



LOS ANGELES POLICE PROTECTIVE LEAGUE

A PROFESSIONAL POLICE UNION

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COMPRISED OF
THE POLICE OFFICERS
OF THE CITY
OF LOS ANGELES
June 23, 2015

The Honorable Mitch Englander, Chair
Los Angeles City Council Public Safety Committee
City Hall
200 North Spring Street
Los Angeles, CA 90012

Dear Chairman Englander:

Re: Proper Storage of Firearms Ordinance, Council File No. 14-1553

The Los Angeles Police Protective League regrettably must oppose proposed City Ordinance 14-1553 *unless it is drafted to exclude all active, all retired, and all reserve peace officers*. Our records show that approximately 1100 active members and 400 retirees currently reside within our city limits.

Peace officers have a unique professional situation. Current state law provides both sworn and retired officers the right to possess and carry firearms at all times, provided certain conditions are met. Our Police Department clearly and thoroughly addresses these conditions. No other profession requires or demands quick access to firearms, and for good reason. As the Christopher Dorner case demonstrated, peace officers and their families are often targets of angry or violent perpetrators. Quick access to an officer's firearm can be the difference between life or death for that officer, their family, or innocent civilians who may come into harm's way. Carrying out our sworn mission to serve and protect is not only handicapped if our officers are restricted by this ordinance, but our job is made far more dangerous as well.

Attached for your reference are the current rules of the Police Department regarding this issue.

Please contact Director Peter Repovich at (213) 792-1086 if there any questions. Thank you in advance for your anticipated cooperation regarding this request.

Respectfully,

BOARD OF DIRECTORS
Los Angeles Police Protective League

CRAIG D. LALLY
President

cc: The Honorable Herb Wesson, Jr., President of the Los Angeles City Council
The Honorable Paul Krekorian, Los Angeles City Councilmember
The Honorable Joe Buscaino
The Honorable Mike Bonin
The Honorable Mitch O'Farrell
The Honorable Nury Martinez

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Police that the designation of a merchant as a listed dealer be withdrawn for cause. Following such a recommendation by the Uniform Committee and with the approval of the Chief of Police, the name of the merchant shall be withdrawn from the roster of listed dealers.

609. NEWLY ACQUIRED EQUIPMENT.

609.10 WATCH COMMANDER'S APPROVAL. Employees shall submit new uniform and equipment articles to their watch supervisors, who shall determine by inspection whether the articles meet Department specifications and are properly fitted.

610. FIREARMS.

610.10 POSSESSION REQUIRED. Every officer shall possess an authorized firearm.

610.11 AUTHORIZED WEAPONS AND AMMUNITION. Except when taking a firearm or ammunition into police custody, officers shall not possess on City property, in a City vehicle, in a privately-owned vehicle parked on City property, or at any time while on duty, any firearm or ammunition which has not been approved by the Department.

Off-duty officers who carry a concealed firearm pursuant to their employment as a Los Angeles Police officer shall carry only firearms and ammunition which have been authorized by the Department for on-duty use.

Exception: Officers may possess other than Department approved firearms and ammunition while firing at the Police Academy ranges for recreational purposes. Further, reload ammunition may be used for qualification at Department ranges.

610.13 COMPACT SEMIAUTOMATIC PISTOLS USED AS A PRIMARY WEAPON. Officers that are assigned to non-uniformed assignments, such as detectives, staff personnel, specialized unit members, etc., may carry as their primary weapon a Department approved compact semiautomatic pistol while assigned to a temporary uniformed assignment. The concerned officers shall carry the appropriate ammunition, magazines, magazine pouch, and holster for uniformed officers.

610.15 CITY-OWNED REVOLVERS. Officers who have been furnished a City-owned revolver may carry that revolver while on-duty as their primary weapon.

Note: Officers who possess a City-owned six-inch revolver may, at their own expense, have the barrel cut to four inches by the Department Armorer. The Department Armorer shall maintain sole responsibility for any mechanical repair or alteration of City-owned firearms, including removal of the side plates or modification of the original finish.

610.17 DEPLOYMENT OF THE URBAN POLICE RIFLE (UPR). Only personnel who

are UPR trained and certified are authorized to deploy the UPR in the field.

