

Patrol Rifle

382.1 PURPOSE AND SCOPE

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

Those Members presenting good cause may be exempt from applicable sections of this policy with approval from both the Training Division Commander and the Member's Commander. The exemption authorization form will be generated by the range sergeant, approved and signed by both commanders, scanned and stored on the Training Division's network drive.

382.2 PARTICIPATION IN THE CRITICAL INCIDENT RESPONSE TEAM (CIRT) PROGRAM

- (a) Participation in the CIRT program is based on the Department Member's assignment. The approval of the program's participation is at the sole discretion of the Department.
- (b) As part of the certification process, the CIRT Member must successfully complete OCSD's POST-approved 40-hour CIRT Course and the 20-hour Multi-Assault Counter Terrorism Action Capabilities (MACTAC) and Active Shooter course.
- (c) To remain in the CIRT program, the Member must successfully complete rifle qualifications on a quarterly basis.
- (d) Only full-time sworn Department Members, with the rank of Deputy and above, are eligible to participate in the CIRT program.

382.3 AUTHORIZED ASSAULT RIFLE FOR PATROL

Authorized rifles must pass inspection by an authorized Department Armorer before being deployed for duty use. The authorized Department Armorer listed in this policy is specified and appointed by the Training Division Commander within the Firearms Training Unit (FTU).

382.3.1 GENERAL SPECIFICATIONS FOR PATROL RIFLES

1. Caliber: 5.56 x 45mm or .223 Wylde
2. Platform: AR-15, semi-automatic
3. Barrel Length:
 - (a) The Barrel overall length MUST be a minimum of 16" for private-purchase rifles.
 - (b) Short-barreled rifles (SBR's) will not be authorized for private purchase (CPC 33210). A SBR is a rifle with an overall barrel length of less than 16" or an overall length of less than 26".
 - (c)
4. Barrel Twist Rate: 1:7, 1:8, and 1:9

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5. Sights: A list of Department-approved sights and optics shall be specified in the addendum maintained by the Training Division Commander.
6. Color: Black, gray, brown, green, or tan

382.3.2 DEPARTMENT-ISSUED PATROL RIFLE

Upon successful completion of OCSD's POST approved CIRT and Multi-Assault Counter Terrorism Action Capabilities (MACTAC) courses, Members may be issued a department-owned patrol rifle.

Department-issued rifles are the sole property of the Department. The rifle shall be returned immediately upon the request or separation from the CIRT program and/or Department.

382.3.3 PRIVATE PURCHASE OF ASSAULT RIFLE FOR DUTY USE

California Penal Code Section 30630, subdivision (a) allows for the possession or use of an assault weapon by a sworn peace officer for a law enforcement purpose, whether on or off duty. Section 30630, subdivision (b) allows for the delivery, transfer, and sale of an assault weapon to a sworn peace officer provided that the peace officer is authorized by his or her employer to possess or receive the assault weapon.

Required authorization is defined as verifiable written certification from the head of the agency, identifying the recipient or possessor of the assault weapon as a peace officer and authorizing him or her to receive or possess the specific assault weapon, CPC 30630 (b) (1).

Upon successful completion of OCSD's POST approved CIRT and Multi-Assault Counter Terrorism Action Capabilities (MACTAC) courses, sworn Members may purchase (at their expense) an authorized assault rifle with a written certification from the Sheriff. To request this written certification from the Sheriff, sworn Members may submit the request to the Firearms Training Unit (FTU) Sergeant. The serial number and description of the weapon shall be recorded and maintained by the Range Armory.

Current California law does not allow for the conversion of an assault weapon to a California compliant weapon (i.e., bullet button) nor does the current California law allow for a California compliant weapon to be converted, registered, and utilized as an assault weapon by on or off duty sworn Members.

Purchase and retention of weapons under this program are subject to changes in California and/or Federal law. It is the responsibility of the Member to ensure his/her compliance with any applicable law, including registration requirements, and adherence to Department policy.

1. Due to ever-changing technological advances in firearms and accessories, the Training Division Commander shall be responsible for maintaining an addendum of authorized rifle manufacturers, models, and accessories that meet the appropriate criteria for private-purchase rifles.
2. All rifles, accessories, and equipment must be inspected and approved by an authorized Department Armorer prior to deployment.

