



**CHEVY CHASE
VILLAGE
POLICE
DEPARTMENT**

Police Chief: John Fitzgerald

GENERAL ORDER: 4-17.1 DISPOSITION OF SURPLUS FIREARMS

DATE: 12/14/2016 Pages: 2 ♦ New ♦ Amended ♦ Revised

I. POLICY

- A. It is the policy of the Chevy Chase Village Police Department to allow current sworn Chevy Chase Village police officers to purchase service firearms determined to be surplus by the Chief of Police under the following conditions:
1. The purchasing police officer must comply with all federal, state and local laws governing such firearms to include the completion of all required transfer documentation; and
 2. The firearm must have been assigned to the officer; and
 3. The purchasing police officer must sign an agreement acceptable to the Village:
 - a. To hold harmless the Village, its employees and officials, from claims related to the purchase or use, and assume the risk of use, of the firearm; and
 - b. That prohibits sale or transfer of the firearm to any other person, and requires the officer to resell the firearm to the Village, or to destroy the firearm, when the officer no longer wishes to continue ownership.
- B. Any surplus firearm that is not purchased by the officer to whom it was assigned shall be destroyed consistent with Village Code.

II. DEFINITION

Surplus firearm: Any agency-owned firearm that is obsolete, unusable, or no longer needed by the agency for any reason.

III. PROCEDURES

A. Establishing the price for surplus firearms

1. The Chief of Police (or his/her designee) shall seek to determine the wholesale value of the

surplus firearms by making contact with firearms dealers in the DC/Baltimore metropolitan area.

2. The Chief shall provide the Village Manager with the information regarding the wholesale value of the surplus firearms, and the Village Manager shall set the purchase price of the firearms. The price may be set at a point below the wholesale value at the Village Manager's discretion considering that:
 - a. The Village is not seeking to generate revenue from the sale to sworn officers (any firearms not purchased will be destroyed), and
 - b. The established price is intended to be affordable to the purchasing police officer.

B. Responsibilities of the purchasing police officer

1. Purchasing police officers must complete and submit all required transfer forms, along with photocopies of the officer's driver's license and departmental identification card, for processing by the Maryland State Police Licensing Division (this process may be completed in paper form or electronically; officers will be given specific direction by their supervisor at the appropriate time).
2. Purchasing officers must sign and date the 'hold harmless and right of first refusal' agreement in the presence of the Lieutenant or the Chief (see Appendix A).
3. Officers are responsible for the purchase price of the surplus firearm as well as any administrative fees for processing the documentation. Officers must write a check payable to 'Chevy Chase Village' for the purchase price, and they must write a separate check payable to 'MSP' for the processing fee.

C. Lieutenant's responsibilities

The Lieutenant shall coordinate the transfer of surplus firearms to sworn officers pursuant to this general order to include:

1. Determining which officers opt to buy the surplus firearm that had been assigned to them;
2. Determining, by serial number, which surplus firearm may be purchased by each officer;
3. Creating a record of each transaction and storing the records including the signed 'hold harmless and right of first refusal' agreement;
4. Collecting purchase checks from each officer and placing the checks in the secure box in the Admin area;
5. Issuing a receipt to each officer for the purchase funds received; and
6. Physically transferring each surplus firearm once the transfer is authorized by the Maryland State Police.
7. Ensuring the destruction of all surplus firearms that are not purchased by officers.