610.19 PURCHASE OF CONCEALABLE FIREARMS/LARGE CAPACITY MAGAZINES BY SWORN OFFICERS.

When an officer requests to purchase an authorized on-duty or off-duty concealable firearm and/or large capacity magazine(s) without waiting the normal 10-day waiting period, Area and division commanding officers may issue a waiver letter. This waiver letter will allow officers to take possession of purchased concealable firearms and/or large capacity magazines immediately, without waiting the 10-days required of purchasers who are part of the general public.

Any officer who has difficulty in securing the release, after a waiver letter has been issued, of a firearm and/or large capacity magazine(s) from a gun dealer prior to the normal 10-day waiting period shall not insist upon the early release of the weapon and/or magazine(s). When appropriate, the officer shall contact and be guided by the direction of his/her commanding officer who may, at his/her discretion, refer the dealer to the Supervisor, Dangerous Weapons Control Section, State Department of Justice.

Officer's Responsibility. Officers requesting a 10-day waiver letter to purchase an authorized on-duty or off-duty concealable firearm and/or large capacity magazine(s) shall request and obtain approval from his/her commanding officer. Officers shall indicate the name and address of the business where the concealable firearm/large capacity magazine(s) will be purchased and a complete description of the concealable firearm and/or large capacity magazine(s) to be purchased including the type, make, model, barrel length, finish, capacity and caliber. The firearm shall be on the Department's Approved Firearms list maintained by the Firearms Training Unit (FTU), Training Division.

Commanding Officer's Responsibility. The commanding officer shall either approve or deny the request. The commanding officer's approval also certifies that the officer has no restrictions on his/her ability to carry a firearm or possess large capacity magazines (e.g., domestic violence conviction, subject to a court order, etc.). Upon approval of the request, a waiver letter shall be completed for Department approved firearms and a separate waiver letter shall be completed for large capacity magazines.

Note: In compliance with the Bureau of Criminal Information and Analysis, California Department of Justice, the Department is prohibited from using the California Law Enforcement Telecommunications System to access State summary criminal history information to determine if an officer is prohibited from possessing a firearm(s).

Exigent Circumstances. In the event of an exigent circumstance, a waiver letter may be

appropriate allowing an officer to purchase a firearm that is not authorized for on-duty or off-duty use (e.g., an officer needs a weapon to protect his/her family from a credible threat arising from his/her employment). In such cases, the officer's bureau commanding is authorized to grant the waiver.

Note: A waiver letter to purchase a firearm for the purpose of a shooting competition does not amount to an exigent circumstance.

610.20 INSPECTION AND REGISTRATION OF CONCEALED FIREARMS.

All firearms to be carried by sworn personnel on or off duty by virtue of their employment as peace officers shall be approved by the Department Armorer and may include:

Primary Weapon. A primary weapon is the Department approved firearm which officers are required to carry on-duty.

Additional Weapon/Back-up Weapons. An additional or back-up weapon is a Department approved weapon that shall be carried in a concealed manner.

Privately-Owned Firearms. On-duty officers may carry, as their primary or additional/back-up weapon, a privately-owned firearm that meets Department specifications.

Registration of Concealable Firearms with Department of Justice. An officer shall immediately complete and forward to the Gun Unit, Detective Support Division, a Firearm Registration Report, Form 12.49, for each concealable firearm carried or intended to be carried on or off-duty by virtue of peace officer status, when such firearm comes into or leaves the officer's ownership, possession or control.

Exception: When a Dealer Record of Sale or a Peace Officer's Record of Purchase of Firearm form has been completed and forwarded to the Department of Justice to report the acquisition or transfer of ownership, possession, or control of the firearm, a Form 12.49 is not required.

Inspection and Registration of Concealable Firearms with the Department. Prior to carrying a concealable firearm on or off-duty by virtue of peace officer status (830.1 P.C.), officers shall:

- * Present the firearm to the Department Armorer for inspection and approval. An officer who acquires a previously approved firearm shall present it to the armorer for reinspection and recordation on the acquiring officer's Firearms Inspection Record, Form 13.02.
- * Present the firearm to their supervisor who shall record the required information on the officer's Uniform/Equipment Issuance and Inspection Record, Form 1.41.1.
- * When a Firearm previously approved by the Armorer is transferred to another owner, the officer relinquishing possession of the firearm shall, in addition to completing a Form 12.49, notify the

Armorer of the transfer telephonically or in person.

