

**CHAPTER 1**  
**FIREARMS CLASSIFICATION AND REGISTRATION**  
**REVISED AUGUST 2026**  
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## CHAPTER 1

### FIREARMS CLASSIFICATION AND REGISTRATION

#### 1. FIREARMS CLASSIFICATION.

##### a. Primary Firearms.

(1) Definition. The two approved primary firearms are the full-size Smith & Wesson (S&W) model Military and Police (M&P) 1.0, .40 caliber pistol, and the S&W model M&P 2.0, 9mm pistol, equipped with a red dot optic sight. While on duty, the pistol shall be carried by uniformed employees with a fully loaded magazine and one chambered round. No other firearms are authorized for carrying while on duty, with the following exceptions:

(a) Supplemental firearms by authorized carriers. (Refer to paragraph 1.c.[2] of this chapter.)

(b) Secondary firearms which meet the secondary firearm criteria (e.g., caliber, design, safety mechanisms) may be carried in lieu of the primary firearm **only** while traveling to, during, and returning from court in civilian attire, in a privately owned vehicle.

(2) Each primary firearm shall be recorded on the Employee Training Records System (ETRS)-generated CHP 311, Annual Safety/Protective Equipment Inspection. (Refer to Chapter 5, Annual Inspection of Departmental Pistols, Annex A, of this manual.)

b. Personally Purchased Primary Firearms. Uniformed members of the Department may carry a personally purchased primary firearm while on duty. The following guidelines shall apply when employees choose to exercise this option:

(1) The firearm shall be the same make, model, optic cut, and color as that purchased and currently used and approved by the Department.

(2) The associated optic shall mount directly to the slide of the firearm.

(3) Prior to allowing a uniformed employee to carry a personally purchased primary firearm on duty, the firearm shall be inspected by the Area Range Officer to ensure it is the correct model and functions properly. Each personally purchased primary firearm shall be identified and recorded on a CHP 4, Secondary Firearms Report, and a CHP 311, Annual Officer Safety/Protective Equipment Inspection. (Refer to

Chapter 5, Annual Inspection of Departmental Pistols, Annex A, of this manual.)

(4) Only ammunition provided by the Department may be carried in personally purchased primary firearms.

(5) Uniformed employees choosing to carry a personally purchased primary firearm are responsible for purchasing a departmentally approved duty holster. (Refer to Chapter 4, Firearms Equipment, Annex C, of this manual.)

c. Supplemental Firearm.

(1) Background. The S&W model M&P .40 Compact, or S&W model M&P 2.0, 3.6 inch with a red dot sight, hereafter referred to as supplemental firearms, are compact-size .40 caliber, or 9mm pistols. The .40 caliber supplemental firearm has a magazine capacity of ten rounds, plus one in the chamber. The 9mm supplemental firearm has a magazine capacity of 15 rounds, plus one in the chamber. While on duty, the pistols shall be carried with fully loaded magazines and one round chambered.

(2) Distribution.

(a) Supplemental firearms are available for issue to command-level employees and employees permanently assigned to positions which necessitate the wearing of civilian attire or the approved alternate uniform on a continual basis. Therefore, distribution of these firearms will be limited only to the employees in the following positions as weapons become available:

1 Lieutenants and above.

2 Members of Protective Services Division, including Dignitary Protection Section, Judicial Protection Section, Governor's Protective Detail Section, Joint Terrorism Task Force, and Special Weapons and Tactics; Office of Air Operations; and Multidisciplinary Accident Investigation Teams.

3 Field Division employees permanently assigned to the following positions:

a Vehicle theft investigator.

b Drug task force member.

- c Multiagency vehicle/cargo task force member.
- d Investigative Services Unit employee.
- e Other Division-specific task force members (e.g., violence suppression, sexual assault, gangs, clandestine labs).
- f Internal Affairs investigator.
- g Applicant investigator.
- h Other Division positions and background investigators, as approved by the appropriate Assistant Commissioner.
- i Pilots and flight observers.

1/ Pilots and flight observers assigned to the Air Operations Program may carry the supplemental firearm in lieu of the primary firearm when wearing an approved shoulder holster or tactical flight vest.

4 Headquarters positions as approved by the appropriate Commissioner.

(b) Employees carrying a supplemental firearm are strongly advised to wear their departmental badge so that both the firearm and the badge can be seen simultaneously.

