



DEPARTMENT OF PUBLIC SAFETY OPERATING PROCEDURES MANUAL		
CHAPTER 217	WEAPONS CARRY	
	Effective: 6/17/2024	Commissioner Approval: 
	Authorities:	
	Applicability: ALL DEPARTMENTAL EMPLOYEES	
	Special Instructions: See OPM 232 & Firearms Procedures Manual (FPM)	

217.100 INTRODUCTION

This chapter establishes the policy regarding authorized possession and carry of weapons while on duty. This chapter also establishes a prohibition against the introduction of firearms into the department workplace, except under strictly controlled circumstances.

217.300 OVERALL STANDARD

Except as otherwise provided for in this policy, employees of the department may not carry or transport firearms while on duty or in a DPS facility or vehicle including a personal vehicle being utilized for work purposes. Neither the statutory provisions allowing the carriage of concealed weapons by persons not otherwise legally barred nor the possession of a concealed handgun permit create an exception to this policy. When assigned to do so, departmental officers may handle or transport weapons for specific work purposes.

217.310 FIREARMS AND AUTHORIZED FIREARMS

A. *Officers required to be armed while on-duty.* Officers are required to be armed with an issue handgun while on-duty in uniform, unless otherwise ordered by the court while testifying or unless attending formal functions in dress uniform. While on-duty other than in uniform, officers are required to be armed with either the issue handgun, or with an authorized personal handgun. While on-duty other than in uniform the handgun carried will be concealed at all times except when engaged in outdoor activities.

B. *Off-duty Officers authorized to be armed.* Troopers and Deputy Fire Marshals, who are certified under APSC as police officers, are authorized to apprehend criminals and preserve law and order while off-duty. Accordingly, every trooper and Deputy Fire Marshal certified under APSC is authorized to carry his badge and regular issue handgun, or other approved personal handgun while off-duty. Commanders may impose the requirement that off-duty troopers under their command be armed at all times. Except while engaged in outdoor activities, handguns shall be carried concealed.

C. *Shotguns and rifles in patrol vehicles.* Shotguns and rifles shall be fully loaded when being carried in patrol vehicles except that no shell shall be placed in the chamber, and they shall not be left in unattended vehicles unless the weapon is secured.

D. *No weapons to be unsecured.* Weapons not in the immediate control of an officer shall be secured in appropriate retention devices.

E. *Automatic weapons.* Automatic weapons may only be carried by an officer who has the written approval of the Commander or who is a current active member of SERT, and only after the officer has qualified with the weapon on the appropriate SERT automatic weapons qualification course.

217.320 ARMED CIVILIAN PILOT

It is permissible for civilian pilots to be armed during the performance of their duties but by no means does this policy require civilian pilots to be armed. It is the intent of the policy to permit pilots to be armed during flight missions only. During the course of their duties, they are often unaccompanied by commissioned personnel while flying in remote regions of the state and require a firearm for survival and protection.

A. *Training and identification.* Only those personnel who have received Department approved training will be permitted to carry a weapon. While armed, Department issued identification will be required.

B. *Equipment and qualifications.* The Department will provide the weapon, ammunition, and appropriate gear. No other weapon, ammunition, or gear will be permitted without approval of the Director or designee.

For handguns, annually three qualifications at different dates must be conducted by each employee one of which must be supervised by a Department approved firearms instructor. Pilots choosing to participate in this training must demonstrate proficiency and safety. Training records will be entered into ACADIS with a hard copy of the qualifications placed into the employee respective personnel file.

C. *Weapon secured.* When not involved in flight duties, on RDO's, or while on leave, the weapon will be secured in Department approved containers. Should flight duties necessitate the pilot possess the weapon while away from the aircraft, it shall be concealed in manner which prevents its detection. Pilots will immediately declare they are armed when in contact with law enforcement, additionally pilots are not authorized to carry a weapon into areas not permitted by law, i.e. courts, schools, banks, and buildings where posted. It is not permissible for pilots on missions originating or ending out of state to be armed. If a civilian employee is traveling commercially, the weapon/ammunition must be declared and checked per FAA regulations as luggage.

D. *Violations.* Pilots found in violation of this policy or who are unable to demonstrate proficiency and safety will not be permitted to carry a weapon as outlined in this section.

217.330 FIREARMS ON COMMERCIAL AIRCRAFT

A. *Firearms on aircraft limited to certain officers.* Transportation Security Administration (TSA) and commercial airline policies generally do not permit firearms, loaded or unloaded, in

the passenger cabins of aircraft or in any secure area. However, law enforcement officers may fly armed under certain conditions. Law enforcement officers are permitted to carry deadly weapons aboard scheduled or charter passenger aircraft where security screening is required when it is necessary to have a weapon accessible in connection with the performance of duty during the period of time it would otherwise have been placed in checked luggage until returned after deplaning. Since commissioned personnel of DPS are deemed to be on duty at all times, this regulation has been interpreted by the TSA to mean that DPS officers may be armed while aboard aircraft operating in Alaska.