Department Armorer-Responsibility. The Department Armorer shall maintain a Firearm Inspection Record, Form 13.02, for each officer. Information relating to each approved firearm, or previously approved and transferred firearm, shall be recorded on this form. Each Form 13.02 shall be maintained by the Armorer until the officer is separated from the Department.

610.25 MANUALLY COCKING AND FIRING THE DOUBLE-ACTION SEMI-AUTOMATIC PISTOL. Because of the potential for an accidental discharge when the hammer of a double-action semi-automatic pistol is manually cocked to the rear of the slide, the manual cocking of such a pistol is prohibited. The first round shall be fired in the double-action mode.

Note: Generally, the pistol should be returned to double-action mode when the involved officer has determined that the immediate necessity to fire no longer exists (e.g., prior to a foot pursuit or climbing a wall). Accuracy and fire control are the officer's goals when confronted by the need to stop a life-threatening attack.

610.30 RE-APPROVAL OF FIREARMS. Each officer shall ensure that any mechanical repair or modification of a *privately-owned* concealable firearm which the officer intends to carry in his/her capacity as a peace officer, *either on or off-duty*, is inspected and approved by the Department Armorer. The officer shall secure such approval, and shall cause the repair or modification to be recorded by the Department Armorer, *prior* to carrying the firearm on his/her person, either as a primary or supplementary weapon.

Additionally, a firearm shall be resubmitted to the Department Armorer for inspection and approval before such weapon is carried on-duty when:

- * Directed by a supervisory officer.
- * It has been stripped and reassembled.
- * There is reason to believe that the safety device designed by the manufacturer has been rendered ineffective.
- * It is functioning improperly.

Mechanically unsafe firearms shall not be knowingly carried on-duty. A firearm discharged accidentally due to an evidently defective safety device, or for any other apparent mechanical defeat, shall be presumed to be an unsafe weapon carried in violation of this section.

610.40 MAINTENANCE OF FIREARMS. Firearms carried on-duty shall be maintained in a clean, serviceable condition.

610.45 FIREARM EXPLOSIONS. When a Department-approved firearm explodes, all recoverable pieces of the firearm and the ammunition used shall be forwarded to the

Commanding Officer, Scientific Investigation Division, for examination. All facts concerning the explosion shall be reported by the concerned employee on an Employee's Report, Form 15.7, and forwarded to the Commanding Officer, Scientific Investigation Division. This report shall include:

- * Make, model, caliber, serial number, and barrel length of firearm.
- * Date and source of firearm purchase.
- * An estimate of the total number of rounds fired through the firearm.
- * An accurate description and source of the ammunition used in the firearm at the time of the explosion.

Witnesses to the explosion shall submit their observations on separate Employee's Report, Form 15.7, to the Commanding Officer, Scientific Investigation Division. One copy of each report shall be forwarded to the Commanding Officer, Training Division.

Commanding Officer, Scientific Investigation Division-Duties. The Commanding Officer, Scientific Investigation Division, shall cause the concerned firearm and ammunition to be examined. He/she shall submit an Intradepartmental Correspondence, Form 15.2, to the Commanding Officer, Training Division, stating his/her opinion of the cause of the explosion.

610.50 UNIFORMED OFFICERS-REQUIRED FIREARMS. Personnel on-duty, in uniform, shall carry an approved primary firearm in the uniform holster attached to the equipment belt.

Exception: Uniformed personnel in an assignment that does not involve physical contact with the public may carry a firearm that meets the specifications of a back-up or off-duty firearm, as their primary firearm, with prior approval of the concerned commanding officer.

610.60 PLAINCLOTHES ASSIGNMENT - REQUIRED FIREARMS. On-duty officers in a non-uniformed assignment shall carry an approved primary firearm in a holster specifically designed for that firearm and securely attached to the officer.

Exception: Plainclothes officers in staff assignments or assignments that do not involve physical contact with the public in field situations may carry a firearm, in a holster, that meets the specifications for a back-up or off-duty firearm, as their primary firearm, with prior approval of their bureau commanding officer.

610.67 DUTY ASSIGNMENT - OR TACTICAL REQUIREMENT VARIATIONS. Officers in special duty assignments may carry firearms other than those described as primary or additional/back-up weapons as long as the firearms are consistent with the particular assignment and prior written approval is obtained from the officers' commanding officer. All of these

firearms shall be approved by the Department Armorer (Manual Section 4/610.20).

