

**BAY CITY DEPARTMENT OF PUBLIC SAFETY  
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT  
GENERAL ORDER

July 27, 2017  
INDEX NO. 3.8

**OFF-DUTY CARRYING OF FIREARMS**

**I. PURPOSE**

The purpose of this General Order is to establish a policy and procedure for Bay City Department of Public Safety officers carrying firearms off-duty.

**II. POLICY**

It is the policy of the Bay City Department of Public Safety to not require officers to carry a firearm while off-duty. In addition, officers may choose to act on an incident they witness at their discretion.

**III. AUTHORIZATION TO CARRY FIREARMS OFF DUTY**

- A. Sworn officers, at their option, may carry a firearm during off duty hours. The carrying of off-duty firearms is **NOT MANDATORY**.
- B. All officers (probationary or otherwise) may carry a personally owned firearm that has been approved by a departmental firearms instructor and that they have qualified with.
- C. Permission to carry a personally owned weapon shall only be granted after the weapon is inspected by a departmental firearms instructor for safety. The firearms instructor will be responsible for recording the make, model, caliber and serial number of the weapon to be kept on file with the Bay City Department of Public Safety.
- D. Departmental weapons shall not be carried or used for hunting or any similar non-law enforcement activity.

**IV. OFF-DUTY FIREARMS HOLSTERS**

Firearms carried off duty must be carried in a holster. Holsters shall be of a type approved by a departmental firearms instructor.

**V. OFF-DUTY WEAPONS QUALIFICATIONS**

- A. Officers shall qualify annually with any off-duty firearm. The course shall be determined by the Department. Failure to qualify on said course shall result in revocation of authority to carry this particular firearm. If successful completion can subsequently be accomplished, the revocation shall be set aside.
- B. Officers carrying off-duty firearms shall display proficiency in both firing and operation of the weapon. If a weapon continually malfunctions, it will

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be disqualified from further use until such time as the weapon has been repaired and is demonstrated to be in working order.

- C. Any malfunctioning firearm shall be inspected by a departmental armorer to confirm that the firearm has been repaired and is in safe working condition.
- D. Firearms utilized for recreation and/or hunting are exempt.

**VI. DISCHARGE OF OFF-DUTY FIREARMS**

- A. Officers shall be aware that the provisions of the Response to Resistance General Order are applicable to the use of off-duty firearms.
- B. Should an off-duty firearm be discharged, either accidentally or otherwise, the on-duty command officer shall be notified immediately.
- C. Should the discharge occur in another jurisdiction, the discharge shall be reported immediately to the agency having jurisdiction.
- D. As soon as it can be done safely, the officer shall notify the on-duty command officer of the Bay City Department of Public Safety.

**VII. OFF-DUTY ACTION STRATEGY**

- A. If practical, go to a safe location and call 911.
- B. When you encounter a situation off-duty that requires police action, you should evaluate whether your involvement is necessary or desirable, given the circumstances.
- C. A number of circumstances may impact your decision to get involved in any given situation. You may be alone or with family members or other non-police personnel. Furthermore, it is unlikely that you will have all of the necessary police equipment while you are off duty; such as pepper spray, baton, Taser, handcuffs, and police radio. You may be faced with multiple suspects or unaware of hidden suspects. There may also be environmental factors working against you; such as lack of cover, crowds or civilians, darkness, etc. Your intervention may actually spark an escalation of violence. Therefore, your best plan of action may be to:
  - 1. Be a good witness until a uniformed, on-duty officer arrives.
  - 2. The decision to act lies solely with you, but remember that you have no legal or departmental obligation to get involved (beyond calling 911). Especially if such intervention requires you to act in a manner that places your life in danger.

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3. While department policy mandates that you “take action” when witnessing a serious crime, that obligation is fulfilled by calling the police and monitoring the situation from a safe vantage point.
4. Most survival conscious officers have trained themselves not to intervene while off duty unless there is an immediate danger posed to their own lives or those of other innocent parties. In other words, you should only consider intervention when deadly force would be justified. You should not intervene just to make an arrest while off duty. The decision to take action, beyond simply reporting, is a personal one and is not a requirement of this Department.
5. If you decide you must get involved, attempt to have someone call 911 and advise the operator that an off-duty officer is on the scene. Have the caller inform the operator if you are armed. If possible, have them describe you and your clothing. This will affect the mindset of the responding officers.
6. When uniformed police officers arrive, have your badge out and visible (if you carry your badge while off duty). Do not rely on showing your identification as a means of providing protection. At a distance, in dim light, and under stress, responding officers may not see your badge. Even if the officers do see it, if they do not recognize you personally, they may not consider your identification credible.
7. When uniformed officers arrive, you should holster your weapon unless doing so would put you and the responding officer(s) or innocent civilian(s) in jeopardy.
8. If you have cover, maintain it. You can communicate verbally from there.
9. Make your hands visible. If responding officers can see that you are unarmed and non-threatening, they will feel calmer and will be more likely to protect you.
10. Verbally identify yourself as a police officer, not just once and not in a normal tone of voice, but repeatedly and very loud. Repeatedly shout, “POLICE! DON’T SHOOT! OFF-DUTY OFFICER!” until you receive acknowledgement and directions as to what you should do. Remember, the noise and excitement of the scene, combined with stress induced auditory blocking, may prevent responding officers from hearing you initially.
11. When commands are issued by the responding officers, follow them promptly and completely. Expect to be treated like a suspect until your law enforcement status is verified.

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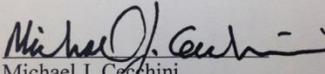
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12. The most important rule of all: If you have a gun in your hand, **NEVER** turn toward an on-duty officer.
13. When carrying an off-duty firearm (including when driving to and from work unless in uniform), it shall be concealed from public view.

**VIII. REPORTING / COMPLIANCE**

Whenever an officer becomes involved in an incident while off duty, he / she shall notify a Bay City Department of Public Safety command officer on duty as soon as possible.

By order of:

  
Michael J. Cecchini  
Public Safety Director