

Handguns

380.1 PURPOSE AND SCOPE

This policy establishes procedures for the acquisition, use, and documentation of training in the use of handguns. The Sheriff or his/her designee shall approve all Department handguns before they are acquired and utilized by any Member of this Department.

Those Members presenting good cause may be exempt from applicable sections of this policy by the Training Division Commander with the concurrence of the Member's Commander.

380.2 AUTHORIZED DUTY HANDGUNS

1. No handguns shall be carried that have not been thoroughly inspected by the Department Armorer and passed the official inspection. Except in an emergency or as directed by a supervisor, no handguns shall be carried by a Member who has not qualified with that handgun at an authorized Department range.
2. The department prohibits any unauthorized artwork, inscriptions or symbols that alter the factory appearance of any firearm carried on duty and in the course and scope of employment.

380.2.1 DEPARTMENT ISSUED DUTY HANDGUNS

1. Members, based on duty assignment and upon meeting all Department requirements, shall be issued a 9x19, .40 S&W, or .45 ACP caliber semi-automatic handgun or may purchase an authorized handgun at their own expense.
2. Department issued handguns are the sole property of the Department and shall be returned immediately upon request or separation from employment.
3. Any unauthorized modification to the Department issued handgun is strictly prohibited.
4. Any repairs or authorized modifications shall only be performed by designated Firearms Training Unit (FTU) Department Armorers. A list of authorized modifications shall be kept on file with the Training Division Commander.
5. Double-action/single-action handguns shall be de-cocked to double-action when holstered.
6. All Department issued handguns used for duty shall only be used with Department approved ammunition. All remanufactured ammunition or "reloads" are strictly prohibited from being used in Department issued handguns.

380.2.2 PRIVATE PURCHASE HANDGUNS FOR PRIMARY DUTY USE

1. Due to the ever-changing manufacturers and models of handguns, the Training Division Commander shall be responsible for maintaining an addendum of manufacturers and models of handguns that meet the appropriate criteria for private purchase handguns for primary duty use.

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2. Any Department approved semi-automatic handguns in 9x19, .40 S&W or .45 ACP caliber. The handgun shall have a barrel length of at least 3 inches and be capable of holding at least 7 rounds.
3. The handgun shall include an integral accessory rail.
4. Single action-only handguns are prohibited including 1911-style handguns.
5. A Department approved duty holster is required for the use of a private purchased handgun for primary duty use. The holster for private purchased handguns will not be supplied by the Department and shall be purchased at the Member's expense. A list of brands and security level of the holster shall be maintained by the Training Division Commander.
6. The private purchased handgun shall be registered to the Department Member if it is to be used as a primary duty handgun.
7. Before the Department Member carries a private purchased handgun on duty, the handgun shall be inspected by the Department Armorer and pass official inspection. The Department Member shall pass the prescribed qualification course with that handgun.
8. Any and all modifications shall have the approval of the Department Armorer prior to installation. A list of approved modifications shall be maintained by the Training Division Commander.
9. Department Members electing to privately purchase a handgun for primary duty use shall return any primary duty handgun previously issued by the Department.

380.2.3 PRIVATE PURCHASE HANDGUNS FOR NON-UNIFORM PRIMARY DUTY USE

1. Department Members who work in a non-uniform assignment may choose to purchase an additional handgun for primary duty use.
2. Any handgun intended for non-uniform, primary duty use shall comply with all requirements specified in Policy 380.2.3 (Private Purchase Handguns for Primary Duty Use).
3. Secondary compact weapons shall not be worn in a uniform enforcement assignment as a replacement to a primary duty weapon.
4. Department Members who choose to carry an additional handgun shall qualify with the additional handgun and their primary duty handgun, pursuant to the Members required qualification schedule.

