I. Purpose

The purpose of this policy is to provide guidelines for the carrying of firearms by officers of the Department.

II. Authority

Iowa Code 724.4, 801.4, and Chapter 80, and U.S. Code, Title 18, Section 926B, grant Iowa certified peace officers the legal authority to carry weapons in the performance of their law enforcement duties.

III. Definitions

A. Alternate Service Handgun – A firearm other than the primary service handgun, authorized and issued by the Department, that may be carried by officers while on or off duty.

B. Authorized Firearm - Any make, model, or caliber of firearm that meets this agency’s designated requirements and specifications, and has been formally approved by the Commissioner/designee for general or individual use by Departmental officers. This includes primary service handguns, alternate service handguns, back-up handguns, shotguns, and rifles used for law enforcement purposes.

C. Auxiliary Weapon – Any firearm not issued by the Department which is authorized to be carried on or off duty by an officer as a supplement to (back-up weapon), or in lieu of, their Departmentally-assigned firearm.
D. **Back-Up/Secondary Handgun** - Any Department issued or authorized personal handgun, which is carried as a supplement to the primary service handgun, and carried according to Departmental policy.

E. **Off-Duty Handgun** - Any authorized handgun which is carried by an officer during non-duty hours.

F. **Service Handgun** - The primary firearm authorized and issued by the Department to be carried by officers while on duty.

G. **Special Duty Status Weapon (ISP only)** - A weapon approved for use by Iowa State Patrol officers when in a special duty status. This designation is only relevant and applicable for carry approval of *personally-owned* firearms for ISP officers in a special duty status. Special duty status carry approval is sought by completing **DPS Form 11**, Request to Carry Auxiliary Weapon (Personally-Owned).

H. **Special Duty Status (ISP only)** - An Iowa State Patrol duty assignment that would involve temporary or occasional undercover or plain clothes duty (such as vehicle theft, Executive Protection Unit or temporary special assignments).

IV. **Policy and Procedures**

A. It is the policy of this Department that officers adhere to the requirements established herein to ensure the safe carrying and availability of authorized firearms and less lethal weapons for use in the performance of their law enforcement responsibilities.

B. This directive is written in a manner to provide general department-wide standards which can be applied across all law enforcement divisions. However, this directive delegates division-wide discretion to Division Directors to further restrict provisions herein as they deem appropriate and in the best interests of their division.

C. Officers may only carry lethal and less lethal weapons which they have been authorized to carry, after demonstrating established proficiency levels, while in the performance of their law enforcement duties. (Also see **DOM 01-03.03** and **DOM 01-03.04**)

D. **Issuance of Use of Force Policies**

1. All Department personnel authorized to carry lethal and less lethal weapons shall be issued copies of and receive instruction on the Department’s use of force policies prior to being authorized to carry a weapon.

2. This shall be accomplished by DPS Training Academy instructors by issuing a hardcopy of **DOM 01-03.01**, Use of Force policy, to and having all DPS peace officer candidates at the training academy sign a receipt for the policy. The training academy instructors shall cover use of force policies and procedures as a training block and administer a test to assure understanding. The signed receipts for the policy shall be filed in the officer candidates’ personnel file by Human Resource personnel.

E. **On-Duty Firearms**

1. All officers must be armed when on-duty. Officer discretion is applicable for officers engaged in commercial air travel on official business when a firearm may not be needed, such as for training or attending conferences. Other exceptions may be granted in advance on a case-by-case basis by supervisory authority only.
2. Officers assigned to office or administrative duties are considered to be armed when their handgun is stored in a secure, readily accessible location.

3. Officers not assigned office or administrative duties are considered armed when they are wearing the handgun.

4. Officers must be armed when in uniform and/or operating a Departmental vehicle whether on or off-duty. Being armed in this section means having access to a weapon in the vehicle.

5. On-duty officers shall carry a Department-issued handgun, service ammunition, and badge and I.D. card at all times. Exceptions are permitted under special circumstances, such as when working in an undercover capacity. However, approval must be granted in advance on a case-by-case basis by supervisory authority only.