(c) Upon completion of an employee's assignment to one of the positions listed in paragraphs 1.c.(2)(a)1 through 1.c.(2)(a)4, or upon separation or retirement, the supplemental firearm shall be returned to the Academy, Weapons Control Unit (WCU), for inspection and reissue. (Refer to Chapter 9, Firearms and Weapons Inventory and Control, of this manual.)

NOTE: The supplemental firearm is not intended for issuance to members of Area-level special investigation teams, warrant service teams, felony follow-up units, etc.

### (3) Requisition Procedures.

(a) Commanders requesting the issuance of the supplemental firearms shall forward a memorandum, through channels, to the appropriate Commissioner. The memorandum shall include the name, ID number, and assignment of the employee requesting issuance of the supplemental

firearms. Approved requests will be forwarded to the Academy, WCU, for processing.

(b) Supplemental firearm information shall be entered into ETRS for the employee.

(c) The Academy, WCU, will be responsible for adding the weapon to the command's firearms inventory.

(4) Loaner/Spare Weapons. Each field Division having employees who have been issued the supplemental firearm is authorized to maintain two loaner supplemental firearms. These weapons are available for loan to employees whose supplemental firearm is being repaired, serviced, replaced, or is undergoing a post-shooting inspection. Issuance of additional supplemental firearms to be used as spares or loaners will require the approval of the appropriate Commissioner.

(5) Training.

(a) The supplemental firearms are similar to the primary firearm. Upon receipt of the weapon, the employee shall complete a familiarization course with an Area range officer to become familiar with the weapon and its operation.

(b) Employees issued the supplemental firearm shall retain possession of their primary firearm. Primary firearms shall be carried whenever the employee is on duty and in uniform, or as outlined in paragraph 1.a. of this chapter.

(6) Holsters.

(a) The Safariland Model 6378 ALS and Safariland Model 6378 RDS, Paddle Holsters will be issued in conjunction with the distribution of the supplemental firearm. For further information on the primary firearm holster for employees assigned to plain clothes duties, refer to Chapter 4 of this manual.

(b) Uniformed employees may purchase a holster with their own funds. The Department will not be responsible for repair, replacement, or reimbursement of any personally owned holster. Supplemental firearm holsters shall meet the specifications in Chapter 4, paragraph 2.c., of this manual.

(7) Magazine Compatibility.

(a) The 15-round magazine used for the full-size S&W model M&P 1.0, .40 caliber pistol will function in the S&W model M&P supplemental firearm. The 17-round magazine used for the full-size S&W model M&P 2.0, 9mm pistol will function in the S&W model M&P 2.0, 3.6-inch pistols.

(b) The supplemental firearm's magazine will not operate in the primary firearms.

(c) Uniformed employees who are issued the S&W model M&P, .40 caliber supplemental firearm may carry 15-round magazines, in addition to the 10-round magazine carried in the firearm. Uniformed employees who are issued the S&W model M&P 2.0, 3.6-inch, 9mm supplemental firearm may carry 17-round magazines, in addition to the 15-round magazine carried in the firearm.

d. Secondary Firearm. While the Department does not require the carrying of a secondary firearm, it does provide authorization for employees to do so. The following guidelines shall apply when employees choose to exercise this option:

(1) Definition. A secondary firearm is any approved revolver or semiautomatic pistol carried in addition to the primary firearm. While in an authorized uniform, the employee shall carry the secondary firearm in a manner that will keep it fully concealed from view. A secondary firearm must be an approved type as described below and shall be carried concealed at all times in a carrying device designed for that type of firearm. Additionally, only ammunition approved by the manufacturer for use with that specific firearm may be carried.

(a) All double-action revolvers with a hammer block/transfer bar feature in .380 Automatic Colt Pistol (ACP) through .45 caliber.

(b) All semiautomatic pistols in .380 ACP through .45 caliber with the following features:

1 Internal firing pin block/safety (drop safety).

2 Decocking lever.

a **Required** for external hammer models.

b **Not required** for "striker systems" (e.g., Glock, Kahr, S&W Sigma/M&P, Heckler & Koch P series, Springfield Armory XD series, Sig Sauer).

c **Not required** for double-action-only models (e.g., S&W, Beretta) that may or may not have an external hammer.

(c) The secondary firearm shall not have any type of shiny plating (e.g., nickel, gold, silver, chrome). Metal butt plates on revolvers are prohibited.

