

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
AMENDING ARIZONA CODE OF)	
JUDICIAL ADMINISTRATION § 6-113:)	Administrative Order
FIREARMS STANDARDS)	<u>No. 2006 - 63</u>
)	(Affecting Administrative
)	Order Nos. 2002-70,
)	2003-91)
_____)	

An amendment to the above captioned section of the Arizona Code of Judicial Administration having come before the Arizona Judicial Council on June 19, 2006, and having been approved and recommended for adoption,

Now, therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that Arizona Code of Judicial Administration § 6-113 is amended as indicated on the attached document. All other provisions of § 6-113, as originally adopted, remain unchanged and in effect.

Dated this 18th day of August, 2006.

RUTH V. MCGREGOR
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION
Part 6: Probation
Chapter 1: General Administration
Section 6-113: Firearms Standards

[Added text is shown underlined, deleted text by ~~strikethrough~~.]

A. Definitions. In this section the following definitions apply:

“Certified firearms instructor” means an individual trained in accordance with national law enforcement firearms training standards and approved by the Administrative Office of the Courts (AOC).

“Firearms automated training system” means a system which visually presents situations the officer may encounter in the officer’s duties and requires the officer to make use-of-force decisions relating to the use of a firearm.

“Immediate threat” means the subject poses a risk of instant harm or attack with the elements of jeopardy, opportunity and ability.

“Intentional discharge” means a non-training related discharge of a department issued firearm by an officer that is either on or off duty, where the officer believes the firearm is loaded and consciously performs all of the actions necessary to cause a discharge.

“Life-threatening circumstances” means actions which may cause serious bodily injury or death.

“Low light condition” means firearms training conducted in situations either natural or simulated, designed to expose officers to situations they may encounter while working at night or in reduced light situations.

“On duty” means the time period during which the officer is involved in performing the officer’s respective probation duties or functioning at the direction of the officer’s respective probation department.

“Off duty” means the time period during which the officer is not involved in performing the officer’s respective probation duties or functioning at the direction of the officer’s respective probation department.

“Officer” means both adult and juvenile probation and surveillance officers.

“Tactical condition” means a training which involves the officer’s appropriate use of a firearm in training involving the use of distance, shielding and movement, and other issues the officer may encounter during the course of duty.

“Unintentional discharge” means the discharge of a department issued firearm by an officer that is either on or off duty, where the firearm discharges by an action of the officer without the officer’s intent to cause a discharge or when the officer unconsciously acts to cause the firearm to discharge or when outside forces cause the discharge.

B through D [no change]

E. Request for Authorization to Carry Firearm.

1. An officer wishing authorization to carry a firearm or who desires training on firearms shall submit a written request to the chief probation officer or director of juvenile court services and submit to the following screening and testing requirements.
2. The chief probation officer or director of juvenile court services shall confirm and document, prior to granting authorization, that the requesting officer has done the following:
 - a. Completed psychological testing which meets minimum standards established by the AOC;
 - b. Completed a criminal history records check;
 - c. ~~Completed~~ Successfully ~~completed the Committee on Probation Education (COPE) approved firearms training academy qualification program with a minimal standard score of 80%, conducted by an AOC certified firearms instructor with the firearm intended for use;~~
 - d. Successfully completed a COPE approved competency test and training course on ~~ACJA Firearms Standards §§ 6-112 and Use of Force 6-113,~~ and legal issues relating to firearms;
 - e. Successfully completed and demonstrated proficiency in all required defensive tactics training;
 - f. Completed and certified, on a form approved by the AOC, that they are medically and physically able to perform the job duties of an armed officer; and
 - g. Submitted a form, approved by AOC, attesting:
 - (1) The officer agrees to submit to an AOC approved psychological evaluation;
 - (2) The officer has no medical, psychological, or health condition including a physical or mental disability which substantially impairs the officer's ability to responsibly carry a firearm or interferes with the safe use of or handling of a firearm;
 - (3) The officer is not addicted to alcohol or prescription drugs;
 - (4) The officer does not use unlawful narcotics or drugs;

- (5) The officer agrees to submit to random drug tests if authorization to carry a firearm is granted-;
 - (6) The officer agrees to submit to drug testing based on reasonable suspicion pursuant to departmental policy and procedures-; and
 - (7) The officer shall abide by all ACJA and department policies regarding firearms.
3. The chief probation officer or director of juvenile court services may require that the requesting officer submit to a polygraph examination to inquire about matters that would reasonably be the basis for not authorizing an officer to carry a firearm including, but not limited to, sexual misconduct, use of excessive force and abuse of authority. A polygraph examination may also be used to question officers where the truthfulness or accuracy of information provided in the request to be armed is at issue.
 4. The chief probation officer or director of juvenile court services shall act on the request for initial authorization, within 30 days, by initiating arrangements for the probation officer to undergo the necessary tests, evaluations, checks and training.