6. Non-uniformed officers may request written approval from their Division Director to carry their agency approved back-up/secondary weapon in lieu of their issued weapon.

7. The handgun and magazines shall be fully loaded with approved, factory service ammunition at all times when the officer is on duty. Exceptions are made for training situations, and other situations as approved by a supervisor.

8. Officers with assigned state vehicles may also be issued a Department approved shotgun and/or rifle and ammunition.

a. Officers who are issued shotguns shall carry them in their case or departmental approved device in their assigned state vehicle. The shotgun will have:

1) The chamber empty.

2) The hammer forward (this is done by pressing the trigger)

3) Place the weapon on “safe”

4) The magazine fully loaded with current issue buckshot ammunition

5) The shell carrier shall be loaded to capacity

6) An officer has the discretion to load their shotgun with approved buckshot or slug ammunition based on a specific operational need. At the conclusion of the operation, the officer shall return their shotgun to a state of readiness as outlined in 1-5 above.

b. Rifles issued and/or approved for duty use will be loaded as follows:

1) Place the rifle on “safe”.

2) Lock the bolt carrier group (BCG) to the rear pressing on the bottom of the bolt catch.

3) Observe on which side of the loaded magazine the top cartridge is currently seated (left or right).

4) Insert loaded magazine into rifle.

5) Press bolt release “paddle” sending BCG forward into battery.

6) Remove magazine and ensure top cartridge is now seated on opposite side observed in #3 above indicating a successful load.
7) Reinsert loaded magazine and pull down on magazine to ensure it is fully seated.

c. Officers who are issued rifles shall carry them in their case or departmental approved device in the vehicle during regular duty assignments. The rifle will be loaded and in a state of operational readiness.

d. Patrol Vehicle Rifle Racks; (For Troopers issued squad mounted rifle rack lock by Fleet and Supply.)

1) When on duty, the patrol rifle, shall be stored and secured in approved, DPS issued, patrol vehicle rifle rack.

2) Troopers issued a vehicle rifle rack shall carry the weapon in the following operational status when locked in the rifle rack:

   The rifle’s bolt is forward on an **empty** chamber with safety on. The rifle shall have a loaded magazine, with issued duty ammunition, inserted into the magazine well.


4) Troopers who have ended their tour of duty shall secure rifle in rack, trunk, or other secure location while parked at residence.

   a. Troopers on extended leave, longer than their regularly scheduled days off, or when away from residence overnight, shall secure rifle in location other than the rack, such as the trunk.

   b. Troopers in travel status for training or other special duty assignments or events, such as the State Fair, shall secure rifle in location other than the rack, such as the trunk, at the end of tour of duty, when parked at hotel/overnight accommodations.

5) Officers are responsible for the security and safe storage of all state-issued and other approved firearms. 01-03.03- Weapons and Ammunition.

   e. Nor-Uniformed Division Directors may approve officers who are authorized long gun(s), such as shotgun or rifle, to carry one or the other while on duty.

9. Except for general maintenance, storage, or authorized training, officers shall not draw or exhibit their firearm unless necessary to lawfully use the weapon in conformance with sections of this policy or other firearms or use of force policies.

10. When officers are in plain clothes, if their weapon is not concealed from public view the officer’s badge shall be prominently displayed.

11. Carrying Firearms Aboard Commercial Aircraft

   a. Officers are subject to 49 Code of Federal Regulations 81544.219 (hyperlinked) and the regulations of airlines for carrying firearms on commercial airlines on official business. Airline personnel have the final authority and may require that an officer surrender a weapon before boarding or while on a commercial aircraft.

   b. When conducting official business that requires commercial airline travel, if it is not needed while in flight to guard a prisoner or for other specific and justified purposes
officers shall check their firearm in carry-on baggage. In these cases, officers are required by federal regulations to certify to the airline that a firearm is in the baggage and that it is unloaded.

c. Carriage of Accessible Weapon Aboard Aircraft

1) Before an officer may carry a firearm aboard a commercial aircraft, they must have completed the training program “Law Enforcement Officers Flying Armed” as required by TSA.

   a) This training is available to DPS officers on the “Reference” page of the LEIN web (Law Enforcement Intelligence Network) located on the DPS WEB. When viewing this policy electronically while on a DPS networked computer, the embedded hyperlink will allow direct access to the “Law Enforcement Officers Flying Armed” (hyperlinked) training presentation. A full reading of this on-line training presentation constitutes satisfactory completion of the training and will enable the officer to indicate appropriate training was received.

