

# KERN COUNTY SHERIFF'S OFFICE

## Detentions Bureau Policies and Procedures

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**TITLE: FIREARMS – PROVISIONS FOR DETENTIONS DEPUTIES O-100**

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<b>EFFECTIVE:</b>	<b>REVIEWED:</b>	<b>REVISED:</b>	<b>UPDATED:</b>
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**APPROVED BY:** Detentions Bureau Chief Deputy Cindy Cisneros

**REFERENCE:** P.C. 830.1 (c), 25450

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### **POLICY**

In the course of their duties, Detentions Deputies may be confronted with hazardous situations that require the use of a firearm to safely resolve the situation. Thus, the Sheriff-Coroner may authorize specified Detentions Deputies to carry firearms while on duty. A Detentions Deputy so authorized is designated as being an “Armed” Detentions Deputy.

Additionally, pursuant to their status as peace officers, all Detentions Deputies are authorized by law to carry a concealed weapon while off duty, subject to the provisions of this policy.

### **DIRECTIVE #1**

All **Armed Detentions Deputies** will adhere to the following provisions and limitations related to carrying a firearm while on duty:

- Designation as an “Armed” Detentions Deputy does not authorize a Detentions Deputy to take law enforcement action beyond the limitations detailed in Penal Code 830.1 (c) and in Section B-900 of the Department Policy and Procedure Manual.
- Armed Detentions Deputies **may** carry their duty weapon while on duty and in uniform unless inside the secure area of a jail. Armed Detentions Deputies may only carry firearms inside the secure area of a jail when authorized during an emergency situation pursuant to Section B-100 of this manual.
- Armed Detentions Deputies **must** carry their duty weapon when assigned to any post or duty designated by policy as requiring an armed Detentions Deputy or when directed by a supervisor to do so.

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- Armed Detentions Deputies will carry their duty weapon fully loaded with departmentally approved ammunition.
- Armed Detentions Deputies assigned to a position or duty that requires the deputy to carry their duty pistol will carry two (2) extra magazines fully loaded with departmentally approved ammunition.
- In order to be prepared for an assignment for which their firearm is required, Armed Detentions Deputies will keep their departmentally issued firearms, uniform duty belts, and other related equipment (e.g., body armor) reasonably accessible while on duty.
- Armed Detentions Deputies may carry backup weapons subject to the requirements of Section G-702 of the Department Policy and Procedure Manual.
- Armed Detentions Deputies not in uniform may carry their departmentally issued firearm while on duty only if approved by the Sheriff or their designee.
- On duty Armed Detentions Deputies authorized to carry a firearm while not in uniform may carry a Glock 27 subject to the provisions of Section G-700 of the Department Policy and Procedures Manual and with prior approval of their Division Manager. This weapon must be loaded with departmentally approved ammunition.
- On duty armed Detentions Deputies carrying a firearm while not in uniform will conceal the weapon if practical. If it is not practical to conceal the weapon, the Detentions Deputy will wear their department identification card and/or badge clearly visible on their person.

## **DIRECTIVE #2**

As peace officers described in Penal Code 830.1(c), Detentions Deputies are authorized by Penal Code 25450 to carry a concealed firearm. All Detentions Deputies (regardless of “Armed” status) are authorized by law to carry a concealed weapon while off duty, subject to the following provisions:

- Armed Detentions Deputies may not carry any departmentally issued firearm or ammunition on their person while off duty.
  - **EXCEPTION:** If authorized by the Sheriff-Coroner or their designee, Armed Detentions Deputies may carry their departmentally issued firearm while off-duty if they are in uniform and are attending an official departmental ceremony (e.g., funeral, peace officer’s memorial ceremony.)

- Detentions Deputies who are not designated as being “armed” will not carry a firearm while on duty.
- Any consequence or liability arising out of any act or incident involving any personal firearm during off-duty hours shall be the sole, personal responsibility of the officer taking the action or involved in the incident.
- No such off-duty action or incident shall be deemed official, permitted, or authorized by the Department as an exercise of the peace officer authority provided for in Section 830.1(c) of the Penal code.
- Any misuse of a personal firearm, criminal or otherwise, by an employee of this department shall subject the employee to discipline that may include suspension of the officer’s privilege to carry a firearm on and/or off duty, termination, and recommended criminal prosecution.
- With cause, the Sheriff may suspend a Detentions Deputy’s right to carry a firearm on and/or off duty.

The carrying of a firearm while off-duty is a personal decision of a Detention Deputy. The Kern County Sheriff’s Office does not encourage the carrying of a firearm while off duty.

**DIRECTIVE #3**

Detentions Deputies who are not designated as being armed will be required to participate in, and successfully complete, an annual four (4)-hour firearm use and safety training course provided by the department.

**Procedure A: Designation as an Armed Detentions Deputy**

The authority to designate a Detentions Deputy as being armed rests with the Sheriff-Coroner, who may delegate that authority to the Chief Deputy of the Detentions Bureau. At their sole discretion, the Sheriff-Coroner may revoke a Detentions Deputy’s designation as an armed Detentions Deputy.

Prior to being designated by the Sheriff-Coroner as an armed Detentions Deputy, a member must meet the following qualifications:

- Be employed as a Detentions Deputy.
- Attend and successfully complete Force Options for Detentions training.

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Attend regularly scheduled firearms training and pass regularly scheduled firearms qualifications as detailed in Section G-200 of the Department Policy and Procedure Manual in order to maintain the armed officer designation.