	<b>Matthews Police Department</b>		
	<b>General Order: FIREARMS TRANSFER TO RETIRED OR DECEASED OFFICER</b>	<b>Section 04: Equipment &amp; Personal Appearance</b>	<b>Order #: 04-12</b>
	<b>Review: Annually in December by the Admin Division Commander</b>	<b>Issue Date: 09/01/2018</b>	

#### **I. PURPOSE:**

To outline the policy and procedure to lawfully transfer ownership of a Department owned handgun to retired officers, or to the "next of kin" of a deceased officer.

#### **II. CROSS-REF:**

G.O. 04.02, "Firearms Equipment Regulations"  
N.C. General Statute 20-187.2

#### **III. DISCUSSION:**

N.C. General Statute 20-187.2 authorizes law enforcement agencies to transfer ownership of Department owned handguns by selling the handgun to a law enforcement officer to whom the handgun was assigned" or to "transfer the handgun and badge of [a] deceased officer to the next of kin of the deceased officer."

All such transfers are at the discretion of the Chief of Police.

This policy becomes effective and applies to officers who retire after September 1, 2018.

#### **IV. POLICY:**

#### **V. DEFINITIONS:**

**DECEASED OFFICER:** A Sworn Officer with the Matthews Police Department who is killed or dies in the line of Duty.

**DUTY WEAPON:** The Department owned handgun issued/assigned to a Sworn Officer with the Matthews Police Department.


**FIREARMS COORDINATOR:** A Certified Firearms Instructor, assigned to the Matthews Police Department who is designated to coordinate all firearms training, programs, and equipment.

**NEXT OF KIN:** The spouse, adult child over the age of 21 at the time of transfer, parent, or step parent of a Sworn Officer with the Matthews Police Department who is killed or dies in the line of duty.

**RETIRED OFFICER:** A Sworn Officer with the Matthews Police Department who has separated from employment by reaching his normal or early retirement date, and who has retired in good standing.

#### **VI. TRANSFER OF OWNERSHIP TO RETIRED OFFICER:**

1. In accordance with N.C. General Statute 20-187.2, the Department *may* sell a Department owned handgun to the officer to whom the handgun was assigned.
2. A retired officer or an officer who is scheduled to retire may request to have his Department issued duty pistol "gifted" to him upon retirement.
3. All such requests will be made using form TU-01.
4. The Commander, Administrative Division, will provide form TU-01 to retiring officers, along with all other out-processing paperwork. The requesting officer must complete form TU-01 and forward it to the Chief of Police within seven days of their last date of employment.
5. The Chief of Police, at his discretion, will approve or deny all requests and will forward


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form TU-01 to the Firearms Coordinator.

6. The Firearms Coordinator will forward denied requests to the Commander, Administrative Division who will provide a copy to the requestor and place the original form in the requestor's Personnel File.
7. The Firearms Coordinator will take the following action for approved requests:
  - A. Notifying the requestor that the request has been approved by the Chief of Police.
  - B. Schedule a meeting with the requestor and Point Blank Firearms to complete the required transfer paperwork.
    - (1) The requestor is responsible for any associated transfer/processing fees.
    - (2) At this meeting, the requestor must provide his Department identification card and valid driver's license, as well as the duty pistol.
    - (3) Point Blank Firearms will submit the paperwork to the licensing division for processing.
  - C. Complete a North Carolina Gun Bill of Sale.
8. The Firearms Coordinator will provide a copy of the NC Gun Bill of Sale and the TU-01 form to the requestor and will forward the original forms to the Commander, Administrative Division for inclusion in the requestor's Personnel File.
9. This will complete the transfer of ownership of the duty pistol to the requestor. The requestor then assumes all responsibility for the handgun.
10. The Firearms Coordinator will complete all required record keeping, including updating Quartermaster, showing that ownership has been transferred to the retired officer.

#### **VII. TRANSFER OF OWNERSHIP TO NEXT OF KIN OF DECEASED OFFICER:**

1. In accordance with N.C. General Statute 20-187.2, the Department may transfer the handgun and badge of a deceased officer to the next of kin of the deceased officer, if the requirements of paragraph (a) relating to firearms eligibility are met.
2. In the event a sworn Matthews Police Officer is killed or dies in the line of duty, the Commander, Administrative Division will notify the deceased officer's next of kin of their opportunity to request the Department transfer, to them, of ownership of the deceased officer's duty pistol and badge. In these instances, the next of kin will not be required to pay the replacement cost of the duty pistol.
3. All such requests will be made using form TU-02.
4. In the event the next of kin elects to request the transfer, the Commander, Administrative Division will provide the next of kin with form TU-002.
5. The next of kin must complete form TU-02 and return it to the Commander, Administrative Division who will forward the form to the Chief of Police.
6. The Chief of Police, at his discretion, will approve or deny all requests and will forward

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the form to the Firearms Coordinator.

7. The Firearms Coordinator will forward denied requests to the Commander, Administrative Division who will provide a copy to the next of kin and place the original form in the deceased officer's Personnel File.
8. The Firearms Coordinator will take the following action for approved requests:
  - A. Notifying the requestor that the request has been approved by the Chief of Police.
  - B. Schedule a meeting with the requestor and Point Blank Firearms to complete the required transfer paperwork.
    - (1) The requestor is responsible for any associated transfer/processing fees.
    - (2) At this meeting, the requestor must provide his Department identification card and valid driver's license, as well as the duty pistol.
    - (3) Point Blank Firearms will submit the paperwork to the licensing division for processing.
  - C. Complete a North Carolina Gun Bill of Sale.
  - D. The Firearms Coordinator will provide a copy of the NC Gun Bill of Sale and the TU-01 form to the requestor and will forward the original forms to the Commander, Administrative Division for inclusion in the requestor's Personnel File.
  - E. This will complete the transfer of ownership of the duty pistol to the requestor. The requestor then assumes all responsibility for the handgun.
  - F. The Firearms Coordinator will complete all required record keeping, including updating Quartermaster, showing that ownership has been transferred to the retired officer.

#### **VIII. PROCEDURE FOR PURCHASING A NEW DUTY WEAPON:**

1. The Firearms Coordinator will complete a Department requisition form.
2. The price quote and the completed requisition will be forwarded through the Chain of Command to the Office of Chief of Police.
3. The Office of Chief of Police will obtain a purchase order and forward it to the Firearms Coordinator.
4. The Firearms Coordinator will fax the purchase order to the vendor so the Department can receive a replacement duty weapon.
5. Once the Firearms Coordinator receives the new duty weapon from the vendor a new entry will be made into the Quartermaster Weapon Inventory section.