



Florida Fish and Wildlife Conservation Commission
Division of Law Enforcement

CARRY AND DISPLAY OF WEAPONS

GENERAL ORDER	EFFECTIVE DATE	RESCINDS/AMENDS	APPLICABILITY
12	May 9, 2019	November 30, 2017	All Sworn Members Duty Officers

References

S. 790.001, 790.052, 790.174, 775.082 and 775.083, F.S.; IMPP 5.8.5 and 5.8.7; GO 38;
CFA Chapters 4.05, 4.06M, 4.07M, 10.04M

1 POLICY

- A** It is the policy of the Division 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 Division 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 non-lethal weapons, firearms, magazines and ammunition shall be used in the performance of duty.
 - (2) A record of each weapon approved by the agency for official use shall be maintained by the Training Section in the officer's training file.
 - (3) The expandable baton, the Conducted Electrical Weapon (CEW), and OC spray are the only non-lethal weapons authorized for use by FWC officers.
 - (4) Other non-lethal ammunitions and weapons are not authorized for use by FWC officers.
 - (5) Prior to issuance of other non-lethal weapons and/or firearms, the Division's Training Section shall conduct a review and evaluation of the weapon. Upon completion, the Training Section shall 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 his or her person, all firearms shall be secured in accordance with section 790.174, Florida Statutes. This shall 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 shall be authorized to carry approved firearms and other Division-issued weapons within the State of Florida in accordance with Florida Statutes and Division 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) The sworn member shall be discreet in the manner in which the firearm is worn. No firearms shall be visible or openly flaunted in view of the public. Proper clothing shall be worn to protect the firearm from view.
- (3) The sworn member shall carry their ID card and badge on their person when carrying a firearm.
- (4) No Division firearms shall 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" shall 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 shall 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 shall forward the TSOC Response with the Unique Alphanumeric Identifier to the traveling member.

- (6) The Regional Communications Center shall 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, Sights and Ammunition

- (1) Weapons approved for use by sworn members when on duty and acting in their official capacity are as follows:
 - (a) Glock 21 or Glock 21SF .45 caliber
 - (b) Glock 30 .45 caliber
 - (c) Glock 36 .45 caliber
 - (d) Glock 17 9mm
 - (e) Glock 26 9mm
 - (f) Remington Marine Magnum Shotgun
 - (g) Bushmaster M-4 Carbine
 - (h) Colt M16 Rifle
 - (i) Colt M4 Carbine
 - (j) FN Mark 46 (belt fed machine gun)
 - (k) Aversive Conditioning Firearm
 - (l) OC spray
 - (m) Expandable Baton
 - (n) Conducted Electrical Weapon (Taser M-26, X-26, or the Taser X2)
 - (o) Bolt Action Rifles with magnification capabilities (scopes) assigned to members of the Captive Wildlife Section as approved by the appropriate Deputy Director.
 - (p) Members working in undercover operations may carry special weapons (such as revolvers and compact semi-autos) with approval by Investigations and Training Section leaders.
- (2) Either a Glock 30, 36, or 26 may be issued to the following positions in addition to the Glock 21, 21SF, or 17:
 - (a) Colonel, Lieutenant Colonels, and the Deputy Chief;
 - (b) Regional Commanders and sworn Section Leaders;
 - (c) Captains;
 - (d) Administrative and Investigative Lieutenants;
 - (e) Pilots;
 - (f) Investigator 2's;

- (g) Port K-9;
 - (h) Honor Guard;
 - (i) Special Operations Group (SOG) (four per region for dignitary protection responsibilities);
 - (j) Resource Protection Unit (RPU) members (one per field Captain), the weapon may be issued to the sworn member(s) assigned to the RPU position.
- (3) A list of approved weapons modifications can be found on the Division's Training Web page.
 - (4) Members who carry a Division-issued rifle are not authorized to carry personal rifles.
 - (5) Personally owned rifles, if carried on duty, shall only be AR-15 military specification rifles in .223 or 5.56 mm caliber or Ruger Mini 14 rifle in .223 caliber.
 - (6) Sworn Members may carry personally owned backup and off-duty firearms, and shall demonstrate proficiency with each firearm they carry in an official capacity. Firearms intended for use in a back-up and/or off-duty law enforcement capacity shall be handguns in .380 or larger caliber.
 - (7) The issued handgun shall be the primary duty weapon. The carry of a personally owned handgun as a primary duty weapon is prohibited.
 - (8) Knives may be carried concealed (the clip portion of a knife may be visible) or on the gun belt in an issued holder. If a member carries a fixed blade knife, it shall be carried concealed and total knife length shall not exceed seven (7) inches. The Division considers knives as tools not weapons.
 - (9) Only Division-issued or approved magazines and Division-issued ammunition shall be carried in issued weapons on-duty, off-duty, and during extra-duty employment.
 - (10) All sights installed on rifles shall allow for the use of factory sights or flip-up iron sights and shall not have laser or light projection. Rifles shall not have magnification capabilities (scopes), except for those as described in subsection "a" below approved for use by Captive Wildlife Section members.
 - (a) Rifles approved for use by Captive Wildlife Section members for the purpose of destroying dangerous escaped captive wildlife or destruction of cervids from game farms or hunt preserves may have magnification capabilities (scopes).
 - (11) Ammunition carried in non-issued firearms shall be unaltered, factory ammunition. Reloads are not authorized. Full metal jacketed bullets are prohibited for use in duty rifles.
 - (12) Issued Advanced Combat Optical Gunsight (ACOG) scopes are authorized for SOG and do not require back-up iron sights.