(d) An employee may personally replace the grips on secondary firearms with any grips that allow total function of the firearm with no interference of any kind. The design must present a professional appearance.

(e) An employee shall not alter or replace any internal part or component of the secondary firearm with non-factory parts or components. Triggers that are wider than the trigger guard shall not be installed. Trigger shoes are not permitted.

(2) If an employee desires to carry a secondary firearm, the firearm and related safety equipment shall be submitted to the Area range officer for inspection. The employee shall qualify with the weapon as outlined in Chapter 3, Shooting Qualification and Training, of this manual and complete a CHP 4 (refer to Annex A). Holsters shall preclude accidental cocking, discharge, or loss of physical control, and shall be approved by the Area range officer prior to use. (Refer to Chapter 4, Annex A, of this manual.)

(a) The type of secondary firearm used shall be entered into ETRS and annual visual inspections shall be conducted as required.

(b) The maintenance, repair, or replacement of a secondary firearm, if damaged or destroyed, is the responsibility of the employee and at the employee's own expense.

(c) Proficiency with the secondary firearm will be maintained on an annual basis if the secondary firearm will be carried on duty. Only the same type of secondary firearm (revolver or semiautomatic) the employee has qualified with may be carried on duty. The qualifying course of fire for such weapon is outlined in Chapter 3 of this manual.

(d) Secondary firearms shall be inspected annually using the procedures described in Chapter 5 of this manual.

(e) Changing of an employee's designated secondary firearm(s) may occur at any time in compliance with this chapter.

(f) Incidents involving the discharge of a secondary firearm shall be promptly and thoroughly investigated in the same manner as any other discharge of firearm incident.

e. Special-Purpose Firearms. The Department recognizes conditions may arise that warrant carrying various firearms on duty commensurate with emergency circumstances. The following guidelines shall govern such conditions:

(1) Definition. A special-purpose firearm is any firearm other than an approved departmentally issued firearm, which is carried on duty by uniformed employees during emergency operations.

(2) Special-purpose firearms may only be carried with the prior written approval of the appropriate Division Chief. A copy of the approval shall be sent to the appropriate Assistant Commissioner.

(3) In emergency situations, with the Division Chief's approval, commanders may authorize the carrying of such firearms based on necessity and availability, and as appropriate with the particular emergency. Carrying of such firearms shall be discontinued as soon as the emergency has subsided.

(4) As soon as practical after an emergency situation where special-purpose firearms have been authorized, a report outlining the circumstances justifying the authorization and describing the firearms carried shall be forwarded, through channels, to the Commissioner's office.

(5) Policy governing the carrying of special-purpose firearms in departmental aircraft is contained in Highway Patrol Manual 100.7, Air Operations Manual, Chapter 2, Operations, paragraph 10.b.

f. Availability of Firearms. An employee shall have a primary firearm immediately available while traveling in a marked enforcement vehicle, regardless of the destination or attire. An employee may carry a secondary firearm on duty and in civilian attire while attending or traveling to and from court, or while on travel status in a privately owned vehicle. Employees carrying a secondary firearm while in civilian attire are strongly advised to wear their departmental badge so that both the firearm and the badge can be seen simultaneously.

## 2. SECONDARY OR PERSONALLY PURCHASED PRIMARY FIREARMS REGISTRATION.

a. Policy. An employee shall register with the Department all authorized secondary or personally purchased primary firearms carried pursuant to their

employment by this Department as a peace officer. All secondary or personally purchased primary firearms shall be documented on a CHP 4 and entered into the ETRS. An employee may select **two** authorized secondary firearms, and **one** personally purchased primary firearm to be entered into the ETRS.

b. Procedure.

(1) Any employee who currently possesses or acquires a secondary or personally purchased primary firearm with the intention of carrying the firearm pursuant to their employment as a peace officer with this Department shall submit the firearm and related safety equipment to the Area range officer. Upon approval, the firearm shall be recorded on a CHP 4. The original and one copy of the CHP 4 shall then be submitted to the commander for approval. These procedures must be completed prior to the carrying of the secondary or personally purchased primary firearm on duty.

(a) Once approved, the original CHP 4 shall be forwarded directly to the Academy, WCU, for entry into the Department's automated inventory.

(b) One copy of the CHP 4 shall be retained in the employee's field personnel folder.