F. Required Firearms Training and Qualifications.

1. COPE shall approve a uniform, standardized, and statewide firearms training academy qualification program and annual re-qualification.
2. The certified firearms instructor (CFI) shall only use curriculum approved by COPE and provide firearms training that meets the following minimum standards.
 - a. Annual training in:
 - (1) Daylight conditions AND QUALIFICATION;
 - (~~2~~) Low light conditions AND QUALIFICATION;
 - (~~3~~) Tactical conditions; and
 - (~~4~~) Firearms automated training system or a judgmental shooting simulation-; and
 - (5) Range safety.
 - b. ~~The certified firearms instructor shall provide all r~~Required instruction on the safe and effective use of department firearms.
3. Departments shall provide range equipment including eye and ear protection for use during training and qualifications.
4. An officer shall comply with all directives of the CFI ~~certified firearms instructor~~ concerning firearms training and safety.
5. ~~The certified firearms instructors shall prepare and submit a quarterly firearms qualification report in a format specified by the AOC to the chief probation officer or director of juvenile court services and AOC.~~

56. An officer's direct supervisor may give written authorization to the officer to use the department issued firearm for practice while off duty on a departmentally approved range.
67. The CFI certified firearms instructor shall confiscate and take control of the firearm of any officer who exhibits inappropriate or unsafe behavior while on the range or of any firearm determined to be unsafe.

G. Procedures for Authorization or Denial.

1. The chief probation officer or director of juvenile court services shall deny authorization to carry a firearm if an officer:
 - a. Has been convicted in any court of a qualifying misdemeanor crime of domestic violence under federal law. See 18 U.S.C. § 922 (g)(9).
 - b. Is subject to a qualifying protection order under federal law. See 18 U.S.C. § 922 (g)(8).
2. The chief probation officer or director of juvenile court services may deny authorization to carry a firearm during ~~at~~ any point of the screening and testing process based on the criteria stated in subsection G(6)(a-t).
3. The chief probation officer or director of juvenile court services shall approve or disapprove the request to carry a firearm in writing within 30 days after the officer satisfactorily completes all requirements stated in subsection E(2)(a-g).
4. The chief probation officer or director of juvenile court services shall provide written reasons for denial to the officer and a copy of the approval or denial shall be kept on file.
5. The chief probation officer or director of juvenile court services or designee shall place the original request and the approval or reasons for denial in the officer's personnel file and provide copies to the officer, and to the officer's supervisor. The CFI certified firearms instructors shall receive a copy of all approvals.
6. The chief probation officer or director of juvenile court services shall only deny, revoke or temporarily suspend authorization to carry a firearm for the following reasons:
 - a. Results from the psychological evaluation that indicates unfitness to carry a firearm;
 - b. The officer is currently diagnosed with a mental disability or illness by a licensed mental health professional that may impact the officer's ability to safely use a firearm;
 - c. The denial or revocation of a permit to carry a concealed weapon by the State of Arizona;

