

BERKELEY POLICE DEPARTMENT

DATE ISSUED: February 1, 1994

GENERAL ORDER P-47

SUBJECT: PROCEDURES FOR THE SAFE CARRIAGE OF WEAPONS AND THE TRANSPORTATION OF PRISONERS ON COMMERCIAL AIRCRAFT

PURPOSE

- 1 - **The purpose of this General Order is to define procedures for the safe carriage of weapons and the transportation of prisoners on commercial aircraft.**

POLICY

- 2 - It shall be the policy of this Department to adhere to, and fully cooperate with, policies, procedures and regulations adopted by commercial air carriers regarding carrying weapons and transporting prisoners aboard aircraft.

DEFINITIONS

- 3- Certificate Holder -A person holding an FAA operating certificate when that person engages in scheduled passenger or public charter operations or both, i.e., an air carrier or airline.
- 4 - Responsible Representative of the Certificate Holder -The Certificate Holder's station manager or a designated member of the station manager's staff, the duty supervisor in charge of passenger services, or a person specifically designated by the Certificate Holder to handle the carriage of weapons and prisoners aboard aircraft.
- 5 - Carriage of Weapons Aboard Aircraft -Carrying a firearm on or about the person of a passenger on board an aircraft including his/her carry-on baggage.
- 6 - Prisoner -Any individual in the physical custody of a law enforcement officer.

PROCEDURES

- 7 - Officers with a requirement to carry a dangerous weapon in the cabin compartment of an aircraft shall provide a letter to that carrier on Berkeley Police Department letterhead stationery setting forth the following:
 - (a) The specific circumstances that create the need to be armed during the flight (e.g., transporting a prisoner).
 - (b) The trip itinerary including the period during which the need to be armed in flight will exist.
 - (c) The fact the officer needs to have the weapon accessible in connection with the performance of his/her official duty.

* Highlighted text is new

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Sample form letters are available in the Warrant **Detail**.

- 8 - This notification to the Certificate Holder should be at least one hour prior to the flight departure, or, in an emergency, as soon as practical.
- 9 - Officers shall identify themselves to responsible representatives of the Certificate Holder by presenting identification cards upon request.
- 10 - Officers shall comply with all procedures, as directed by responsible agents of the Certificate Holder, when boarding an aircraft while armed or accompanying a prisoner.
- 11 - Chemical weapons, such as mace or tear gas, are not permitted aboard aircraft.
- 12 - Officers shall avoid inadvertent display of weapons or associated equipment aboard aircraft.
- 13 - Officers who are armed or who have prisoners in custody shall not drink alcoholic beverages on board an aircraft.
- 14 - Prisoners shall not be permitted to drink alcoholic beverages on board an aircraft.
- 15 - When not required on a particular flight, e.g., the outgoing or return portion of a prisoner escort mission during which no prisoner accompanies the officer(s), weapons should be carried in an unloaded condition in the officer's checked baggage. The test as to whether or not the weapon is to be carried is based upon the officer's need to have the weapon accessible in connection with the performance of his or her duties from the time it would otherwise be checked in with check-through luggage until the time it would be returned after deplaning.
- 16 - The Certificate Holder shall:
 - (a) Insure that the officer(s) are familiar with its procedures for carrying a deadly or dangerous weapon aboard its airplane before the time the officer(s) board the plane; and
 - (b) Insure that the identity of the officer(s) is known to each law enforcement officer and each employee of the certificate holder responsible for security during the boarding of the airplane; and
 - (c) Notify the pilot in command, other appropriate crewmembers, and any other person authorized to have a weapon accessible to him or her aboard the airplane of the location of each authorized armed person aboard the airplane.

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References: Department of Transportation, Federal Aviation Administration,
Advisory Circular AC 108-2, 10/16/81
General Order P-46
CALEA Standards