2) Effective July 15, 2009 the Transportation Security Administration (TSA) will no longer accept the previously required original letter of authority for the purpose of flying armed. State, local and territorial LEO’s flying armed must submit an NLETS message prior to travel which replaces the current original letter of authority which was signed by the Chief or agency head, required under 49 Code of Federal Regulations §1544.219. Failure to use the NLETS message in lieu of the “Chief’s Letter” will result in denial to the sterile area for failure to comply with established requirements. The procedures for federal LEOs flying armed remain unchanged. Updated Procedures for State and Local LEOs Flying Armed, effective July 15, 2009, is available for reference on PowerDMS as DocID COMM 9.

3) The following DPS procedures shall be followed effective July 15, 2009:

   a) An officer with an operational need to fly armed shall submit their request in writing, through their chain of command, setting forth the specific circumstances, to their Division Director or Bureau Chief. If approved at that level, the request shall be forwarded to the Commissioner or designee for final approval. The request and approvals may be documented in any written format including an email message. The traveling officer shall keep a copy of the Commissioner/designee approval for at least one year following the end of the armed travel period, and maintain a copy on their person during armed flights.

   b) The Commissioner/designee shall forward their approval or denial to the requesting officer, and a copy to their Director/Bureau Chief.

   c) Upon Commissioner/designee approval, the traveling officer, when possible, shall provide the information required for the NLETS message, as specified in document COMM 8 in PowerDMS, to an DPS Communications Specialist or other DPS member with NLETS operator privileges, along with the approval documentation so that the NLETS message can be transmitted a minimum of 24 hours prior to travel.
d) Upon receipt of the proper information and approval documentation, the DPS NLETS operator providing assistance shall send the required NLETS ADMINISTRATIVE MESSAGE to the LEO FLYING ARMED CRI: VAFAM0199. A receipt with a unique alphanumeric identifier will be returned from TSA to the Department in an NLETS message and shall be provided to the traveling officer. This identifier will then be verified at the airport on the day of travel. A SAMPLE NLETS ADMINISTRATIVE MESSAGE, ABBREVIATION KEY FOR NLETS MESSAGE Formatting, and SAMPLE RETURN NLETS MESSAGE TO LEO FOR DAY OF TRAVEL can be found on PowerDMS as Document Number COMM 8.

4) The officer will notify the commercial air carrier on whose flight they intend to carry a weapon, at least one hour prior to the flight’s departure or, in an emergency, as soon as practical, identify themselves to a representative of the commercial carrier and present their credentials (badge and Department identification card). Officers are not authorized to consume alcoholic beverages on the aircraft while armed or transporting prisoners.

5) Officers shall request that they be notified of any other persons who are traveling armed aboard the aircraft.

d. Officers should refer to 49 Code of Federal Regulations §1544.221 (hyperlinked) and this Department’s policy on transporting prisoners (DOM.34-01.02) for additional requirements concerning the transportation of prisoners aboard commercial aircraft.

e. Questions regarding the federal regulations on carrying weapons and/or transporting prisoners on commercial aircraft may be addressed to the Transportation Security Administration (TSA) Office of Law Enforcement Federal Air Marshal Service (OLE/FAMS) at email address: LEOFA@DHS.GOV.

f. Officers wishing to travel with their firearms by commercial aircraft on personal trips must comply with the same Transportation Security Administration rules for the transportation of firearms aboard aircraft as the general public. (Source: TSA - hyperlinked)

1) The key regulatory requirements to transporting firearms, firearm parts or ammunition in checked baggage are:

a) You must declare all firearms to the airline during the ticket counter check-in process.

b) The firearm must be unloaded.

c) The firearm must be in a hard-sided container.