Note: Special duties may include, but are not limited to SWAT, Detective Support Division, vice and narcotics.

610.70 BACK-UP OR CONCEALED OFF-DUTY FIREARMS. An officer carrying a back-up firearm on-duty, and officers carrying a firearm off-duty, shall ensure that the firearm conforms to the specifications and regulations set forth by the Department.

Note: Questions regarding approved firearms should be directed to the Department Armorer or the Uniform and Equipment Specifications Manual.

610.90 HOLSTERING A BACK-UP OR CONCEALED OFF-DUTY FIREARM. An on-duty officer carrying a back-up firearm or an officer carrying a firearm off-duty shall carry the firearm in a secured manner. The firearm shall be concealed and contained in such a manner as to prevent the firearm from falling out or becoming accessible to unauthorized persons when engaged in physical police activities such as a foot pursuit or physical altercation. If the firearm is secured in a pocket, no other items should be carried in that same pocket to ensure immediate and unhindered access to the firearm. Additionally, an approved firearm with a shrouded or internal hammer is preferable for carrying in a pocket, as a firearm with an exposed hammer spur is more likely to become snagged on clothing when drawing.

Note: When an off-duty officer carries a firearm in his/her waistband, the firearm must be secured in a holster that is specifically designed for that firearm and the holster must be securely attached to the waistband or belt.

Exception: A commanding officer may exempt an officer from these requirements when the nature or tactical requirements of a particular duty assignment require such an exemption.

610.92 FIREARM(S) CARRIED IN A CONTAINER. An on-duty officer may carry a back-up firearm or an off-duty officer may carry a concealed firearm in a container that is immediately accessible to and under the control of the officer. Such a container may include, but is not limited to, a briefcase, fanny pack, backpack, or purse. Unless the container is specifically designed to carry that firearm, the firearm shall be in a holster specifically designed for the firearm before it is secured in the container.

610.95 LOADING AND UNLOADING REVOLVERS AND SEMIAUTOMATIC PISTOLS UTILIZING THE DEPARTMENTAL LOADING/UNLOADING BARREL. The Departmental Loading/Unloading Barrel is designed to prevent injuries resulting from accidental discharges while loading and unloading revolvers and semiautomatic pistols. Therefore, personnel loading or unloading a

revolver or semiautomatic pistol shall use, and follow the applicable instructions posted on, available Departmental barrels.

610.97 FIREARMS USED FOR TRAINING - COLOR-CODING. Firearms shall only be color-coded by the Firearms Training Unit, Training Division. Color-coding shall be applied to the stock (grip) of the firearm or as needed to the slide handle of a shotgun, the hand guard of a rifle, or other portions of the firearm such as the barrel and sling. Color-coding shall be applied as follows:

Yellow: A modified firearm capable of firing only blank rounds.

Blue: A modified firearm capable of firing only paintball or paint-type rounds.

Orange: A firearm disabled and unable to fire any type of ammunition.

Green: Less-lethal weapons such as the beanbag shotgun.

No color-code: Firearms capable of firing live ammunition.

Area/Division Training Coordinator's Responsibility. Training coordinators shall conduct training in accordance with established Training Division procedures. In addition, coordinators shall:

- * Ensure that firearms obtained for training are forwarded to the Firearms Training Unit, Training Division, for color-coding, modification, and approval as training firearms;
- * Only utilize firearms that have been color-coded and approved as training firearms by the Firearms Training Unit, Training Division; and,
- * Maintain a repository of training firearms.

Training Division's Responsibility. The Firearms Training Unit, Training Division, shall coordinate with Area/division training coordinators to color-code, modify, inspect, and approve all existing and newly acquired firearms used for training. Additionally, the Firearms Training Unit, Training Division, shall provide support and advice to entities conducting firearms/tactics training.

Area/Division Commanding Officer's Responsibility. Commanding officers shall ensure that training is conducted in accordance with established Training Division procedures. Commanding officers shall also ensure that firearms utilized have been color-coded, modified as necessary, and approved for training by the Firearms Training Unit, Training Division.

611. AMMUNITION

611.20 REPLACEMENT OF AMMUNITION. All ammunition required by this Chapter shall be replaced with new ammunition every six months.

