

INSTRUCTIONAL ORDER

August 2017

Immediately

V.5:34

Distribution: All Employees

Subject: **REDUCING GUN VIOLENCE**

Index as: Firearms, Illegal Use Gun Violence, Reducing Preferred Arrest, Firearms Offenses

Accreditation Standards: 1.2.7
Cross Reference: I.O. V.5:26, Concealed Firearms Laws
Florida Statutes, Chapter 790
Replaces: I.O. V.5:34, Reducing Gun Violence (April 2008)

This Order consists of the following sections:

- I. Purpose
- II. National Statement On Gun Violence
- III. Policy
- IV. Investigating Gun Crimes
- V. Community Awareness

I. PURPOSE

A. Violence with firearms affects not only victims who suffer serious injury or death, but it also affects the quality of life in our community. The threat and actual use of firearms endangers every member of our community and law enforcement personnel alike. Indirectly, it endangers the economic vitality of the community, reducing opportunities for business, employment and community development.

B. The St. Petersburg Police Department recognizes the continuing threat of illegal firearms possession and use and, by means of this policy, establishes an organized approach on the part of law enforcement to suppress potential and actual gun violence.

II. NATIONAL STATEMENT ON GUN VIOLENCE

A. In support of *Project Safe Neighborhoods* (PSN), a comprehensive, strategic approach to reduce gun crime in America, the Executive Branch of the Federal Government issued a letter in 2001.

B. Excerpts from the letter include the following:

- 1. Although progress has been made in fighting violent crime, America remains far too violent with a violent crime rate among the highest in the industrialized world.
- 2. For every fatal shooting, there were roughly three non-fatal shootings. A teenager is more likely to die from a gunshot than from all natural causes of death combined. This is unacceptable in America. For our children's sake, this nation must reclaim our neighborhoods and streets.
- 3. To reduce gun violence, we must vigorously enforce existing gun laws.

III. POLICY

A. It is the Department's position to take an affirmative stance to reduce gun violence in the community.

1. Officers encountering a firearms-related offense shall thoroughly investigate and report their actions and, unless the possession or display is clearly one permitted by law, shall follow a Preferred Arrest policy whenever probable cause exists, regardless of the victim's desire to prosecute.

2. Firearms seized as evidence or contraband shall be properly marked and secured in accordance with existing evidence procedures.

3. Incidents involving firearms require the preparation of a complete and detailed police report to assist in the follow-up and tracking process.

4. If an arrest is not made, Supervisory approval is required.

B. It is not the Department's intent to inhibit the lawful possession of firearms as provided by the Constitution of the United States or any national or state law. It is recognized that many citizens possess firearms in accordance with applicable laws.

1. Chapter 790 of the Florida State Statutes depicts conditions and procedures for the lawful possession of firearms in the State.

2. Chapter 790 also defines interstate reciprocity, and this is further referenced in <J:\Research\GeneralOrders\Instructional Orders\V5-26 Concealed Firearms Laws.pdf>.

3. Certain qualified retired law enforcement officers may be armed under provisions of Title 18, 44 USC, ss. 926B and 926C, known as the "Federal Law Enforcement Officers Safety Act of 2004" or "HR 218."

IV. INVESTIGATING GUN CRIMES

A. Uniform Services Bureau shall:

1. Promptly and thoroughly investigate any gun crime that is reported to the Department or discovered as an on-view event; and

2. Pay particular attention to any incident that results in death or injury to any person and which may result in a spiral of violence and retaliation.

B. Investigative Services Bureau shall:

1. Thoroughly follow up reports of violent acts involving guns and reports of stolen or lost firearms; and

2. Maximize the use of electronic resources such as the National Crime Information Center (NCIC), the Department of Alcohol, Tobacco and Firearms (ATF) National Tracing Center "E-Trace" program, and National Integrated Ballistics Information Network/Integrated Ballistics Information System (NIBIN/IBIS); and

3. Work closely with the Office of the State Attorney to encourage maximum prosecution for all gun crimes; and

4. Coordinate the Department's gun violence reduction efforts with other law enforcement agencies.

C. Administrative Services Bureau shall:

1. Accept firearms voluntarily surrendered for destruction; and

2. Destroy all guns that come into the Department's possession when legally able to do so and when all law enforcement use has been completed.

V. COMMUNITY AWARENESS

A. The Department shall, with appropriate resources, encourage:

1. Safe handling and secure storage of firearms by citizens owning them.
2. Community participation and awareness of the role citizens play in reporting gun crimes and reducing violence.

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