- d. A result from a criminal history record check or a self report indicating any or all of the following:
 - (1) The conviction of a felony or an offense which would be a felony if committed in this state;
 - (2) The commission of any offense involving dishonesty, unlawful sexual conduct, physical violence or domestic violence;
 - (3) The violation of A.R.S. § 13-3112, concealed weapons permit or statutes governing firearms or lethal and non-lethal weapons; and
 - (4) The commission of a misdemeanor involving the carrying or use of a firearm.
- e. The violation of departmental policy or ~~ACJA~~ this code relating to the carrying or use of firearms;
- f. Carrying, exhibiting, or using a firearm in an unsafe or careless manner;
- g. Disciplinary charges pending or action taken that relate to the fitness to carry a firearm;
- h. Any use of alcoholic beverages on duty or excessive use of alcoholic beverages off duty that affects performance of job;
- i. The administrative reassignment of an officer as a result of a documented stress related disorder or post traumatic stress disorder as diagnosed by a licensed mental health professional that may impact the officer's ability to safely use a firearm;
- j. A medical, psychological, or health condition including a physical or mental disability, which substantially impairs the officer's ability to responsibly carry a firearm or interferes with the safe use of or handling of a firearm;
- k. The addiction to alcohol or prescription drugs that would interfere with the safe use of a firearm and render the officer unfit to carry a firearm;
- l. An officer is found to have illegally used dangerous drugs or narcotics for any purpose within the past seven years;
- m. An officer is found to have illegally used marijuana for any purpose within the past three years;
- n. Transfer or reassignment of an officer to an assignment or unit where carrying a firearm is not authorized pursuant to D(2) of this ~~code~~ section;
- o. The authorization was based solely upon a specific personal risk to the officer and the risk is determined to no longer exist;

- p. Arrest for an offense punishable as a felony or for a misdemeanor involving the carrying or use of a firearm;
 - q. Discharge of a firearm by an officer in violation of any municipal, county or state law, regulation or policy;
 - r. Drawing a firearm or use of a non-lethal defensive weapon in violation of any municipal, county or state law, regulation or policy;
 - s. Any other circumstance temporary or permanent which leads the chief probation officer or director of juvenile court services to believe that the arming of the officer could place that officer, other staff, probationers, or the public in jeopardy; or
 - t. Failure to successfully complete the annual re-qualification program and participate in required practice sessions.
7. All screening and testing records shall be maintained in the officer's personnel file and be confidential as required by law.
 8. The presiding judge shall hear all appeals to the denial, revocation or suspension and the judicial decision is final and not appealable.
 9. An officer wishing to have their authorization reinstated after revocation may submit a written request to the chief probation officer or director of juvenile court services after one year. The officer shall clearly state the reasons ~~the reasons~~ for reinstatement of the authorization. The presiding judge, presiding juvenile judge or judicial designee shall hear all appeals to the denial of reinstatement.

H through I [no change]

J. Authority to Unholster, Draw and Display Firearms. ~~4.~~ An officer shall only draw their duty weapon from its holster, or display it in public, under the following conditions and as authorized in ~~section~~ subsection L of this ~~code~~ section:

1. ~~a.~~ In compliance with department policy regarding firearm concealment or exposure;
2. ~~b.~~ When ~~the~~ circumstances surrounding the incident create a reasonable belief that it may become necessary to use the firearm in the performance of probation supervision duties;
3. ~~c.~~ When a law enforcement officer requests assistance from an officer in a life-threatening situation; ~~and~~
4. ~~d.~~ For maintenance, inspection and training purposes; and.

~~(1) An officer shall ensure that the weapon is empty of ammunition prior to cleaning or inspection.~~

5. ~~(2) When using the weapon in an approved training course, practice session or qualification with the CFI certified firearms instructor,~~

K. Required Reporting of Firearm Unholstering, Drawing, or Displaying a Firearm in the Course of Duty.

1. An officer who unholsters, draws, or displays but does not discharge a firearm while on duty, excluding training, shall submit an incident report to their supervisor no later than the next business day except other than to secure the weapon or when requested by the CFI certified firearms instructor for maintenance, inspection, or training purposes.
2. An officer who witnesses this behavior shall submit an incident report to their supervisor no later than the next business day.
3. The supervisor shall immediately send the incident report through the departmental chain of command to the chief probation officer or director of juvenile court services.
4. Failing to comply with reporting requirements may be cause for disciplinary actions, up to and including termination of employment.

L. Authority to Discharge Firearm.

1. An officer shall determine that deadly force is warranted under the circumstances provided by statute before using deadly force in the performance of the officer's duties.

a. A.R.S. § 13-410 (A)(1) provides:

The threatened use of deadly physical force by a person against another is justified pursuant to § 13-409 only if a reasonable person effecting the arrest ... would believe the suspect... is:

(1) Actually resisting the discharge of a legal duty with deadly force or with the apparent capacity to use deadly physical force.

b. A.R.S. § 13-410 (C)(1)(2)(a)(b)(c) and ~~(d)~~ provides:

C. The use of deadly force by a peace officer against another is justified pursuant to § 13-409 only when the peace officer reasonably believes that it is necessary:

1. To defend himself or a third person from what the peace officer reasonably believes to be the use or imminent use of deadly physical force.