(2) Any employee who sells, loses, reports as stolen, or otherwise disposes of any secondary or personally purchased primary firearm registered with the Department shall complete and submit a revised CHP 4 to their commander, as follows:

(a) For changes in designated firearms, a new CHP 4 shall be completed and the original immediately forwarded to the Academy, WCU. A copy of the CHP 4 shall be placed in the employee's field personnel folder.

(b) In the event of loss or theft, only one copy of the CHP 4 is to be prepared and retained in the employee's field personnel folder. The agency taking the report is responsible for the entry and removal of the information in the Department of Justice (DOJ) Automated Firearms System (AFS).

(3) Information required on any firearm affected by this manual is available on a 24-hour basis through the DOJ AFS.

(4) When completing a CHP 4, an employee shall observe the following:

(a) The serial number of the firearm shall be double-checked to ensure accuracy.

(b) Enter the employee's name, ID number, and location code of their command in the boxes at the top of the form.

(c) The appropriate section shall be completed for each firearm being added and deleted.

(d) A CHP 4 containing information pertaining to a lost or stolen firearm shall be attached to the back of the most current CHP 4 and retained in the employee's field personnel folder. For lost or stolen state-owned firearms, refer to Chapter 9 of this manual.

### 3. MODIFICATION OF FIREARMS.

a. Policy. Uniformed employees shall not, at any time, carry any departmentally registered firearm that has been modified or altered from its original factory condition, except as authorized in this manual. Modification is defined as the alteration, replacement, or addition of any part or component of a state-owned firearm from its original condition by any person other than a departmental Gunsmith.

b. Grips. Uniformed employees may personally replace the grips on departmental firearms as follows:

(1) Primary Firearm. The grips permitted for the primary firearm are the M&P first generation module grips, the M&P 2.0 module grips, the M&P ProCore module grips, and the Hogue HandALL Hybrid for S&W M&P. Grips shall be black in color.

(2) Supplemental Firearm. The grip modules permitted for the supplemental firearm are the M&P first generation and M&P 2.0 subcompact in black.

c. Sights. Uniformed employees may purchase alternate sights for their primary and/or supplemental firearm with their own funds. All sights shall be installed by a departmental Gunsmith.

(1) The sights and firearm shall be sent to the Academy, Weapons Training Unit (WTU), for installation. A CHP 125, Weapon Control Memorandum, shall be completed and sent with the sights and firearm in accordance with Chapter 9 of this manual.

(2) Factory-installed sights will be retained by WTU for future use.

(3) The WCU shall enter the model of sights that have been installed into the Weapons Inventory Control System.

(4) The Department will not be responsible for damage to or reimbursement of any personally owned sights.

(5) Approved sights, for the S&W M&P 1.0 .40 Caliber and S&W M&P 1.0 .40 Caliber compact, shall include the front sight and the rear sight from the same manufacturer. Refer to Annex C for an approved list of authorized sights.

d. Weapon-Mounted Light Systems. Weapon-mounted light systems for all departmental firearms are permitted in accordance with Chapter 13, Weapon-Mounted Light Systems, of this manual.

#### 4. UNAUTHORIZED FIREARMS.

a. Policy. Division and Area commanders shall not provide any employee written authorization pursuant to Section 30630(b) of the California Penal Code (PC) in order to facilitate the purchase of an “assault weapon” as defined in Sections 30510 and 30515 PC.

b. Any employee who legally acquired an assault weapon prior to March 1, 2008, shall be responsible for complying with the provisions enumerated in Section 30920(a) PC immediately upon separation from the Department.

#### 5. UNIFORMED EMPLOYEES HIRED PURSUANT TO CALIFORNIA SENATE BILL 960.

a. Policy. Section 1031 of the California Government Code was amended to eliminate the legal residency requirement for peace officers. Pursuant to Title 18, Section 925(a)(1) of the United States Code, the firearms prohibition applicable to individuals in the United States illegally, or unlawfully, does not apply to the possession of firearms and ammunition provided by the State of California for use by peace officers. Uniformed employees who are Deferred Action for Childhood Arrivals (DACA) recipients, hired under these provisions:

(1) The DACA recipients are authorized to possess their State of California-issued primary or supplemental firearm and ammunition on and off duty, within the State of California, with the following exceptions:

(a) Uniformed employees hired under these provisions are prohibited from possessing their State of California-issued primary or supplemental firearm and ammunition while off duty outside of California. This includes uniformed employees who reside outside of California.