H Wearing and Care of Firearms

- (1) The appropriate issued gun belt, holster, weapons and badge shall be worn by uniformed sworn members while on duty unless working in an undercover capacity as described in General Order 38, *Undercover, Surveillance and Decoy Operations*, Section 3 (Procedures), Subsection D, *Undercover Operations*.
- (2) Sworn members in plain clothes shall carry their firearm in a concealed manner to safeguard against placing themselves at a tactical disadvantage.
 - (a) When carrying concealed, the member shall have the Division badge readily accesible to display.
 - (b) The member shall also have handcuffs, and at least one extra magazine containing Division issued ammunition readily accessible.

- (3) Non-uniformed sworn members who wear an FWC logo shirt with an embroidered Division badge, may carry their primary firearm in plain view.
 - (a) When the firearm is in plain view the sworn member shall prominently display the Division badge, and shall carry handcuffs and at least one extra magazine containing Division issued ammunition.
- (4) The ability of the public or other law enforcement officers to recognize and easily identify sworn non-uniformed Division members is paramount. Research of best practices indicates that placement of the badge on a member's body can contribute to officer safety and recognition in certain situations. Therefore, members are strongly encouraged to display their badge from a chain around their neck whenever possible. The chain should be in the military identification tag (dog tags) style, which breaks easily and thus cannot be used as a strangulation device. The chain should be black or silver in color and should not be of a design that can be mistaken for jewelry.
- (5) The Commission identification card shall also be possessed by the member at all times while in possession of issued or approved weapons.
- (6) If a back-up weapon is carried, it shall be concealed.
- (7) Sworn members shall only wear firearms in a holster designed to fit that particular firearm.
- (8) Sworn members shall demonstrate proficiency with any type of holster they intend to use by completing a course of fire approved by the training section while utilizing the holster.
- (9) Shotguns shall 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).
- (10) Rifles shall 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).
- (11) All firearms carried under the authority of the Commission are the responsibility of the sworn member and shall be subject to inspection at any time.
- (12) All firearms shall be maintained in a clean and fully functional condition.
- (13) When a sworn member is transferred within the Division, all firearms and associated equipment shall be retained by the transferred sworn member. (Excluding SOG firearms and offshore patrol vessel rifles).

I Loading and Unloading of Firearms

- (1) All weapons shall be loaded and unloaded safely minimizing endangerment to life and property. Except for law enforcement use of force purposes, a member shall 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.

2 RESPONSIBILITIES

A Division Responsibilities

- (1) All sworn members shall 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 shall maintain a record of firearms proficiency for all sworn members.
- (3) The Division Armorers shall be responsible for inspecting weapons for serviceability and approving all firearms prior to carrying by sworn members in an official capacity.

B Member Responsibilities

- (1) All sworn members shall demonstrate proficiency with each weapon they carry in an official capacity.
- (2) A sworn member shall not use an issued weapon for hunting.
- (3) Reserve members shall only carry weapons of the same make, model, and caliber as the standard full-time sworn member issue and for which they have received the same required training.
- (4) Sworn members may be required to provide ammunition when demonstrating proficiency 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. Prior to any alteration being made to Division-issued firearms approval in writing shall be obtained from the Advanced Training Captain. When a firearm is damaged, in need of repair, or has been submerged, it shall be immediately taken to a Division Armorer. The armorer shall notify the appropriate supervisor. The firearm shall be repaired or a replacement firearm shall be issued to the sworn member.
- (2) A Division Armorer shall 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 shall be placed in the appropriate Regional Training Lieutenant's weapon history file.
- (3) A firearm that cannot be repaired or returned to the manufacturer for replacement shall be classified as scrap property in accordance with the Commission's Internal Management Policies and Procedures (IMPP) Manual, section 5.8.5 *Surplus Property*.
- (4) All approved personal firearms shall 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 shall 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 shall 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 shall forward a copy to the appropriate Deputy Director.
- (3) In accordance with IMPP 5.8.7, *Lost, Stolen, Missing or Destroyed Property*, the Regional Commander or Section Leader shall report the lost or stolen firearm to the Commission's Asset Management Section within 14 days of the loss being noted by the employee via the Notification of Missing Property Form.

