

Policy Name:	OFF-DUTY CARRY – FIREARM & AMMUNITION		
Policy #:	AD 4.10	Last Updated:	2022-07-13
Issued By:	SUPPORT SERVICES BUREAU	Approved By:	SURREY POLICE BOARD
		Review Frequency:	AS REQUIRED

RELATED POLICIES

AD 5.4 *Fit for Duty*

AD 7.1 *Training Standards – Use of Force*

OP 2.1 *Use of Force*

OP 2.2 *Weapons Issuance and Management*

1. PURPOSE

- 1.1. To identify the circumstances in which a Surrey Police Service (SPS) Member may be authorized to carry a firearm and ammunition while off-duty.
- 1.2. To ensure Members follow the *Police Act* and federal laws regarding the safe storage, control, and transportation of SPS firearms and ammunition.

2. SCOPE

- 2.1. This policy applies to all Members.

3. POLICY

- 3.1. The *Public Agents Firearms Regulations* allows a peace officer to store their issued firearm at their residence (dwelling).

- 3.2. This policy authorizes Members to voluntarily carry their SPS issued firearms and ammunition while off-duty and in plain clothes, when travelling directly between their residence and work, provided the conditions listed below in section 4.1 of this policy are followed.
- 3.3. Members who are authorized to voluntarily carry their SPS issued firearms and ammunition while off-duty are responsible for following the provisions regarding safe storage, handling, and transportation of firearms and ammunition in the *Criminal Code*, the *Firearms Act*, and the *Firearms Act Regulations*.
- 3.4. On a temporary basis, the Chief Constable or designate may provide written authorization for a Member to carry their SPS-issued firearm and ammunition at all times while off-duty due to:
- i. a specific operational requirement; or
 - ii. a threat assessment conducted regarding the Member.
- 3.5. When a Member who is authorized to carry a firearm and ammunition while off-duty, is carrying a firearm and ammunition, the firearm must be worn in an SPS-approved holster.
- 3.6. When a Member, who is authorized to carry a firearm and ammunition while off-duty, is not carrying a firearm and ammunition, the firearm and ammunition must be Safely Stored in compliance with the *Firearms Act Regulations*.
- 3.7. Except for section 3.4 of this policy above, nothing in this policy should be interpreted as an authorization for a Member to carry an SPS firearm and ammunition while off-duty, other than travelling between the Member's residence and work.
- 3.8. The Chief Constable or designate may rescind, at any time, a Member's authorization to carry a firearm and ammunition while off-duty.

4. PROCEDURE

- 4.1. Members may voluntarily carry their firearm and ammunition while off-duty in plain clothes, travelling directly between their residence and work, providing the following conditions are met:
- i. the Member carries their SPS-issued firearm and ammunition;
 - ii. the Member is currently qualified in the use of the firearm;
 - iii. the Member must currently be in a plain clothes assignment, trained in plain clothes operations, or have taken off-duty carry training provided by the Operational Skills Unit (OSU);
 - iv. while carrying the firearm and ammunition, the firearm must be loaded, properly holstered in an SPS- approved plain clothes holster, and hidden from view;

- v. the Member must be carrying their SPS badge and SPS Identification card, hidden from view;
- vi. handcuffs, and a secondary use of force option (e.g., OC Spray) must also be carried and hidden from view;
- vii. the Member must travel directly between their residence and work with only short reasonable stops being allowed (e.g., picking up their child at school/daycare. Reasonable stops do not include attending restaurants, licensed establishments, or sporting events);
- viii. the Member must have a personal or SPS-issued cellphone with them while carrying their firearm between their residence and work for the purpose of contacting 9-1-1 in an emergency; and
- ix. the Member must not consume alcohol, drugs, or medications that would make them unfit for duty while carrying the firearm (see AD 5.4 *Fit for Duty*).