2. To effect an arrest...of a person whom the peace officer reasonably believes:

- (a) Has committed, attempted to commit, is committing or is attempting to commit a felony involving the use or threatened use of a deadly weapon.
- (b) Is attempting to escape by use of a deadly weapon.
- (c) Through past or present conduct of the person ~~that~~ which is known by the peace officer that the person is likely to endanger human life or inflict serious bodily injury to another unless apprehended without delay.

...

~~(d)~~ D. Notwithstanding any other provision of this chapter, a peace officer is justified in threatening to use deadly physical force when and to the extent a reasonable officer believes it necessary to protect himself against another's potential use of force or deadly physical force.

2. An officer ~~is prohibited from performing the following acts~~ shall not:
 - a. ~~Drawing~~ or ~~displaying~~ a weapon unless the situation poses a threat that may warrant the use of the weapon;
 - b. ~~Firing~~ Fire warning shots;
 - c. ~~Firing~~ Fire in the immediate direction of a crowd;
 - d. ~~Firing~~ Fire into buildings or through doors or windows, when the subject is not clearly visible;
 - e. ~~Using~~ Use firearms to protect property;
 - f. ~~Discharging~~ Discharge firearms to apprehend a fleeing offender;
 - g. ~~Firing~~ Fire at a moving vehicle unless it is necessary to protect oneself or others against immediate threat of death or serious physical injury; or
 - h. ~~Firing~~ Fire at an animal unless justified in preventing substantial harm to oneself or another.
3. An officer may use firearms on an approved range, or during other approved training, practice or qualification when supervised by ~~the probation department~~ a CFI certified firearms instructor or in other department-approved training.

M. Investigation of Discharges and Call-Out Procedures. Any department conducting a firearm's discharge investigation shall classify the discharge in one of the following categories:

1. Unintentional discharge without injury. ~~Departments and the appropriate law enforcement agency shall investigate any discharge of a firearm. The improper use of a~~

~~firearm may result in sanctions or criminal or civil action.~~ The chief probation officer or director of juvenile court services shall ensure the following:

- a. The department conducts an administrative investigation and shall not be required to conduct a formal shooting inquiry board.
 - b. The chief probation officer or director of juvenile court services shall notify the AOC within 72 hours when an unintentional discharge without injury has occurred.
 - c. The chief probation officer or director of juvenile court services shall have the authority to administer any discipline or remedial measures according to the local personnel procedures.
2. ~~In an administrative investigation of weapons discharge the first non-involved responding officer shall:~~
- a. ~~Preserve the firearm in a condition as close as possible to the condition when the discharge took place;~~
 - b. ~~Take care not to destroy or add fingerprints;~~
 - c. ~~Protect the weapon for examination and only submit it to the certified firearms instructor or investigating authority;~~
 - d. ~~Record exactly what is done with the firearm and report it to the investigating law enforcement agency; and~~
 - e. ~~Secure the weapon in the trunk of a vehicle until it is surrendered to investigating officers.~~
2. Training related unintentional discharge without injury. The chief probation officer or director of juvenile court services may follow the requirements of subsection M (1) of this section regarding a training related unintentional discharge without injury.
3. ~~The responding officer shall immediately give all information gathered to the site commanding officer of the shooting inquiry team and incident investigator of the law enforcement agency conducting the investigation.~~
3. Unintentional discharge with injury. The chief probation officer or director of juvenile court services shall ensure that all investigations follow the criteria stated in subsection M(4) of this section.
4. Intentional discharge. Departments and the appropriate law enforcement agency shall investigate any intentional discharge of a firearm. The probation department shall assign a staff member to aid and assist the officer if the discharge of the officer's firearm results in the wounding or death of a person or persons.