(b) Uniformed employees hired under these provisions are prohibited from possessing their State of California-issued primary or supplemental firearm and ammunition while off duty on any federal lands (e.g., national parks, federal courthouses, Bureau of Land Management lands, tribal lands, etc.).

(c) Uniformed employees hired under these provisions are prohibited from possessing any secondary firearms. Therefore, any CHP 4 submitted shall be denied by the commander and an investigation into how the secondary firearm was purchased by the employee will be conducted.

(2) Are allowed to possess their tactical rifle, shotgun, or special purpose firearm and ammunition issued by the State of California while on duty and in the performance of their official duties.

(3) Are allowed to possess their State of California-issued tactical rifle, shotgun, or special purpose firearm and ammunition while off duty, if they are assigned to a specialty position that requires them to take home a state-owned vehicle (e.g., motorcycle assignment, K-9 assignment, mobile road enforcement assignment, resident post assignment). These firearms and ammunition shall not be possessed or used for a non-law enforcement-related purpose.

(a) Uniformed employees who are assigned to a specialty position who reside outside of the State of California are prohibited from possessing their State of California-issued tactical rifle, shotgun, or special purpose firearm and ammunition while off duty outside of California.

(4) Shall comply with federal law regarding the purchase, or possession of any firearms and ammunition, other than their State of California-issued primary or supplemental firearm and ammunition, while off duty and not in performance of official duties.

b. Upon promotion to the rank of officer, those who meet the requirements of Section 1031(a) of the Government Code (GC) shall sign a memorandum outlining the parameters of when they can legally possess a firearm and ammunition as an officer (refer to Annex D), prior to leaving the Academy.

- (1) This memorandum will be scanned and e-mailed from the Academy to the commander of the Area the officer is reporting to.
  - (2) This memorandum will remain in the employee's personnel file for the life of their employment.
- c. Cadets who meet the requirements of Section 1031(a) GC pursuant to Title 18, Section 925(a)(1) of the United States Code, shall sign a memorandum outlining the parameters of when they can legally possess a firearm and ammunition (refer to Annex E).

## ANNEX A

### CHP 4, SECONDARY FIREARMS REPORT

|                                                                                                                                 |                        |                                                                                                                                                                                                            |                |
|---------------------------------------------------------------------------------------------------------------------------------|------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|
| STATE OF CALIFORNIA<br>DEPARTMENT OF CALIFORNIA HIGHWAY PATROL<br><b>SECONDARY FIREARMS REPORT</b><br>CHP 4 (Rev. 3-04) OPI 001 |                        | <b>INSTRUCTIONS:</b> (1) Use this form to add, delete or report lost/stolen secondary weapon.<br>(2) Check serial numbers to assure accuracy.<br>(3) Forward to Weapon Control Unit - Academy immediately. |                |
| PRINT NAME AND I.D. NUMBER<br>John Smith, ID 40000                                                                              |                        | AREA (Assigned Code)<br>345                                                                                                                                                                                | DATE OF ACTION |
| <b>SECONDARY WEAPON 1</b>                                                                                                       |                        |                                                                                                                                                                                                            |                |
| SERIAL NUMBER<br>E1234                                                                                                          | MAKE<br>Smith & Wesson | MODEL<br>4006 TSW                                                                                                                                                                                          | CALIBER<br>.40 |
| <input type="checkbox"/> ADD WEAPON                                                                                             |                        | <input type="checkbox"/> DELETE WEAPON                                                                                                                                                                     |                |
| <b>SECONDARY WEAPON 2</b>                                                                                                       |                        |                                                                                                                                                                                                            |                |
| SERIAL NUMBER                                                                                                                   | MAKE                   | MODEL                                                                                                                                                                                                      | CALIBER        |
| <input type="checkbox"/> ADD WEAPON                                                                                             |                        | <input type="checkbox"/> DELETE WEAPON                                                                                                                                                                     |                |
| <b>LOST OR STOLEN WEAPON</b>                                                                                                    |                        |                                                                                                                                                                                                            |                |
| <input type="checkbox"/> LOST <input type="checkbox"/> STOLEN <input type="checkbox"/> RECOVERED                                |                        | SERIAL NUMBER                                                                                                                                                                                              | MAKE           |
| DATE OCCURED                                                                                                                    |                        | REPORTING AGENCY                                                                                                                                                                                           | REPORT NUMBER  |
| COMMENTS                                                                                                                        |                        |                                                                                                                                                                                                            |                |
| OFFICER'S SIGNATURE AND I.D. NUMBER                                                                                             |                        |                                                                                                                                                                                                            | DATE           |
| SUPERVISOR                                                                                                                      |                        | COMMANDER                                                                                                                                                                                                  |                |

