

STOCKTON POLICE DEPARTMENT

GENERAL ORDER

TRANSPORTING PRISONERS BY AIRCRAFT  
SUBJECT

DATE: April 16, 2010

NO: Q-01r

FROM: CHIEF ERIC JONES

TO: ALL PERSONNEL

INDEX: Flying While Armed  
Transporting Prisoners by Aircraft

I. POLICY

Sworn Personnel, who are required to carry a firearm while flying on a commercial aircraft while on assigned duty, shall adhere to the requirements listed below.

If escorting a prisoner, an attempt should be made to determine if the prisoner will agree to being transported on an airline.

II. LAW

A. November 15, 2008, the Transportation Security Administration (TSA) began transmission to a National Law Enforcement Telecommunications System (NLETS) a message for State and local law enforcement officers (LEOs) flying armed. The NLETS message is **in addition** to the current Original Letter of Authority, signed by the Chief or agency head.

The requirements for a LEO to fly armed aboard commercial aircraft are outlined in 49 CFR Sec. 1544.219 Carriage of Accessible Weapons. The complete text can be found on-line at the Government Printing Office web site at: <http://www.gpoaccess.gov/cfr/>.

Requirements: Unless otherwise authorized by TSA, to fly armed, a LEO must:

1. Be a Federal law enforcement officer or a full-time municipal, county, or state law enforcement officer who is a direct employee of a government agency.
2. Be sworn and commissioned to enforce criminal statutes or immigration statutes.
3. Be authorized by the employing agency to have the weapon in connection with assigned duties.
4. Have completed the training program "*Law Enforcement Officers Flying Armed.*" Contact Personnel & Training to obtain the training requirement.

III. PROCEDURE

A. Personnel required to carry a firearm on commercial airlines will conform to the following Procedure:

1. Have the operational need to fly armed.
2. Transmit a properly formatted message, via NLETS:
  - a. Personnel will contact the Records Section, and an administrative teletype will be sent from the Records Section to: LEO flying Armed ORI: VAFAM0199. A receipt with a unique alphanumeric identifier will be returned from TSA. Personnel flying will take this receipt with him/her to the airport to be verified on the day of travel.

3. Provide the airlines with the **Letter of Authority**. The letter must be on Department Letterhead and must contain the Circumstances that create the need to be armed during the flight, specify the trip itinerary, and include a designated period during which the need to be armed in flight exists and the letter will be signed by the Chief of Police.
  4. On the day of travel, Personnel must:
    - 1) Check in at the airline ticket counter at least two hours prior to departure time. Notify the airlines and the National Transportation Security Agents of the flight on which he/she intends to be armed, and if escorting a prisoner, identify the prisoner and advise if the prisoner is dangerous.
      - a) In all cases where the prisoner is considered dangerous, a minimum of two officers will be assigned for the transport.
    - 2) Present identification along with the Original Letter of Authorization from the Chief or Agency head.
    - 3) Fill out the armed traveler paperwork provided by the airline, referred to as Person Carrying Firearms (PCFA) forms. Note: Each airline has its own specific PCFA paperwork.
    - 4) Proceed to the Armed LEO Screening Checkpoint. At the Armed LEO Screening Checkpoint, Personnel must:
      - a) Provide the Unique Identifier from the NLETS message.
      - b) Display his/her badge, credentials, boarding pass, a second form of government identification, and required airline PCFA forms.
    - 5) Personnel will complete the LEO logbook and proceed to the boarding gate.
      - a) At the boarding gate personnel will provide the Gate Agent with the airlines' armed traveler paperwork PCFA form and follow further boarding instructions.
- B. When escorting a prisoner via commercial aircraft:
1. Boarding the aircraft will be done as discretely as possible as directed by the airline personnel. When possible, the escort officer and prisoner should board the aircraft before other passengers and be the last to deplane.
  2. Neither the officer nor the prisoner will consume alcoholic beverages during the flight.
  3. The officer will be equipped with adequate restraining devices.
  4. As a prisoner escort, the officer will remain with the prisoner at all times.
  5. The officer will follow all instructions given by the aircraft captain, who has absolute discretion over the transportation. Seating is done with the captain's concurrence. Seat the prisoner as directed by airline personnel, preferably at a point most distant from the aisle such as a window seat. No other passenger will be allowed to sit directly next to the prisoner.
- C. Prisoners shall not be transported by commercial aircraft under the following circumstances:
1. Mentally disturbed prisoners who are known to be or who have a tendency to become violent.
  2. Prisoners who express an objection to being transported on an airplane.
  3. Prisoners who physically resist the escort.