- a. Departments and the appropriate law enforcement agency shall investigate any discharge of a firearm. The improper use of a firearm may result in sanctions, or criminal or civil action.
- b. In an administrative investigation of a weapons discharge of a firearm, the first non-involved armed responding officer shall:
 - (1) Secure and preserve the firearm in a condition as close as possible to the condition when the discharge took place. For example, leaving the firearm with the officer in the holster until it can be surrendered to an investigating officer.
 - (2) Take care not to destroy or add fingerprints;
 - (3) Protect the weapon for examination and only submit it to the CFI or investigating authority;
 - (4) Record exactly what is done with the firearm and report it to the investigating law enforcement agency; and
 - (5) Provide all gathered information to the incident investigator from the probation department and law enforcement.
- c. The probation department shall assign a staff member to aid and assist the officer if the discharge of the officer's firearm results in the wounding or death of a person or persons.
- d5. The chief probation officer or director of juvenile court services shall ensure that when the officer's weapon is held as part of an investigation, a replacement firearm is issued as soon as is reasonable unless authorization to carry a firearm has been revoked or temporarily suspended.
- e6. ~~AOC shall review and approve~~ Each department's shall have policies and procedures for the investigation of all firearm discharges or firearm involved incidents. Each ~~All~~ department's policies and procedures shall include, but are not limited to, the following:
 - (1)~~a.~~ Direction as to who shall be notified;
 - (2)~~b.~~ Direction as to who shall be called to the scene;
 - (3)~~c.~~ Notification to AOC and appropriate law enforcement;
 - (4)~~d.~~ Notification to county and state risk management;
 - (5)~~e.~~ Notification to county attorney and attorney general;
 - (6)~~f.~~ Establishment of a critical incident response team;
 - (7)~~g.~~ Notification of a critical incident response team representative or representatives; and
 - (8)~~h.~~ Procedures to place an officer on administrative leave following a shooting or discharge.

f7. The chief probation officer or director of juvenile court services or designee shall handle all media and family inquiries.

N. Shooting Inquiry Board.

1. The chief probation officer or director of juvenile court services shall appoint a shooting inquiry board within ~~20~~ twenty days of any ~~incident that an officer~~ unintentional discharge with injury or intentional discharge of a department issued firearm. ~~discharges a firearm in the line of duty.~~
2. The shooting inquiry board shall convene for the purpose of revealing the facts in each instance of a discharge.
3. The shooting inquiry board shall consist of:
 - a. Two members of the probation department not involved in the incident, appointed by chief probation officer or director of juvenile court services;
 - b. One member of a law enforcement agency, not the investigative officer, appointed by the chief probation officer or director of juvenile court services;
 - c. One representative of the officer from the department, not involved in the incident;
 - d. One representative not involved in the incident, appointed by the presiding judge, from either inside or outside the probation department; and
 - e. The AOC probation safety specialist.
4. The shooting inquiry board shall review the investigation of the shooting and determine the facts surrounding the incident, interview witnesses, and when necessary, request the chief probation officer or director of juvenile court services to assign investigators.
5. The board shall issue a written report to the chief probation officer or director of juvenile court services at the conclusion of its review containing the following:
 - a. A brief summary of the incident, as determined by the facts presented to the board;
 - b. The board's opinion of whether the discharge complied with department policy and ACJA this code;
 - c. Determination if the action of the officer was reasonable, safe, and necessary;
 - d. Any minority opinion of a member, in the event that the board's opinion is not unanimous; and
 - e. The signature of each board member.

6. The chief probation officer or director of juvenile court services shall have the authority to administer any discipline or remedial measures according to the local personnel procedures.
7. The chief probation officer or director of juvenile court services shall forward a copy of the shooting inquiry board's report to the AOC probation safety specialist along with the actions taken by the chief probation officer or director of juvenile court services.

