

FIREARMS AND TRANSPORTATION OF PRISONERS ABOARD AIRCRAFT	Document Number	GO 601
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1. PURPOSE

The purpose of this policy is to establish the guidelines governing the carrying of weapons and protective escorts aboard commercial air carriers.

2. PERSONS AFFECTED

All sworn personnel.

3. POLICY

It shall be the policy of the Hawai'i Police Department that members whose responsibilities require carrying weapons aboard commercial aircraft shall do so in accordance with applicable laws and regulations.

4. RESPONSIBILITIES

4.1. Sworn Officers – The following sections of the *Federal Aviation Act* apply to the carrying of weapons aboard aircraft and provide air carriers with the authority to refuse transportation of passengers or property which may endanger the safety of the flight.

4.2. Members shall be guided by *Federal Aviation Regulation (14 CFR, Part 108)* which identifies proper conditions and methods for carrying of weapons aboard aircraft.

4.2.1. Members shall be trained in accordance with Section 219 of the *Federal Aviation Regulations* by a Firearms Instructor in the proper methods for transporting firearms and procedures to be followed when flying armed.

4.2.2. A law enforcement officer (LEO) may board a flight with a firearm on his person or in a carry-on bag, provided:

- a. The LEO is a sworn employee;
- b. The LEO has completed training required by the department and the Federal Aviation Administration (FAA);
- c. The LEO is authorized by the department to carry a firearm, and;

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- d. The LEO has a valid need to fly armed;
 - e. When providing a protective escort:
 - Dignitary protection (principal)
 - Dignitary protection (advance team)
 - Witness protection
 - f. Hazardous surveillance operations;
 - g. Prisoner escorts (all segments of travel round trip to pick up and/or deliver a prisoner);
 - h. LEO on official travel required to report to a new location, armed and prepared for duty;
 - i. The carrier has been notified at least one day prior (or in an emergency, as soon as practicable) before the expected departure time of the flight to be boarded, and that the LEO intends to have the firearm accessible to him;
 - j. The LEO properly identifies himself to the carrier with a department issued card containing:
 - A clear, full-face photograph;
 - LEO's signature;
 - An official agency seal or agency head signature.
- 4.2.3. The LEO shall submit a letter on original department letterhead to the carrier containing:
- a. Travel date(s) and itinerary for flight(s) when the firearm is needed;
 - b. Certification of FAA's training for LEOs flying armed;
 - c. Statement that the LEO needs to be armed;

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- d. Original signature of a supervisory official within the department;
- e. The LEO completes the carry-on authorization form for the carrier and obtains enough copies to accommodate connecting flight(s);



4.2.4. No air carrier may knowingly permit any LEO to carry, nor may any LEO carry, while aboard an aircraft being operated by that air carrier, in checked baggage, a firearm, unless the following conditions are met:

- a. The LEO must declare at the ticket counter at the time the bag is checked that it contains an unloaded firearm;
- b. Firearms must be checked in a hard-side container (suitcase, briefcase, pistol case, toolbox, etc.) that is locked and the key or combination maintained by the LEO. This hard-side container could be placed inside other baggage, if desired;
- c. Ensure that if a *firearms* tag is used, it is placed inside the container to be checked and not affixed to the outside.

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5. PROCEDURES

5.1. The air carrier is to be notified at least one day prior, or in an emergency, as soon as practicable, before departure:

5.1.1. Of the identity of the prisoner and on which flight he will be carried;

5.1.2. Whether the prisoner is considered high risk (arrested for, or convicted of, a violent crime or otherwise known to be an escape risk) by the governmental entity having custody of him. High risk prisoner transportation requires two LEO escorts.

5.2. The escort has assured the air carrier that:

5.2.1. The prisoner does not have on or about his person or property any article that could be used as a deadly or dangerous weapon and would be accessible to him while aboard the aircraft, and

5.2.2. The prisoner is properly restrained at all times when being transported by aircraft.

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- 5.6. No LEO escorting a prisoner or prisoner being escorted in accordance with this procedure (section) may drink any alcoholic beverage while aboard an aircraft.
- 5.7. Prior to the transportation of a prisoner on board an air carrier, law enforcement officer(s) and military police escort(s) should notify a responsible representative of the air carrier; i.e., the duty supervisor in charge of the passenger counter, or the duty supervisor in charge of passenger service in the case of larger stations, the Ground Security Coordinator (GSC – trained employee of the airline who interfaces with crews, LEOs, and others in the area of security – best “point person” for the armed LEO to communicate with regarding question resolution of non-routine/serious nature) or the station manager or acting station manager in the case of a smaller station.
- 5.8. Airlines may not accept prisoners for interline transportation unless concurrence has been obtained in advance from the other airline(s) involved. The booking airline should include in its booking message the name and identification of the prisoner and the escorting officer(s).
- 5.9. An airline may refuse to accept a prisoner at any time if in the judgment of a responsible representative of the airline such acceptance might jeopardize the safety of other passengers.

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