

CHARLOTTESVILLE POLICE DEPARTMENT



Note: This directive is for internal use only and does not enlarge an officer's liability in any way. It should not be construed as the creation of a higher standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this directive, if proven, can only form the basis of a complaint by the Charlottesville Police Department and then only in a non-judicial administrative setting.

Type of Directive: GENERAL ORDER	Number: 01-09
Firearms- Off Duty Action Regulations	Date: November 22, 2019
VLEPSC Number: N/A	Manual Number: 537.31
	Effective Date: 11/22/2019
Authorization: Chief R.M. Brackney <i>Rm Brackney</i>	Follow-up Date: As Needed

I. POLICY

- A. All sworn Police officers may carry a firearm while off-duty in accordance with state and federal law. While off duty in the City of Charlottesville, Officers are strongly encouraged to carry a concealed weapon when practical to do so, or at minimum have a weapon readily available. The off duty weapon may be the department issued sidearm or a personal weapon of a type and caliber authorized under the guidelines and restrictions contained in general order 82-99.
 - 1. Sworn Police Officers will use their discretion as to off duty carry outside of the Charlottesville city limits. Off duty carry outside the Charlottesville city limits will be governed by all Federal, State, and local laws.
- B. Officers should refrain from carrying firearms when contemplating the consumption of alcoholic beverages or under other circumstances where the need to carry a firearm is outweighed by safety issues associated with the circumstances that the officer will be undertaking.
- C. A member of the police department who becomes aware of an incident which poses a threat of serious bodily harm or death to some individual shall take "action" to minimize the risk of serious bodily harm or death. "Action" under this provision is fulfilled by reporting the incident and shall not require the officer to place him or herself in a position of peril. An officer who is faced with such a circumstance should act in accordance with the guidelines as spelled out in this General Order.

II. PURPOSE

- A. The purpose of this order is to adopt safety directives and guidelines for dealing with the carrying of firearms while in an off-duty status for dealing with an officer's duty and responsibility to take action in response to criminal activity while in an off-duty status.

A limited number of the enclosed City of Charlottesville Police Department General Orders have been redacted. The redactions ensure that that Police Department's operational and tactical responses are withheld for community and Officer Safety (e.g., bank alarm response, response to an active threat, and Tactical Operations).