O. Authority to Carry and Use Concealable Firearms While Off Duty. [no change]

P. Authorized Firearms, Ammunition and Holsters.

1. An officer may only carry and use the firearm and ammunition that are approved by the AOC as their duty weapons.
- ~~2a.~~ 2a. The chief probation officer or director of juvenile court services ~~certified firearms instructor~~ shall ensure a database of each record ~~the~~ firearm serial number is maintained with the probation department.
- ~~3b.~~ 3b. The department shall maintain records of all firearms carried by on duty officers.
- ~~4e.~~ 4e. An officer shall only alter the firearm with personalized grips or grip adapters. Only probation department approved armorers shall make adjustments to the firearm.
- ~~5d.~~ 5d. All safety devices on the firearm provided by the manufacturer shall be intact and functioning at all times.
- ~~6e.~~ 6e. An officer may use another officer's firearm in the case of a life-threatening emergency. An officer may only use another firearm on the range, under the direct supervision of a CFI ~~certified firearms instructor~~.
- ~~72.~~ 72. The chief probation officer or director of juvenile court services shall approve holsters for the authorized firearms. ~~The department shall issue holsters that meet the following guidelines:~~ based on guidelines issued by the AOC.
 - ~~a. Readily concealable;~~
 - ~~b. Properly fit the firearm;~~
 - ~~c. Contain a thumb break; and~~
 - ~~d. Contain a trigger cover guard.~~
- ~~83.~~ 83. An officer shall qualify with the approved holster or holsters prior to initiating use and upon re-qualifying.

94. The ~~CFI certified firearms instructor~~ shall ensure that only factory ammunition is used. The use of reload ammunition is prohibited.

~~105.~~ An officer shall only carry the approved and authorized firearm.

~~116.~~ An officer shall have in their possession their department issued badge, identification card and firearms authorization card whenever carrying a firearm.

~~127.~~ An officer shall ensure that the firearm is fully loaded when it is carried or worn.

~~138.~~ The chief probation officer or director of juvenile court services may grant written approval for an officer on official business to carry an issued firearm when traveling out of jurisdiction. The officer shall:

- a. ~~The officer shall e~~Carry the written approval at all times while traveling;
- b. ~~The officer shall f~~Follow all federal, state and local laws and regulations; and
- c. ~~The officer shall e~~Comply with the carrier's requirements.

Q. Firearms Safety and Storage.

1. An officer authorized to carry a firearm shall observe and practice the following safety regulations:

- a. All firearms shall be handled safely and treated as a loaded firearm until the handler has personally proven otherwise;
- b. An officer shall only dry-fire, clean, exhibit, load or unload in a safe manner and environment;
- c. An officer shall ensure that any unholstered firearm that is brought into a probation department facility is unloaded; ~~and~~
- d. An officer shall ensure that a firearm equipped with any safety devices ~~are~~ is carried in a "safe" position; and;
- e. An officer shall ensure that the weapon is empty of ammunition prior to cleaning or inspection.

2. An officer shall ensure that the holstered firearm and ammunition are stored in a designated safe and locked place that is not accessible to unauthorized persons when not carrying or wearing the firearm.

- a. An officer shall not keep a firearm in the office overnight unless secured in a department approved firearms storage unit.

- b. An officer shall not store a firearm overnight in any vehicle.
 - c. An officer shall ensure that a firearm is kept in a secure and safe place where the firearm is not accessible to other individuals, particularly children.
 - d. An on-duty armed officer not wanting to carry a firearm into a residence or public building, shall temporarily store the firearm in a locked automobile trunk or glove compartment.
 - (1) An officer shall ensure that the automobile is locked if the firearm is stored in a glove compartment or if the trunk is accessible through the passenger area.
 - (2) An officer shall exercise care that the placement of the firearm in the glove compartment or trunk is not observed by the public.
 - (3) The chief probation officer or director of juvenile court services may approve alternative arrangements, such as secure lock boxes under the seat.
 - e. An officer shall follow facility procedures for safekeeping and temporary storage of their firearm, ammunition and other prohibited items at all correctional and court facilities.
3. An officer shall immediately notify their supervisor of any unauthorized use, handling or discharge of a department issued firearm. Chief probation officers or directors of juvenile court shall ensure that all discharge investigations follow all criteria provided in subsection M(4) of this code section. ~~An officer failing to comply with the safety and storage regulations may be subject to disciplinary action, which may include the loss of authorization to carry a firearm.~~
 4. An officer failing to comply with the safety and storage regulations may be subject to disciplinary action, which may include the loss of authorization to carry a firearm.

R. Stolen or Lost Firearm. [no change]

S. Firearm Care and Maintenance.

1. An officer shall be responsible for cleaning and inspection of their issued firearm.
2. An officer shall not clean a firearm in the probation department other than in a departmental armory or other designated area.
3. The department shall retain ownership of all firearms and ammunition purchased and provided to an officer.
4. An officer shall return the firearm and ammunition to the department upon request.
5. An officer shall present the firearm to the CFI certified firearms instructor for inspection upon the instructor's request.