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**ANNEX B**  
**FIREARMS AUTHORIZATION LETTER**

State of California—Transportation Agency

GAVIN NEWSOM, Governor

**DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**

P.O. Box 942898  
Sacramento, CA 94298-0001  
(916) 843-3001  
(800) 735-2929 (TT/TDD)  
(800) 735-2922 (Voice)



To: Authorized Firearms Dealer

Re: Employee \_\_\_\_\_  
Name Rank ID Number

This letter serves to certify that this employee is currently a full-time paid peace officer per California Penal Code Section 830.2(a) who is authorized to carry firearms while in the performance of their duties, and this purchase is hereby authorized pursuant to the requirements mandated in California Penal Code Section 26950.

Confirmed by:

\_\_\_\_\_  
Commander's Name

\_\_\_\_\_  
CHP Area

\_\_\_\_\_  
Commander's Signature

\_\_\_\_\_  
Date

Sincerely,

A blue ink signature of S. A. Duryee, written in a cursive style.

S. A. DURYEE  
Commissioner

*Safety, Service, and Security*



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## **ANNEX C**

### **LIST OF AUTHORIZED SIGHTS FOR PRIMARY AND SUPPLEMENTAL FIREARMS**

#### **AMERIGLO PRODUCTS**

Smith & Wesson Spartan Operator Set, Model SW-446  
Smith & Wesson Spartan Operator Set, Model SW-546

#### **TRIJICON PRODUCTS**

Trijicon HD Night Sights, Model SA137Y  
Trijicon HD Night Sights, Model SA137O  
Trijicon HD XR Night Sights, Model SA637-C-600850  
Trijicon HD XR Night Sights, Model SA637-C-600851

#### **TRUGLO PRODUCTS**

Tritium PRO Night Sights, Model TG231MP1C

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## ANNEX D

### MEMORANDUM REGARDING GOVERNMENT CODE 1031 (OFFICER)

State of California

Transportation Agency

#### Memorandum

Date:

To:

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL  
Academy**

File No.: 091.19662

Subject: ISSUANCE OF DEPARTMENT FIREARM AND AMMUNITION TO  
CALIFORNIA HIGHWAY PATROL, OFFICER, PURSUANT TO CALIFORNIA  
SENATE BILL 960

In September 2022, California State Senate Bill 960 amended Government Code, Section (§) 1031, to eliminate the legal residency requirement for peace officers. Government Code, § 1031, Subsection (a) now provides that peace officers must “be legally authorized to work in the United States under federal law.” Pursuant to Title 18, § 925(a)(1) of the United States Code, the firearms and ammunition prohibition applicable to individuals in the United States illegally, or unlawfully, does not apply to the possession of firearms or ammunition provided by the State of California for use by peace officers.

Federal law prohibits you from purchasing or possessing any firearm or ammunition except the firearms and ammunition issued to you by the State of California for use in the performance of official duties. When promoted to the rank of CHP Officer, the firearms and ammunition you are legally authorized to possess, on or off duty, for use in the performance of official duties, are the primary duty firearm, or supplemental firearm, and ammunition issued to you by the State of California. While on duty and in the performance of your official duties, you are also legally authorized to possess and use any other firearms and ammunition issued by the State of California, including the tactical rifle, shotgun, or special purpose firearm, and associated ammunition.

Highway Patrol Manual (HPM) 70.8, *Firearms Manual, Chapter 1, Firearms Classification and Registration* states:

5. UNIFORMED EMPLOYEES HIRED PURSUANT TO CALIFORNIA SENATE BILL 960.

a. Policy. California Government Code, Section 1031, was amended to eliminate the legal residency requirement for peace officers. Pursuant to Title 18, Section 925(a)(1) of the United States Code, the firearms prohibition applicable to individuals in the United States illegally, or unlawfully, does not apply to the possession of firearms and ammunition provided by the State of California for use by peace officers. Uniformed Employees, Deferred Action for Childhood Arrivals (DACA) Recipients, hired under these provisions:

- (1) Are encouraged to securely store their State of California-issued primary, or

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CHP 51 (Rev. 06/2013) OPI 076