d) The container must be locked.

e) TSA recommends that you provide the key or combination to the security officer if he or she needs to open the container. You should remain present during screening to take the key back after the container is cleared. If you are not present and the security officer must open the container, TSA or the airline will make a reasonable attempt to contact you. If TSA can’t contact
you, the container will not be placed on the plane. Federal regulations prohibit unlocked gun cases (or cases with broken locks) on aircraft.

f) You must securely pack any ammunition in fiber (such as cardboard), wood or metal boxes or other packaging that is specifically designed to carry small amounts of ammunition.

g) You can't use firearm magazines/clips for packing ammunition unless they completely and securely enclose the ammunition (e.g., by securely covering the exposed portions of the magazine or by securely placing the magazine in a pouch, holder, holster or lanyard).

h) You may carry the ammunition in the same hard-sided case as the firearm, as long as you pack it as described above.

i) You can't bring black powder or percussion caps used with black-powder type firearms in either your carry-on or checked baggage.

j) Airlines may have their own additional requirements on the carriage of firearms and the amount of ammunition that you may have in your checked baggage. Therefore, you should also contact the airline regarding its firearm and ammunition carriage policies.


a. Department officers may be authorized to carry a back-up service handgun or auxiliary firearm as a supplement to or in lieu of the Department issued service handgun for use on or off duty.

b. Only one back-up/secondary handgun and only one back-up/secondary shotgun or rifle may be carried at one time, unless express written approval is obtained from a supervisor and the firearm is authorized for such use. In any event, no more than three back-up weapons may be approved for an officer.

c. Back-up/secondary and off-duty handguns shall be carried concealed when the officer is in plain clothes unless the officer is in the workplace, the officer is engaged in law enforcement actions that may reasonably require quick access to the firearm (with the officer's credentials prominently displayed), or the office is engaged in activities where it would be permissible for a citizen to carry an exposed firearm, such as in hunting or target practice.

d. Division Directors may set additional standards for the use of firearms authorized for their division.

e. No more than two personal handguns and one personal shotgun or rifle per officer will be evaluated and certified by authorized agency personnel to be used as back-up/secondary weapons.

f. Officers electing to carry back-up/secondary service or auxiliary weapons must meet Department range qualification requirements before final Departmental authorization will be given by the Division Director/designee. Officers authorized to carry back-up/secondary weapons will be required to meet Departmental standards.
g. Officers wishing to carry *personally-owned firearms* as back-up/secondary or off-duty weapons must meet caliber requirements as outlined in this policy. Back-up/secondary firearms may be selected for evaluation/certification from any firearm that functions within factory specifications. Nothing in this policy shall be construed to prevent Divisions from implementing specific policies on personally owned firearms that may further restrict their approval for use as a secondary or backup weapon.

1) If an officer wishes to carry personally-owned back-up/secondary or off-duty firearms, they must submit a request annually to do so to their immediate supervisor using *DPS Form 11, Request to Carry Auxiliary Weapon*. The completed form will be forwarded through the officer’s chain of command to their Division Director or designee for final approval. The signed approval/disapproval form will be sent to the officer’s division headquarters and immediate supervisor. A copy will be provided to the officer and the approval recorded in the Central Firearms Inventory Database (see *DOM 01-03.03*).

2) Officers will be responsible for maintaining their auxiliary weapons in a safe and proper manner as prescribed by the manufacturers of those weapons.

3) Officers electing to carry personal weapons and ammunition must provide for their purchase, maintenance and repair at their own expense. The officer will qualify with his/her own ammunition, unless other arrangements are made by the officer’s Division Director, using the approved qualification course of fire at a range operated by a Departmental firearms instructor.

4) Departmentally certified firearms instructors are authorized to certify firearm(s) manufactured since 1975. Semi-automatics shall have at least one internal or external safety mechanism that functions as intended by the manufacturer. The instructor must witness the officer demonstrate proficiency with the firearm(s). The course of fire used to qualify shall be conducted in accordance with, and conform to, the minimum standards set by the Iowa Law Enforcement Academy Council and the Department of Public Safety. Each officer must qualify annually with each off-duty or back-up/secondary weapon using the ammunition that is to be carried in the weapon.