[DPS Court Services Officers](#) are law enforcement officers and may fly armed on commercial aircraft when the officer is acting within the course of their duties, has an authorized reason to do so, and has successfully completed the required training.

B. *Requirements for armed travel within Alaska.* Commissioned personnel of the Department of Public Safety may carry weapons aboard aircraft within Alaska when:

1. The officer has advised the airline of the armed status;
2. The officer has official credentials for presentation upon request to airline personnel;
3. The officer can state that performance of duty requires access to a weapon during the time that it would otherwise be inaccessible in checked baggage or if on a prisoner trip;
4. The officer has complied with all Transportation Security Administration (TSA) regulations, which includes completing the TSA "Law Enforcement Officers Flying Armed" training program;
5. The officer has submitted an authorization request to TSA through the National Law Enforcement Telecommunications System (NLETS) and received a message notification with an NLETS number; and
6. The officer is not under the influence of alcohol or medications that would impair his judgment while aboard the aircraft. Nor may the officer have consumed alcohol within the previous eight hours.

When transporting prisoners on behalf of the state, officers from local law enforcement agencies must meet all of the above requirements.

C. *Requirements for armed travel out-of-state.* Commissioned officers are authorized to carry weapons aboard outside airlines when necessary as outlined in 217.330 (A). Airlines may require that weapons be placed in checked baggage as a condition of transport.

D. *Transporting firearms in checked baggage.* No employee shall transport, or tender for transport, any unloaded firearm in checked baggage aboard an airplane, unless the passenger declares orally, or in writing, to the air carrier before checking the baggage that any firearm carried in the luggage is unloaded; and the firearm is carried in a locked hard-sided container. The airline will place a firearms notice within the bag.

E. *Officers may not consume alcohol while armed on aircraft.* No officer will consume alcoholic beverages while traveling armed aboard any aircraft.

F. *Pilot may refuse transport of armed officer.* The pilot in command has final authority regarding the presence of armed officers on the flight, and may refuse passage to armed persons. Officers who are refused passage shall document the incident and notify their immediate supervisor at the earliest possible opportunity. Officers may have to accede to airline demands to check firearms, or make alternate arrangements necessary to complete their travel. In no case are officers to argue the decision with airline flight crews or personnel. If contact with the airline concerning this incident is required it will be made only after a thorough supervisory review.

217.340 TRANSPORTING OC SPRAY AND TASERS ON AIRCRAFT

US D.O.T. classifies OC spray as a hazardous material that may be transported in the holds of commercial aircraft when properly secured. Unfortunately the regulations regarding the transport of these substances aboard aircraft are very complex and are poorly understood even by air carriers. Air carriers may refuse to transport OC spray if they become aware of its presence. Because the discharge of even a small amount of OC spray in the cockpit area of an aircraft could cause loss of control and a consequent crash, the following procedures restricting the transport of unsecured OC spray on aircraft have been developed.

A. *OC spray must be secured aboard aircraft.* Officers will not carry OC spray aboard any aircraft unless it is securely stowed such that it cannot present a threat to aircraft or passengers.

B. *Use of OC spray transport can.* DPS posts have been supplied with unused one-quart paint cans for use in transporting OC spray aboard aircraft. The OC spray canister, either with the leather holster or without, shall be placed in the can and the lid pressed firmly onto the can. The lid to the can may be pried open with a tool or a key upon deplaning. The can must be placed in checked baggage on commercial aircraft, or securely stowed on Department aircraft. When traveling on small aircraft, consideration shall be given to placing the luggage containing OC spray in wing or external lockers.

For situations requiring extra security, the lid retaining clips may be applied to the rim of the can with a hammer. These clips allow the cans to meet DOT, Postal Service, and UPS standards for the transport of hazardous materials. If the clips are used, pliers or a screwdriver will be required to open the can.

C. *Officers must use judgment.* Use of the cans should ease the difficulties of transporting OC spray to the many remote locations served by the Department. However, the use of the cans does not eliminate the need for officers to exercise good judgment in determining when to transport OC spray, and in working out the concerns of any pilots or commercial carriers. Officers shall not argue with airline personnel if the transport of OC spray becomes an issue. Instead, officers shall take appropriate actions to complete their primary assignment and report the incident to their supervisor.

217.350 AIRPORT SECURITY SCREENING

- A. *Secure airport areas entered only through screening points.*** Officers will enter sterile areas of airports only through screening points and never through concourse exits. Officers issued airport facility credentials may use other access during the performance of their duties.
- B. *Bypass of airport security screening by armed officers.*** Armed officers may bypass the screening process at airport security screening points only by presenting bona fide credentials to the screener or law enforcement officer in charge of the checkpoint and advising this person that they are armed. This procedure applies to uniformed and non-uniformed officers alike.
- C. *Unarmed officers receive regular screening.*** Unarmed officers will submit to screening in the same manner as any other passenger.
- D. *Prisoners required to be screened.*** All prisoners being escorted are required to be screened. Restrained prisoners will be hand-searched by security personnel.
- E. *Screening violations are a federal crime.*** Failure to properly screen in accordance with regulations is a federal crime and can result in fines totaling \$10,000.00 for each individual violation.