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## ANNEX D

### MEMORANDUM REGARDING GOVERNMENT CODE 1031 (OFFICER) *(continued)*

Name  
Page 2  
Date

supplemental firearm, and ammunition in their assigned locker at their work location. However, they are authorized to possess their State of California-issued primary, or supplemental firearm, and ammunition, on and off duty, with the following exceptions:

- (a) Uniformed employees hired under these provisions are prohibited from possessing their State of California-issued primary, or supplemental firearm, and ammunition while off duty outside of California. This includes uniformed employees who reside outside of California.
  - (b) Uniformed employees hired under these provisions are prohibited from possessing their State of California-issued primary, or supplemental firearm, and ammunition while off duty on any Federal lands (e.g. National Parks, Federal Court Houses, Bureau of Land Management lands, Tribal Lands, etc.).
  - (c) Uniformed employees hired under these provisions are prohibited from possessing any secondary firearms. Therefore, any CHP 4 submitted shall be denied by the commander and an investigation into how the secondary firearm was purchased by the employee will be conducted.
- (2) Are allowed to possess the tactical rifle, shotgun, or special purpose firearm and ammunition issued by the State of California while on duty and in the performance of their official duties.
  - (3) Are allowed to possess the tactical rifle, shotgun, or special purpose firearm and ammunition issued by the State of California while off duty if they are assigned to a specialty position that requires them to take home a state-owned vehicle (e.g. motorcycle assignment, K-9 assignment, mobile road enforcement assignment, resident post assignment, etc.). These firearms and ammunition shall not be possessed or used for a non-law enforcement related purpose.
- (a) Uniformed employees who are assigned to a specialty position who reside outside of the state of California are prohibited from possessing the tactical rifle, shotgun, or special purpose firearm and ammunition issued by the State of California while off duty outside of California.

Upon retirement, uniformed employees who are still subject to the prohibitions of the federal Gun Control Act, will not be eligible to purchase their State of California-issued primary or supplemental firearm.

## ANNEX D

### MEMORANDUM REGARDING GOVERNMENT CODE 1031 (OFFICER) *(continued)*

Name  
Page 3  
Date

You are required to maintain your employment eligibility under federal law. If you fail to maintain your employment eligibility, you will no longer be eligible to work for the Department and your employment will be terminated. It is imperative you comply with the employment eligibility requirements to maintain your employment with the Department.

Absent a change in law, the restrictions outlined above will remain in effect throughout your career, unless otherwise notified through official Department correspondence.

T. CARLTON, Captain  
Commander

I acknowledge receipt of this memorandum and agree to comply with the direction set forth above.

\_\_\_\_\_  
Name/ID

\_\_\_\_\_  
Date

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## ANNEX E

### MEMORANDUM REGARDING GOVERNMENT CODE 1031 (CADET)

State of California

Transportation Agency

#### Memorandum

Date:

To:

From: **DEPARTMENT OF CALIFORNIA HIGHWAY PATROL**  
Academy

File No.: 091.19662

Subject: ISSUANCE OF DEPARTMENT FIREARM AND AMMUNITION TO  
CALIFORNIA HIGHWAY PATROL, CADET, PURSUANT TO CALIFORNIA  
SENATE BILL 960

In September 2022, California State Senate Bill 960 amended Government Code, Section (§) 1031, to eliminate the legal residency requirement for peace officers. Government Code, § 1031, Subsection (a) now provides that peace officers must "be legally authorized to work in the United States under federal law." Pursuant to Title 18, § 925(a)(1) of the United States Code, the firearms and ammunition prohibition applicable to individuals in the United States illegally, or unlawfully, does not apply to the possession of firearms or ammunition provided by the State of California for use by peace officers.

In compliance with federal law, you may only possess a firearm and ammunition while you are on duty and performing official duties as a California Highway Patrol, Cadet. The only firearm and ammunition you are authorized to possess is the primary duty firearm and ammunition issued to you by the State of California. When you are off duty and/or not in the performance of your official duties, you are not authorized to transport, purchase, or possess any firearms, or ammunition, including the State of California-issued firearm and ammunition.

T. CARLTON, Captain  
Commander

I acknowledge receipt of this memorandum and agree to comply with the direction set forth above.

\_\_\_\_\_  
Name/ID

\_\_\_\_\_  
Date

*Safety, Service, and Security*  
CHP 51 (Rev. 05/2013) CPl 078



*An Internationally Accredited Agency*

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