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382.4 RIFLE INSPECTION

1. Any patrol rifle used in a duty capacity will be inspected annually by an authorized Department Armorer.
2. Any modifications to a Department-issued rifle are strictly prohibited unless authorized and performed by an authorized Department Armorer.
3. Repairs to a Department-issued rifle shall be performed by an authorized Department Armorer.

382.5 RIFLE QUALIFICATION

1. All CIRT rifle qualifications apply in accordance with POST and Department mandates on a quarterly basis dependent upon FTU's requirements.
2. Failure to pass qualification standards with a patrol rifle may result in the on-duty use privilege of the patrol rifle being revoked and removal from the CIRT program.
3. Failure to attend patrol rifle qualification within the allotted time frame may result in discipline.
4. Department Members assigned to CIRT may receive a maximum of three hours of overtime per qualification if the Member is unable to qualify during normal scheduled hours.

382.6 AUTHORIZED AMMUNITION FOR PATROL RIFLE

1. Department Members shall only carry Department-approved duty ammunition for duty use in all Department-approved rifles.
2. All Department-issued rifles and Department-approved personally owned rifles used while on duty shall only be used with Department-approved ammunition even during training classes and practice.
3. Re-manufactured ammunition, or "reloads," are strictly prohibited in any Department-approved rifles. A list of Department-approved duty and training ammunition shall be specified in the addendum maintained by the Training Division Commander.
4. Department Members shall carry a minimum of three fully-loaded magazines of department-approved duty ammunition.
5. The Department shall issue an initial allotment of duty ammunition during the initial rifle issuance.
6. A new allotment of duty ammunition shall be issued to Department Members active in the CIRT program annually.

382.7 CARRY CONDITION OF THE PATROL RIFLE

All Department Members shall carry the patrol rifle in the "Patrol Ready" condition while on duty.

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"Patrol Ready" condition is: No round in the chamber, bolt closed, hammer cocked, safety on, a loaded magazine inserted, and the ejection port cover closed.

382.8 STORAGE AND TRANSPORTATION

For privately owned Patrol Rifles refer to Policy 380.11 STORAGE OF FIREARMS. Department-owned Patrol Rifles shall be stored in a Division approved storage location designated by their Division Commander between shifts. The list of approved storage locations can be found in the "Patrol Rifle Approved Storage Location Addendum" on the Department Intranet. A Department Member's Division Commander, or designee may provide atemporary exemption for the storage of Department-owned Patrol Rifles(e.g., Department training). These approved weapon storage locations shall be inspected annually by the Division's assigned Commander.

Division approved storage locations shall not be utilized for the long-term storage or distribution of Patrol Rifles. All long-term storage and distribution of Patrol Rifles will occur only at the Department Armory located at the Sandra Hutchens Regional Law Enforcement Training Center (SHRLETC). Long-term storage is required when a member is no longer active in the CIRT program or is on some type of long-term leave (e.g., military, workers' comp, administrative, etc.). In these cases, the rifle shall be returned to the Department Armory at the SHRLETC.

382.8.1 STORAGE OF RIFLE IN A PERSONAL VEHICLE

Department Members shall ensure that an assault weapon is unloaded during transport and in a locked container. A "locked container" means a secure container that is fully enclosed and locked by a padlock, keylock, combination lock, or similar locking device. 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).

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

382.8.2 STORAGE AND TRANSPORTATION IN A DEPARTMENT-OWNED VEHICLE

The patrol rifle shall be stored in the "Patrol Ready" condition. If the Department Member utilizes a sedan, the patrol rifle shall be stored in a locked rack or kept in a container, case, or bag inside a locked trunk, inaccessible from the cabin. If the Department Member utilizes a SUV, truck, or other vehicle that does not have a trunk the patrol rifle shall be stored in either a locked rack or locked and secured in the rear cargo area, inaccessible from the cabin. Patrol rifles stored in the rear cargo area shall be kept inside a container, case, or bag. Patrol rifles stored on vessels shall be in a locked rack or locked inside an affixed container when left unattended.

382.9 SEPARATION FROM THE DEPARTMENT AND DISCONTINUANCE OF PEACE OFFICER STATUS

Upon the Member's separation from the Department, and if the Member has not transferred to be a peace officer with an agency specified in Penal Code section 30625, Members who have

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purchased an assault weapon under the above listed guidelines shall surrender the firearm, or the stripped serialized lower receiver of the weapon to the Department, or transfer the weapon to a state where an assault weapon is legal to possess by a private citizen.