

**MARIN COUNTY SHERIFF'S OFFICE
GENERAL ORDER**

CHAPTER 4 - WEAPONS
GO-04-04
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DATE
12/08/11

**ON AND OFF DUTY FIREARMS –
REQUIREMENTS AND SPECIFICATIONS**

POLICY

It is the policy of the Marin County Sheriff's Office to issue a Department handgun to all sworn personnel who meet the legal requirements.

DEFINITIONS

ON-DUTY PERSONNEL – Uniformed deputies and plainclothes investigators.

APPROVED DUTY CARTRIDGES

- .38 special
- 9mm parabellum
- .40 S&W
- .45 ACP

APPROVED PRIVATELY OWNED HANDGUNS

- Any Colt Smith and Wesson double action revolver with a 4 to 6 – inch barrel (plainclothes may carry 2 to 6 inch barrel) in an approved caliber. (.357 Magnum revolvers are acceptable as long as only approved .38 special ammunition is used while on duty)
- Any Smith and Wesson second or third generation double action semi-automatic pistol (double/single action with de-cocking lever or double-action-only model) in an approved caliber.
- A Glock or Smith & Wesson Sigma (with a trigger pull of at least 5 pounds) in an approved caliber.
- Any Beretta double action semi-automatic pistol (double/single action with de-cocking lever or double-action only model) in an approved caliber.
- Any Sig double action semi-automatic pistol (double/single action with de-cocking lever or double-action-only-model) in approved caliber.
- Any H&K double action semi-automatic pistol (double/single action with de-cocking lever or double-action-only-model) in approved caliber.

Command Staff (Captain and above) may carry Walther .380 semi-automatic pistols while in plainclothes. The Sheriff or a Bureau Commander may make short term authorizations which deviate from this list when required by mission or officer safety considerations.

PROCEDURE

The Marin County Sheriff's Office issues Glock Models 22 and 27 handguns in .40 S&W caliber. Deputies carrying approved personally owned handguns on duty prior 4-1-98 may continue to carry them on duty. Any Deputy, who has been approved to carry a personally owned handgun and wishes to upgrade, may upgrade to a handgun of the same make and caliber. That Deputy must provide a letter from any Marin County Law Enforcement factory trained Armorer in that manufacturer stating that the handgun has not been modified outside of factory specifications. In the letter the Deputy must also agree not to modify the handgun in the future. The Deputy must then qualify with that handgun at a Department range and demonstrate that the handgun functions correctly. If, however, they should ever choose to transition to a Department Glock, they will thereafter be required to carry a Department issued handgun.

Officers choosing to carry personally owned weapons either on (as described above) or off-duty shall do so at no cost to the County, except that the County will supply the authorized ammunition type in those calibers listed for both duty and training. Officers carrying an approved off-duty gun in a caliber other than those listed are required to provide ammunition at their own expense.

CARRYING OF SERVICE WEAPON

Sworn officers are required to carry their service weapon while on duty. Exceptions to this requirement shall be:

- While interviewing prisoners.
- When working in the jail.
- While being in certain courtroom environments or other facilities in which the carrying of a weapon would be a threat to security.
- When testifying in court in cases where the officer is a defendant or has a special interest, such as Family Court.
- At appropriate times, when approved by the Deputy's Commanding Officer.

OFF DUTY WEAPONS

It is not mandatory or a requirement of employment that members carry a weapon off-duty. Members electing to carry an off-duty weapon will do so only in compliance with this policy.

Members shall not carry a firearm while intoxicated.

Any handgun approved for on-duty and listed above may be carried concealed off-duty. If a Deputy desires to carry a firearm concealed, off-duty, he may choose a combination of calibers and manufacturers from the following list.

Calibers

.380 to .45

Manufacturers

Colt

Smith and Wesson

Glock

Beretta
Sig Sauer
H&K
Ruger
Walther
Springfield
Taurus
Kel-Tec
Kahr
Kimber
Para-Ordnance

No single action only semi-automatics are authorized.

Before a Deputy can carry a specific handgun off duty, he/she must qualify with that handgun at a Department range.

NEW MEMBERS – POSSESSION OF FIREARMS

Members who do not have a basic P.O.S.T Certificate may carry a firearm on-duty only after they have successfully completed a course of instruction fulfilling the requirements of section 832 of the Penal Code and they have qualified with the weapon being carried. The only exception is that a recruit at a P.O.S.T approved law enforcement academy may carry and use a firearm while participating in sanctioned firearms training.

Unless directed otherwise, members who have graduated from a P.O.S.T approved academy may carry a concealed firearm off-duty, once they have qualified with their off-duty weapon at one of the department's range training sessions.

Newly hired deputies must provide verification from their prior agency or academy that they have received training with the Glock pistol or they must complete the Department's Glock transition class.

Deputies are prohibited from carrying "second" or back-up" handguns while on duty.

SECURITY RETENTION OF WEAPON

Uniformed deputies will carry their sidearm in a Department issued or Department approved black weave holster, which includes a safety strap. If armed, plainclothes and off-duty deputies shall carry their firearm securely in an ankle, belt, shoulder, waistband or belly pack style holder.

When off-duty, the firearm shall be completely concealed from view. When on-duty and concealment is not possible or is impractical, a full sized badge will be worn or displayed.

Each holster must provide secure retention of the weapon during strenuous activity, including running, rolling as if wrestling with a suspect, and jumping over obstacles or from heights.

ADDITIONAL SUPERVISORY RESPONSIBILITIES

Supervisors will ensure that subordinate deputies are carrying only Department owned or approved weapons both on and off duty, and will also ensure that subordinate deputies are carrying only Department issued/approved ammunition.

REPAIR OF WEAPONS

In the event a deputy either identifies his/her own weapon or is advised by the Department Range Trainer that his/her weapon is in need of repair, the deputy shall attend to the repairs immediately. A department weapon in need of repair shall have the necessary repairs coordinated through the Firearms Training Division.

A Personally owned weapon in need of repair shall be the financial responsibility of the deputy. The Department may issue a replacement weapon provided the deputy has qualified with the weapon at one of the department's range training sessions until his/her weapon has been repaired.

REPLACEMENT OF DUTY WEAPON AFTER SHOOTING INCIDENT

In the event that a deputy is involved in either an on-duty or off-duty shooting incident, his/her handgun will be taken pending investigation. If this handgun is the deputy's duty handgun (whether personally owned or Department issue), the Department will issue a replacement handgun.

RELATED STANDARDS:

GO-04-02
GO-04-03
GO-04-05

AFFECTED DIVISIONS:

Patrol
Jail
Courts

DATE OF REVISIONS:

01-16-90
12-10-90
09-02-99
10-01-96
11-17-11

By order of

ROBERT T. DOYLE
SHERIFF