4.2. Members must safeguard their SPS firearm and ammunition. When storing the firearm at their residence, Members must comply with the *Criminal Code*, the *Firearms Act*, and the *Firearms Act Regulations*, including the *Storage, Display, Transportation and Handling of Firearms by Individuals Regulations*:

- i. Members may store a restricted firearm only if:
 - a) it is unloaded;
 - b) it is:
 - I. rendered inoperable by means of a secure locking device and stored in a container, receptacle or room that is kept securely locked and that is constructed so that it cannot readily be broken open or into; or
 - II. stored in a vault, safe or room that has been specifically constructed or modified for the secure storage of restricted firearms and that is kept securely locked; and
 - c) it is not readily accessible to ammunition, unless the ammunition is stored, together with or separately from the firearm, in
 - I. a container or receptable that is kept securely locked and that is constructed so that it cannot readily be broken open or into, or
 - II. a vault, safe of room that has been specifically constructed or modified for the secure storage of restricted firearms and this is kept securely locked.

4.3. To ensure compliance with the *Firearms Act Regulations*, SPS will provide Members with a suitable storage container and trigger lock. The container must be secured to the wall or floor. A Member who has another container, vault, safe or room that meets the requirements for Safe Storage may choose to use that option and not use the container provided by SPS.

4.4. Members must obey all firearms safety protocols when loading and unloading their firearm.

- 4.5. A Member who voluntarily carries an SPS-issued firearm and ammunition while off-duty and in plain clothes, when travelling directly between their residence and work, is under no obligation to act or place themselves on-duty in a situation where they would otherwise choose not to act.
- 4.6. The equipment (e.g., storage safe, trigger lock) provided to comply with this policy remains the property of SPS. Members must return the equipment when they no longer require it or is no longer authorized to possess it.
- 4.7. The Chief Constable or designate may rescind at any time an authorization for a Member to carry their firearm and ammunition while off-duty. If the authorization has been rescinded, the Member must immediately comply with the order and return any additional issued equipment provided by SPS to the Asset Manager.

APPENDIX A: DEFINITIONS

“Ammunition” means a projectile intended for use with a firearm.

“Firearm” means a barreled weapon from which any shot, bullet, or other projectile can be discharged that is capable of causing serious bodily injury or death to a person and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a firearm. A conducted energy weapon (CEW) is not considered a firearm for the purposes of this policy.

“Member” means a sworn Police Officer appointed by the Surrey Police Board.

“Officer” means a police officer appointed under the *Police Act* or an enforcement officer appointed under s. 18.1 of the *Police Act*.

“OSU” means the Operational Skills Unit.

“Pistol” means a handgun; a firearm designed to be held in one hand.

“Safe Storage” or “Safely Stored” means storage of a firearm which is:

- a) unloaded; and
- b) either:
 - i. Rendered inoperable by means of a secure locking device and stored by means of secure locking device and stored in a container, receptacle or room that is kept securely locked and that is constructed so that it cannot readily be broken open or into;
[OR]
 - ii. Stored in a vault, safe or room that has been specifically constructed or modified for the secure storage of restricted firearms and that is kept securely locked;
[OR]
 - iii. In the event that options in paragraphs (b)(i) or (b)(ii) are unavailable, rendering the firearm inoperable by removing the barrel, keeping the barrel separate from the firearm and locking the firearm frame to an immovable object; and
- c) Not readily accessible to ammunition, unless the ammunition is stored in:
 - i. A container or receptable that is kept securely locked and that is constructed so that it cannot readily be broke open or into;
[OR]
 - ii. A vault, safe or room that has been specifically constructed or modified for the secure storage of restricted firearms and that is kept securely locked.

“Secure Locking Device” means a device:

- a) That can only be opened or released by using an electronic, magnetic, biometric, or mechanical key or by setting the device in accordance with an alphabetical or numerical combination; and
- b) That, when applied to a firearm, prevents the firearm from being discharged.

“SPS” means Surrey Police Service.

“Work” means the SPS Workplace: any location where a Member carries out the duties of performing their work.

APPENDIX B: REFERENCES

British Columbia Provincial Policing Standard 1.1.1, s. 5.3

Criminal Code, R.S.C., 1985, c. C-46

Firearms Act, S.C. 1995, c. 3

Firearms Act: Public Agents Firearms Regulations, SOR/98-203

Firearms Act: Storage, Display, Transportation and Handling of Firearms by Individuals Regulations, SOR/98-209