

GENERAL ORDER

April 2016

Immediately

II-41

Distribution: All Employees

Subject: **CARRYING A FIREARM – SPECIAL CIRCUMSTANCES**

Index as:	Airports, Weapons at Court Facilities, Weapons In Flying While Armed: Off-Duty Flying While Armed: On-Duty	Law Enforcement Officers Safety Act (LEOSA) Transportation Security Administration (TSA) Requirements Weapons at Airports Weapons in Court Facilities
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Accreditation Standards:

Cross Reference: [I.O. V.5:26, Concealed Firearms Laws](#)
 Memorandum to all Communications Personnel regarding Law Enforcement Officers Flying
 Armed Updated Procedures, dated July 20, 2009
[Administrative Order No. 2010-040 PI-CIR, Court Security – Pinellas County](#)
 H.R. 218 Law Enforcement Officers Safety Act (LEOSA)
 S.1132 Law Enforcement Officers Safety Act Improvements Act of 2010
 LEOSA, as Amended by the H.R. 4310 National Defense Authorization Act of 2013
 49 CFR 1544.219, Carriage of accessible weapons

Replaces: G.O. II-41 Carrying a Firearm – Special Circumstances (April 28, 2016)

This Order consists of the following sections:

- I. [Policy](#)
- II. [Weapons in Court Facilities](#)
- III. [Firearms at Airports](#)
- IV. [Law Enforcement Officer’s Safety Act \(LEOSA\).](#)

I. POLICY

A. It is recognized that Officers may encounter special circumstances where it is necessary to carry their firearm. This Order establishes policy and procedures for an Officer to carry a firearm in special circumstances.

II. WEAPONS IN COURT FACILITIES

A. Prohibition – Except for judges, bailiffs, detectives and supervisors in the Pinellas County Sheriff’s Office who are assigned to court security and other law enforcement officers as provided herein, no person possessing a firearm, taser, electronic control weapon, ammunition, knife, mace, pepper spray, or dangerous weapon may enter or occupy a court facility.

1. Exception – A uniformed St. Petersburg Police Officer on official business may enter or occupy a court facility with a weapon in accordance with [Administrative Order No. 2010-040 PI-CIR, Court Security – Pinellas County.](#)

III. FIREARMS AT AIRPORTS

A. Secure Areas of Airports

1. The Transportation Security Administration (TSA) and the Federal Aviation Administration (FAA) restrict Officers from carrying a firearm into secure areas of airports. The following details the restrictions and requirements:

a. An off-duty Officer should leave their firearm at home or secured in their vehicle if the Officer intends to enter a secure area.

b. An armed, off-duty Officer, while at the airport, who has a specific need to be armed and who is required to enter a secure area, will:

1) Obtain and have in their possession an original Letter of Authority from the Chief of Police, indicating the nature of their official business and why they would need access to a secure area while armed. The letter will contain the date and approximate time when the Officer will need access, along with any airline flight numbers and times, if travel is involved.

2) Contact the TSA security personnel who will request an airport Police Officer.

B. Flying While Armed

1. On-Duty Officer – An armed, on-duty Officer, departing from an airport on a scheduled commercial flight must comply with the requirements and restrictions of [49 CFR 1544.219](#).

2. Off-duty Officer – An off-duty Officer is required to follow existing [TSA regulations](#) regarding firearms and ammunition on commercial flights as it applies to the general public.

IV. LAW ENFORCEMENT OFFICERS SAFETY ACT (LEOSA)

A. LEOSA authorizes Officers to carry a concealed firearm in any jurisdiction in the United States subject to the following:

1. While outside the City of St. Petersburg, Officers are subject to all provisions of Department directives relating to the carrying, reporting, and use of firearms.

2. Active Officers may carry their issued handgun or any approved off-duty handgun, provided they have in their possession their Department-issued Identification Card.

3. The City of St. Petersburg will not defend, nor indemnify, Officers in the event of any injury or damage caused by the discharge of a firearm outside the State of Florida when the Officer is not acting within the course and scope of their employment.

4. Outside the State of Florida, Officers have no greater right than a citizen of any particular state who is authorized to carry a concealed firearm.

5. Officers will not be protected by the LEOSA if they:

a. Have not met the Department's qualification requirements; or

b. Are under the influence of alcohol or other intoxicating or hallucinatory drug or substance; or

c. Are the subject of any disciplinary action by the agency which could result in suspension or loss of police

powers, or

d. Are prohibited by Federal law from receiving a firearm.

6. Under the LEOSA, Officers may not carry a concealed firearm into or onto:
 - a. Any private premises where such is prohibited by the owner or occupant, or
 - b. Any location prohibited by any particular state or federal law. It is the Officer's responsibility to know the laws of any state(s) in which they intend to carry a concealed firearm.

Anthony Holloway
Chief of Police