611.25 LOST OR UNSERVICEABLE CONDITION OF DEPARTMENT AMMUNITION. Officers shall report the loss or unserviceable condition of their Department approved ammunition to their supervisor immediately.

611.30 REQUIRED AMMUNITION FOR PRIMARY WEAPON-UNIFORMED OFFICERS.

Revolver. The service revolver shall be carried fully loaded by uniformed officers assigned to field duty. In addition, uniformed officers in field assignments shall carry a minimum of 12 rounds in the cartridge case.

Semiautomatic Pistol. Uniformed officers shall carry their primary semiautomatic pistol (and magazine) fully loaded at all times when assigned to field duty. In addition, uniformed officers in field assignments shall carry as a minimum for their primary semiautomatic pistol two fully loaded reserve magazines in the magazine pouch.

Exception: Uniformed personnel who carry a primary semiautomatic pistol or an authorized additional semiautomatic pistol as a primary weapon in an assignment that does not involve physical contact with the public or does not require the wearing of the Police Equipment Belt shall carry as a minimum one fully loaded magazine in a magazine pouch worn on the belt or shoulder holster strap.

611.40 REQUIRED AMMUNITION FOR PRIMARY WEAPON-PLAINCLOTHES OFFICERS.

Revolver. Plainclothes officers shall carry their revolver fully loaded at all times. In addition, they shall carry a minimum of six rounds of ammunition in a cartridge carrier worn on the belt or shoulder holster strap.

Semiautomatic Pistol. Plainclothes officers shall carry their primary semiautomatic pistol (and magazine) fully loaded at all times. In addition, they shall carry as a minimum for their primary semiautomatic pistol one fully loaded magazine in a magazine pouch worn on the belt or shoulder holster strap.

Exception: At the discretion of their commanding officer, undercover officers and "Special Duties officers" may be exempted from Department Manual provisions pertaining to handguns, ammunition, and related equipment (Manual Section 3/610.67).

611.50 ADDITIONAL AMMUNITION. In addition to the required ammunition carried on the person, uniformed and plainclothes officers shall be encouraged by their supervisors to carry extra ammunition. When worn on the Police Equipment Belt, the supplemental ammunition pouch/case shall be worn immediately behind the holster; when worn with an additional handcuff case, the supplemental ammunition pouch/case shall be worn centered between the handcuff cases. Additional fully-loaded magazines or cartridge

cases may also be carried concealed upon the officer. Officers are urged to carry extra ammunition on their persons when off-duty. All Department-issued ammunition not carried on the person shall be maintained in a personal locker or other readily accessible location.

611.60 DEPLOYMENT OF SHOTGUN SLUG AMMUNITION (SSA) Only personnel who are trained and certified using Shotgun Slug Ammunition are authorized to carry SSA in the field and deploy it for use.

614. BASIC UNIFORM-POLICE OFFICERS ELIGIBLE FOR UNRESTRICTED FIELD DUTY.

614.10 BASIC UNIFORM REQUIREMENTS. The items named in this section shall constitute the basic uniform for police officers who are eligible for field duty.

Note: The basic uniform shall also be worn by motorcycle officers when temporarily assigned to duties other than two-wheeled motorcycle patrol.

Exception: Police officers ineligible for field duty shall wear the basic uniform or appropriate business attire. The maternity uniform has been approved for pregnant officers and is outlined in Manual Section 3/640. Any other exception shall be approved by the employee's commanding officer.

614.20 CAP (HAT). Patrol officers, while on-duty, shall ensure that their uniform hat is serviceable and available either at their division of assignment or in their assigned vehicle.

Exception: Officers assigned to traffic divisions shall ensure that their uniform hat is available in the passenger compartment of their assigned vehicle and shall wear their hats when directing traffic.

The wearing of the uniform hat is mandatory for all officers:

- * When an officer is working an assigned footbeat.
- * When an officer is working an assignment in which the primary function is crowd control (e.g., parades, Coliseum events, etc.).
- * At inspections, ceremonies, funerals and other appropriate formal events.
- * As determined by the officer in charge in those situations in which immediate recognition is necessary for officer safety.
- * As determined by commanding officers when circumstances are such that the wearing of the hat is appropriate.

Note: Officers shall wear the Department-issued motorcycle officer's helmet when operating a two-or three-wheel motorcycle.

614.30 SHIRT. Shall be the long sleeve uniform shirt.