issued and authorized firearms as outlined by this General Order.

## **4 FORMS**

FWC/DLE-045

Incident Summary Report

FWC/DLE-559AR

Armed Air Travel Information Package