380.2.4 AMMUNITION FOR PRIMARY DUTY HANDGUN

1. Department Members shall only carry Department-approved duty ammunition in their handguns while on duty. The Katella Armory shall maintain an addendum of authorized Department duty ammunition.
 - (a) Uniformed Members shall carry a minimum of three fully loaded magazines. One in the handgun and two on their duty belt. No less than 36 rounds of ammunition shall be carried in fully loaded magazines.

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- (b) Department Members operating in an administration capacity, Deputy Coroners, non-uniformed Members including armed Members who wear civilian attire (undercover) shall carry a minimum of two fully loaded magazines. One loaded magazine in the handgun and one additional magazine on their person.
2. Remanufactured ammunition or “reloads” are strictly prohibited from being used in handguns owned by the Department.
3. The Department Armorer shall issue initial allotments of 9x19, .40 S&W, or .45 ACP caliber duty ammunition during initial handgun distribution/inspection.
 - (a) The Department shall provide a new box of duty ammunition every year, during the Member’s annual anniversary inspection date.
 - (b) Department Members who choose to carry an additional handgun for non-uniform, primary duty use shall carry only Department approved duty ammunition.

380.2.5 CARRY CONDITION FOR PRIMARY DUTY HANDGUN

All armed Department Members shall carry the primary duty handgun in the patrol ready condition described below while on duty.

1. Patrol ready condition is a round loaded in the chamber with a fully loaded magazine inserted into the handgun and, if applicable, on safe. If primary duty handgun is a double action/single action, the handgun shall be de-cocked.

380.2.6 INSPECTIONS OF PRIMARY DUTY HANDGUNS

1. Department owned and private purchased handguns carried on duty shall be inspected by the Department Armorer prior to being approved for carry. It is the responsibility of the Department Member to bring all equipment in for annual inspection during the anniversary hire month.
2. Handguns shall be cleaned prior to the annual inspection. Handguns deemed to be unsafe by the Department Armorer shall not be carried on duty until the deficiency has been corrected.
3. The serial numbers and descriptions of all Department issued and private purchased handguns carried on duty shall be recorded and maintained by the Department Armorer.

380.3 PRIMARY DUTY HANDGUN QUALIFICATION

1. All Members shall follow all Firearms Safety Rules and General Range Rules. Any violation of these rules may result in progressive discipline, up to and including termination.
2. All Members shall qualify with their primary duty handgun on an approved course of fire on a prescribed basis.
 - (a) Department shooting standards shall be a minimum of 80% score on any approved course of fire.

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- (b) No score shall be considered qualifying unless fired in accordance with the established rules for the course.
- (c) Qualification shall be conducted at an authorized range by an authorized FTU Staff Member.
- (d) Members shall qualify according to the schedule set up and maintained by the FTU Sergeant.
- (e) SWAT Team Members shall adhere to their specified qualification procedures.
- (f) Members are allowed one attempt to qualify at the 80% Department standard. Any Member who fails to achieve the required minimum performance standards will immediately receive remediation with a FTU instructor. The Member will then be given the opportunity to immediately re-qualify. At the conclusion of these two attempts, any Member who fails to meet the Department's required minimum performance standards will be scheduled for training and re-qualification by the FTU. This training and re-qualification will take place as soon as possible, prior to the Member's next scheduled work day following their failure to qualify. At the conclusion of this training session, the Member will be required to re-qualify and meet the Department's minimum performance standard.

380.3.1 PRIMARY DUTY HANDGUN QUALIFICATION SCHEDULE

Department Members shall qualify according to their primary duty assignment pursuant to the Department qualification schedule, or as directed by the Training Division Commander.