5) Certification of a firearm for an officer will apply to the specific firearm.

6) Holsters worn for back-up/secondary or off-duty handguns will be purchased at the officer’s expense and be worn in such a manner as to allow the weapon to be safely carried by the officer out of public view.

F. Off-Duty Carry of Firearms

1. All officers may and are encouraged to carry an authorized firearm while off-duty, in compliance with all Departmental directives and applicable laws.

2. The carrying of firearms by officers of the Department while off-duty shall be prohibited when the officer is under the influence of drugs, intoxicants or alcoholic beverages.

3. *Out-of-State* – As carry restrictions may apply while carrying a firearm off-duty out-of-state, before travelling armed outside the state of Iowa officers should familiarize
themselves with the cautions and restrictions noted in *U.S. Code, Title 18, Section 926B*.

G. Requirements Regarding Back-Up/Secondary Shoulder-Fired Firearms

The following requirements shall apply to each back-up/secondary shoulder-fired firearm:

1. Non-Departmental shoulder-fired firearm(s) may be carried on duty to supplement the Departmentally-issued shoulder-fired firearm, with approval of the responsible Division Director/designee. Rifle caliber will be restricted to calibers from .223 - .308 inclusive. Shotgun caliber will be restricted to 12 gauge.

2. If an officer wishes to carry a back-up/secondary shoulder-fired weapon while on duty, they must submit a request annually to do so to their immediate supervisor using *DPS Form 11, Request to Carry Auxiliary Weapon*. The completed form will be forwarded through the officer’s chain of command to their Division Director/designee for final approval. The signed approval/disapproval form will be sent to the officer’s division headquarters and immediate supervisor. A copy will be provided to the officer and the approval recorded in the Central Firearms Inventory Database (see *DOM 01-03.03*).

3. Departmental certified rifle instructors are authorized to qualify Departmental personnel in proficiency on an approved personally owned rifle. The instructor must witness the officer demonstrate proficiency with the firearm(s). The course of fire used to qualify shall be conducted in accordance with, and conform to, the minimum standards set by the Iowa Law Enforcement Academy Council and the Department of Public Safety. Each officer must qualify with each back-up/secondary shoulder-fired weapon approved for his or her use.

4. Certification of a firearm for an officer will apply to the specific weapon.

5. Officers must furnish their own ammunition for use with back-up/secondary shoulder-fired firearm(s) unless other arrangements are made by the officer’s Division Director. Ammunition used in the back-up/command/secondary shoulder-fired firearm must be of a type approved by the Division Director/designee. Officers must qualify with the same ammunition approved for duty use.

6. No more than one back-up/secondary shoulder-fired firearm per officer shall be approved annually.

H. Other Guidelines

1. No specific limitations are imposed on weapons carried for purposes of hunting or participation in shooting events, or other weapons owned by officers for use other than as back-up/secondary or off-duty weapons. Officers shall obey all applicable federal, state, and local laws including all Departmental rules relating to the carrying and use of weapons.

I. Collapsible Baton

1. While wearing the duty uniform, the collapsible baton shall be carried at all times, in the provided scabbard, should intermediate weapon force be necessary and justified.

2. When performing duties in civilian attire, the collapsible baton may be worn either in the provided scabbard or in any manner most convenient for the officer. Wearing the collapsible baton in civilian attire will be at the discretion of the officer.
J. Authorized Chemical Agents/OC

A chemical agent/OC may be worn or stored on the belt, or as described in division directives.

K. Damage, Loss or Theft of Issued or Approved Firearm - Mandatory Reporting

All officers shall notify their supervisor immediately following the damage, loss or theft of any issued or approved firearm. A written report shall be submitted in a timely manner to the officer’s supervisor. The written report will include a complete description of the firearm, including the serial number, and all facts surrounding the damage, loss or theft.

L. Commissioner Authority

The Commissioner or responsible Division Director may rescind approval for any off-duty or secondary/back-up weapon(s) at any time.