

Flying While Armed

305.1 PURPOSE AND SCOPE

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

305.2 AUTHORITY AND RESPONSIBILITY

Must be a current, duly sworn Member of the Orange County Sheriff's Department.

Must be sworn and commissioned to enforce criminal or immigration statutes.

Must be authorized by employing agency to have a firearm in connection with assigned duties.

Those wishing to fly while armed must be flying in an official capacity. There must be a "need" for the deputy to have the firearm on a specific flight segment (as opposed to securing the firearm in checked baggage). Need is determined by the Law Enforcement Officer's employing agency, Department or service, for example (As outlined in 49CFR1544.219):

1. Protective escort duty and related travel.
2. Hazardous surveillance operation.
3. On official travel and required to arrive prepared for duty.
4. Federal Law Enforcement Officer, whether or not on official travel, armed in accordance with agency wide policy.
5. In control of a prisoner (includes traveling to or returning from). [49CFR1544.221] (f) Federal Air Marshal [49CFR1544.223]

Travel to and from training sessions where the weapon is needed during the exercise does not qualify as a "need" for flying armed.

305.3 REQUIREMENTS TO FLY ARMED

The Sheriff shall approve the travel of the Undersheriff while armed. The Undersheriff shall approve the travel of the Assistant Sheriffs while armed. The Assistant Sheriffs shall approve the travel of armed personnel within their commands.

The following protocol is intended to insure the accountability and tracking of the Department's Training practices for deputies flying armed:

1. Deputies intending to carry their firearm on a commercial flight shall be required to complete the P.O.S.T. "Extradition Procedures Update." This procedure shall satisfy the required TSA training course per [49CFR1544.219].
 - (a) To complete the POST "Extradition Procedures Update" course deputies can go on line to <http://post.ca.gov>. Click on the POST Learning Portal and complete the registration process. After registering, log on. Click on the Extradition

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Procedures Update and complete the course. Print out the Proof of Completion certificate for verification and submit it to the Fugitive Warrants Bureau. The course takes approximately two (2) hours.

2. Deputies needing to fly armed on Sheriff's Department business shall contact the Fugitive Warrants Bureau. The Fugitive Warrants staff shall verify the deputy has completed the "Law Enforcement Officers Flying Armed" training within the past year and shall then generate a teletype message as required by TSR1544. Sheriff's Teletype can assist with teletype messages when Fugitive Warrants Bureau staff is unavailable.
 - (a) The Fugitive Warrants Bureau or Teletype shall then submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA shall send the Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message to TSA at the Security Screening Checkpoint as authorization to travel while armed on the day of travel.
 - (b) The Fugitive Warrants Bureau or Teletype needs to be notified immediately if there are any changes to the flight itinerary. Any changes to the flight itinerary shall require a new NLETS message containing a new alphanumeric identifier.
3. Deputies must carry their Department identification card which must contain their full name, badge number, full-face picture with the officer's signature, and the signature of the Sheriff or the official seal of the Department. This Department issued identification shall be presented to airline officials and TSA when requested.
4. The Deputy shall also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport). Deputies shall also carry their flight itinerary along with their supervisor or Commander's contact information.
5. It is the Deputy's responsibility to notify the air carrier in advance of the intended armed travel. This notification can be accomplished by early check-in at the carrier's check-in counter. Deputies should inquire with the airline officials at the ticket counter regarding other law enforcement agencies that may be flying armed on their particular flight.
6. This policy applies to all deputies whether in uniform or in civilian attire. For additional information, contact the Fugitive Warrants Bureau at [REDACTED]

Note: In the event it becomes necessary to place your firearm and ammunition in checked baggage, it must be secured in a hard-sided, locked container. Declare the firearm and ammunition when the container is checked [49CFR1544.203]. The firearm must be unloaded and the ammunition stored in factory, or similar, packaging. You maintain the key to the locked container. If the hard-sided, locked container is inside a piece of checked baggage, the aircraft operator generally will place a "Firearm(s) Unloaded Declaration Form" inside the bag proximate to but not inside of the gun case. If the firearm is not inside another piece of checked baggage, the aircraft operator generally places the declaration form inside the hard-sided, locked container. Lockable gun cases are available at the Fugitive Warrants Bureau and at the Range.