- (a) Qualification schedules are as follows:
 - 1. 1st Quarter - January through March
 - 2. 2nd Quarter - April through June
 - 3. 3rd Quarter - July through September
 - 4. 4th Quarter - October through December
- (b) Department Members at the rank of Lieutenant and above are required to qualify bi-annually. Specifically, once between January and June and once between July and December.
- (c) Department Members at the rank of Sergeant, Investigator, Deputy I and Deputy II, and Sheriff's Special Officers, assigned to Patrol Operations and Investigations & Special Operations Command are required to qualify monthly.
- (d) Department Members at the rank of Sergeant, Investigator, Deputy I and Deputy II, and Sheriff's Special Officers, assigned to Custody & Inmate Services, Corrections & Court Operations, Professional Services, and Administrative Services Command are required to qualify quarterly.
- (e) Deputy Coroners and Reserve Officers are required to qualify quarterly.

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380.3.2 FAILURE TO ATTEND QUALIFICATION WITH PRIMARY DUTY HANDGUN

1. All Department Members who carry a handgun in the course and scope of their employment with the Department shall be required to attend qualification sessions in accordance with their specific qualification schedule.
2. Any Member who fails to attend a scheduled qualification session shall notify their immediate supervisor.
3. Failure to qualify could result in discipline.
4. The notification process when a Member fails to attend a required qualification session shall, at a minimum, consist of the following:
 - (a) At the completion of each shooting qualification period, the FTU staff shall prepare a list of the names of Members who failed to attend qualification as required. The list shall also include the most recent two year shooting qualification history of each Member that failed to qualify.
 - (b) A failure to qualify internal memo with the attached shooting qualification two year history of each Member who failed to shoot will be sent to the Training Division Commander. The Professional Services Command Assistant Sheriff, or his or her designee, shall forward the internal failure to attend qualification memos to the Commander where each Member is assigned.
 - (c) The Member's Commander shall determine the appropriate discipline for the member/s that failed to attend qualification.

380.3.3 FAILURE TO QUALIFY DUE TO EXTENDED ABSENCE

Members on a leave of absence in excess of one year shall be required to surrender all Department handguns and ammunition to the Katella Armory. Department handguns and ammunition shall be returned to the Member immediately upon returning to duty at which time the Member shall qualify with the weapons to meet qualification requirements in accordance with this policy.

380.4 AUTHORIZED OVERTIME

1. Whenever possible, handgun qualification shall be accomplished during regular duty hours.
2. If necessary, overtime shall be authorized for those Members who are unable to qualify during on-duty hours. The amount of overtime authorized shall be determined by the location of the Member's assigned work location and shall require the Commander's prior approval.
 - (a) Members assigned to the Headquarter complex, the Theo Lacy Facility and Airport shall receive one hour of overtime per qualification period.
 - (b) Members assigned to James A. Musick Facility, Newport Harbor, and Sunset Harbor shall receive one and one half hours of overtime per qualification period.
 - (c) Members assigned to the Southeast and Southwest Substations and Dana Point Harbor shall receive two hours of overtime per qualification period unless qualification is provided at the Southwest Substation Mobile Pistol Range.

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- (d) Deputies assigned a C.I.R.T. rifle shall receive three hours of overtime credit per qualification, which includes handgun qualification.

380.5 HANDGUN PERISHABLE SKILLS PROGRAM (PSP)

Handgun Perishable Skills Training mandate: Members shall attend and successfully pass the Department-approved, 4-Hour handgun course on a biennial basis as part of the Department's P.O.S.T. Perishable Skills Training Cycle.

380.6 HANDGUN WEAPON-MOUNTED LIGHTS (WML)

The handgun weapon mounted light (WML) systems is required for all sworn uniformed Members assigned to and working in Patrol Operations. The WML is voluntary for all other Members. Those Members presenting good cause may be exempt from applicable sections of this policy by the Training Division Commander with the concurrence of the Member's Commander. Written exemption must be presented to the Range staff upon qualification or during the Member's annual duty handgun inspection. The following directives shall provide the guidance necessary to implement the use of WMLs for general enforcement Members:

1. If the Department-issued duty handgun is issued with a WML, it shall be attached to the weapon and carried for all uniformed duty enforcement.
2. The WML shall be activated by use of the standard toggle type switch and shall have an output of at least 500 lumens.
3. The duty holster shall be designed for the handgun with the WML attached. If the Department Member elects to purchase his/her own Department-approved duty holster, the holster shall comply with Policy 1046.23 Holsters.
4. The Training Division Commander shall maintain an addendum of approved WML brands and models.
5. The WML shall be attached to the handgun when using a holster designed for a handgun with WML.
6. All mandated qualifications (quarterly, monthly, etc.) shall be completed with the WML system attached to the handgun.
7. Members shall have their WML inspected annually by the Department Armorer as part of the annual duty handgun inspection.

380.7 MINIATURE REFLEX SIGHT (MRS)

1. Duty handguns with a Miniature Reflex Sight (MRS) is an optional program. Department Members choosing to use an MRS shall provide a Department-approved MRS, and the required accompanying equipment such as backup iron sights and holster at their own expense. Authorized equipment requirements are subject to

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- change. It is the Department Member's responsibility to ensure their equipment is in compliance with any of the changes.
2. It is highly recommended to consult the Department Armorer prior to any purchases. For detailed information on approved equipment options pertaining to the duty handgun with MRS program, refer to the addendum maintained by the Training Division Commander.
 - (a) Only approved models of the MRS shall be permitted.
 - (b) Only handguns with approved MRS mounting solutions shall be permitted. Members are strictly prohibited from making any modifications to Department issued handguns to accommodate an MRS.
 - (c) Gunsmith machining on personally-owned handguns to accommodate an MRS is permitted, but shall follow all guidelines listed on the addendum maintained by the Training Division Commander.
 - (d) Back-up iron sights shall be installed and tall enough to be seen through the MRS optic window.
 - (e) A Department-approved MRS compatible duty holster shall be used.
 3. Department Members shall have their handgun, MRS, and all accompanying equipment inspected by the Department Armorer prior to deploying the system on duty.
 4. On Department-issued handguns equipped with a factory MRS mounting solution, installation of the MRS and backup iron sights shall be performed by the Department Armorer only.
 5. After the initial inspection and installation, Department Members shall be required to take and successfully pass the OCSD "Duty Handguns with MRS" training course before they can carry their MRS equipped handgun on duty.
 6. Department Members shall have their handgun, MRS, and compatible duty holster inspected by the Department Armorer annually.
 7. Department Members shall be responsible for the maintenance of their equipment.

380.8 AUTHORIZED ON-DUTY, BACKUP HANDGUNS

1. The backup handgun is carried as a last effort of defense. All rules, regulations, and laws governing the use of deadly force apply to the use of this handgun.
2. Department Members are authorized to carry only one approved backup handgun in addition to, and at the same time, as their duty handgun. The backup handgun shall be one of the following:
 - (a) Any Department approved double action semiautomatic handgun with a passive internal firing pin block and/or a manual safety in .380, 9mm, .40 or .45 ACP caliber.
 - (b) Any authorized primary duty handgun listed in section 380.2.1.

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- (c) Smith and Wesson, Colt or Sturm Ruger, .38 or 357 caliber revolver 2-4" BBL loaded with .38 special ammunition.
 - (d) The Training Division Commander shall maintain an addendum of approved manufacturers and models suitable for on duty backup.
3. Single action-only handguns are prohibited, including 1911-style handguns.
 4. Department Members who choose to carry a backup handgun shall carry only Department approved duty ammunition.

380.8.1 INSPECTION OF BACKUP HANDGUNS

1. Before any Member carries one of the approved backup handguns on duty, the handgun shall be inspected by an authorized FTU Armorer.
2. The handgun shall be inspected annually on the Member's anniversary date as required in this policy.
3. The serial numbers and descriptions of all personal and Departmental handguns, carried as backup duty weapon, shall be recorded and maintained at the Training Facility.

