DAVIS POLICE DEPARTMENT

FIREARMS
CARRYING A FIREARM WHILE FLYING COMMERCIALY
Policy and Procedure 3.20-A

DEPARTMENT MANUAL

Flying while armed

I. POLICY

In the post-9/11 world of terrorist threats and transportation security, the carrying of a firearm on a commercial aircraft, even in the course of conducting law enforcement business, has taken on new meaning. Only police officers traveling on official Davis Police Department business will be authorized by the Davis Police Department to fly armed. Police officers carrying a firearm on a commercial aircraft in course and scope of their employment must comply with all federal regulations found predominately in 49 CFR 1544 et. seq., particularly 49 CFR 1544.219. This includes, but is not limited to completing the Transportation Security Administration’s law enforcement flying while armed training course.

II. PROCEDURE

A. Definitions

1. Federal Air Marshals – specifically trained and equipped Federal law enforcement officers assigned to selected flights to take necessary action to prevent hijacking of an aircraft and loss of life. Protection of their identity is critical.

2. LEO – Law Enforcement Officer

3. Pilot in Command – The pilot in charge of the aircraft on which the law enforcement officer is flying.


B. Authorization to Fly Armed

1. Only the Police Chief, Deputy Chief, or one of the Lieutenants is permitted to authorize a police officer to fly while armed. Sergeants and police officers cannot authorize a police officer to fly armed.

2. Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules. Examples include, but are not limited to:

   a. Protective escort duty
   b. Hazardous or high risk surveillance
c. Prisoner transportation  
d. Official Davis Police business that requires the officer(s) to arrive prepared for duty

3. Officers must have completed the mandated TSA security training covering officers flying while armed.

4. An airline has the authority to refuse to allow a police officer to fly armed. The Pilot in Charge has the final authority on the aircraft.

C. Approval Authority Process and Travel

1. Once it is determined that there will be a need to fly while armed, the requesting officer/supervisor shall make their request via the chain of command for authorization. While in an urgent situation a Lieutenant is allowed to authorize an officer to fly armed, barring an urgent situation, the request should be authorized by at least the Deputy Chief.

D. On the Plane

1. While flying armed, the officer shall at all times keep the firearm concealed and out of view of the public.

2. The officer shall at all times keep control of the firearm and keep it on his/her person. At no time will it be stowed in the overhead compartment or under the seat in carry-on luggage.

3. Response to incidents on the aircraft

   a. For disorderly passengers and other non-life threatening situations, allow the flight crew to handle the incident. They have been trained to handle most crisis situations. Only assist if requested by airline personnel and only if it does not interfere with your primary law enforcement responsibility which placed you on the aircraft to begin with.

   b. For other life threatening situations do not take action if there are Federal Air Marshals onboard unless they specifically request assistance.

   c. For life threatening situations when there are not Federal Air Marshals on board, take the necessary action to prevent the loss of life or serious bodily injury in compliance with Davis PD policies.

Darren Pytel  
Police Chief

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Revised 6/16 (title name changes, added TSA training and no alcohol consumption)

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