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 shall be secured in the sworn member's residence or locked within the issued lock box of the assigned vehicle. If the sworn member is unable to secure the handgun in his or her residence and does not have an issued lock box, the handgun shall be secured in the locked trunk of his or her assigned vehicle. If the vehicle does not have a trunk, then the handgun shall be out of sight and secured in the locked vehicle.

- (2) The Division shall provide trigger locks for Division-owned handguns. If a trigger lock is used, the firearm shall be unloaded first.
- (3) No firearms shall be left in vehicles or vessels that are in the shop for repairs or stored at an unsecured storage facility.
- (4) When a Division issued or authorized long gun lock box is provided in a sworn member's assigned vehicle, the sworn member shall lock long guns in the lock box and lock the vehicle:
 - (a) At the end of each shift.
 - (b) When the vehicle will be left unattended, except for brief periods.
- (5) Sworn members may remove their long guns from Division issued or authorized lock boxes and place in a Division issued or authorized long gun retention device at the beginning of each shift, however, when the vehicle will be left unattended (except for brief periods) any long gun shall be locked in the lock box and the vehicle shall be locked.
- (6) When the sworn member's assigned vehicle is not equipped with a long gun retention device but is equipped with a lock box, the sworn member shall unlock the lock box at the beginning of each shift and re-lock the lock box at the end of each shift. The lock box shall also be locked when the vehicle will be left unattended, except for brief periods.
- (7) When the sworn member's assigned vehicle is not equipped with a Division-issued or authorized lock box, a Division-issued or authorized long gun retention device shall be used.
- (8) When the sworn member's assigned vehicle is not equipped with either a lock box or a long gun retention device, all issued long guns shall be secured in the locked trunk of the assigned vehicle or secured in the sworn member's residence at the end of each shift unless the firearm is being carried off-duty. If the vehicle does not have a trunk, then the long gun shall be out of sight and secured in the locked vehicle.
- (9) The use of unauthorized long gun lock boxes or retention devices is prohibited.

D Firearms Proficiency Training

- (1) On-duty firearms training shall take place bi-annually based on the in-service training plan outlined in the Training Standard Operating Procedures Manual.
 - (a) Sworn members may train with issued firearms while off-duty in a safe manner and in accordance with Florida State Statute 790.
 - (b) Sworn members may use an issued weapon for law enforcement competitions with supervisory approval.
- (2) The course of fire shall be approved in advance by the Advanced Training Director or the Academy Director.
- (3) The Division shall provide ammunition for on-duty proficiency training for all Division-issued weapons.
- (4) Each proficiency training period shall include safety instructions.
- (5) While on the range, the firearms instructor shall have authority over all shooters. The range safety rules shall be followed.

E Failure to Qualify with a Firearm

- (1) Sworn members are expected to qualify on the first attempt. If the sworn member does not qualify on the first attempt, he or she shall 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 shall qualify with two consecutive qualifying scores. At the conclusion of remedial training and qualification the first day the sworn member who fails to show proficiency with their primary weapon shall be placed on

administrative leave or non-law enforcement duties.

- (2) The Regional Training Lieutenant shall coordinate remedial training for the sworn member during the next 14 days. At the conclusion of the remedial training the sworn member shall be allowed a maximum of six additional attempts. He or she shall successfully show firearm proficiency by qualifying on two consecutive attempts.
- (3) The sworn member shall be provided sufficient ammunition for practice along with individualized instruction as necessary.
- (4) At the conclusion of the 14-day period, any sworn member who fails to show proficiency shall be immediately removed as a law enforcement officer.
- (5) All remedial training shall be documented on the Remedial Action Plan (RAP) (FWCDLE 896).

F Conducted Electrical Weapon (CEW)

- (1) Before carrying a CEW, members shall successfully complete the CEW operator's initial and annual recertification training courses coordinated by the Training Section.
- (2) No changes, alterations, modifications, or substitutions shall be made to the CEW. Requests for all repairs or accessories shall be forwarded to the Training Section.
- (3) The CEW shall be carried on the member's support side and deployed with a cross draw using the dominant hand, or carried on the support side and deployed with a conventional draw using the support hand.
- (4) A spare air cartridge shall be carried in conjunction with the CEW.
 - (a) The spare cartridges shall be stored and carried in a manner consistent with training.
 - (b) The cartridges shall be replaced consistent with the manufacturer's expiration requirements.
- (5) The device shall be carried fully armed with the safety on in preparation for immediate use.
- (6) Only properly functioning and charged CEWs shall be used. Inoperable or defective weapons shall be returned to the Training Section's CEW Coordinator for replacement.
- (7) CEWs shall be properly secured when not carried by the sworn member.
- (8) A CEW is subject to inspection by a supervisor or CEW instructor at any time.

4 FORMS

FORM NUMBER	FORM TITLE
	Incident Summary Report
FWC/DLE-559AR	Armed Air Travel Information Package
FWC/DLE-896	Remedial Action Plan
	Notification of Missing Property Form