380.8.2 CARRYING THE BACKUP HANDGUN

1. Members shall carry their backup handgun in a holster at all times. Ankle holsters are not authorized. The entire handgun shall be concealed from public view. Holsters shall be inspected by the Katella Armory at the time the backup handgun is approved.

380.8.3 QUALIFICATION WITH THE BACKUP HANDGUN

1. Members who are authorized to carry an on duty backup handgun shall qualify on the approved "backup/off duty qualification course" set forth by the FTU prior to use.
2. Subsequent qualifications shall occur annually on or before the Member's anniversary date.

380.9 OFF-DUTY HANDGUNS AND OUT OF STATE

Qualified active full-time deputies and qualified retired/separated deputies (see Policy Manual § 220) are authorized to carry a concealed firearms in all other states subject to the following conditions (18 United States Code 926B and C):

1. The deputy shall carry his/her Department identification card whenever carrying such handgun.
2. Qualified retired/separated deputies shall also carry certification of having met handgun qualification within the past 12 months.
3. The deputy is not the subject of any current disciplinary action, which could result in suspension or loss of police powers.
4. The deputy may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

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5. The deputy shall remain subject to this and all other Department policies (including qualifying and training).
6. Handguns carried off duty shall be registered to the Department Member carrying it. Department Members are allowed to register a total of 4 off duty handguns.
7. The backup handgun shall meet the following criteria:
 - (a) Any Department approved double action semiautomatic handgun with a passive internal firing pin block and/or a manual safety in .380, 9mm, .40 or .45 ACP caliber.
 - (b) Any authorized primary duty handgun listed in section 380.2.1.
 - (c) Smith and Wesson, Colt or Sturm Ruger, .38 or 357 caliber revolver 2-4" BBL loaded with .38 special ammunition.
8. The Training Division Commander shall maintain an addendum of approved manufacturers and models suitable for off duty carry.
9. Department Members who choose to carry an off duty handgun shall carry only Department approved duty ammunition.

380.9.1 INSPECTION OF OFF DUTY HANDGUNS

1. Before any Member carries an approved off duty handgun, the handgun shall be inspected by an authorized FTU Armorer.
2. The handgun shall be inspected annually on the Member's anniversary date as required in this policy.
3. The serial numbers and descriptions of all personal and Departmental handguns, carried as an off duty weapon, shall be recorded and maintained at the Katella Facility.

380.9.2 CARRYING THE OFF DUTY HANDGUNS

1. Members shall carry their off duty handgun in a holster at all times. Ankle holsters are not authorized. The entire handgun shall be concealed from public view. Holsters shall be inspected by the Katella Armory at the time the handgun is approved.

380.9.3 QUALIFICATION WITH OFF DUTY HANDGUN(S)

1. Members who are authorized to carry an off duty handgun shall qualify on the approved "backup/off duty qualification course" set forth by the FTU prior to use.
2. Subsequent qualifications shall occur annually on or before the Member's anniversary date.

Deputies 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,

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installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Visiting active and retired/separated peace officers from other states are subject to all requirements set forth in 18 United States Code 926B and C.

380.10 STORAGE OF FIREARMS

Members shall ensure that all Department issued or approved firearms and ammunition are locked and/or secured while in their homes, vehicles or any other area under their control in a manner that shall keep them inaccessible to children and irresponsible adults. Members shall be aware that negligent storage of a firearm could result in criminal prosecution under Penal Code § 25100.

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

380.10.1 STORAGE IN VEHICLES

When leaving a firearm 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 receptacle/container that is permanently affixed to the vehicle's interior and not in plain view, or lock the handgun in a locked toolbox or utility box. The term "locked container" does not include the utility or glove compartment of a motor vehicle (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452). The term "locked toolbox or utility box" means "a fully enclosed container that is permanently affixed to the bed of a pickup truck or vehicle that does not contain a trunk, and is locked by a padlock, keylock, combination lock, or other similar locking device." (Penal Code § 25140).

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