

15 July 1986

Miscellaneous

FIREARMS - ASSISTANCE TO LAW ENFORCEMENT OFFICIALS

This regulation establishes CAP policy on Firearms and Assistance to Law Enforcement Officials in CAP programs and activities.

1. Firearms. Civil Air Patrol members will not carry, wear, or use firearms, including air guns (pellet or BB) while engaged in Civil Air Patrol activities. The carrying of firearms prohibition is subject to the following exceptions:

a. A member may carry firearms on his/her person when required to do so by law provided he/she has a written statement of proof of such requirement signed by the Wing Commander.

b. Firearms may be carried in survival gear in CAP aircraft when required by law. When firearms are so authorized, they will not be removed from the survival gear unless an emergency situation exists.

c. Firearms may be used under strict supervision as authorized in CAPM 50-16.

2. Other Dangerous Weapons. Other than as provided for in paragraph 1 above, members engaged in CAP activities are prohibited from possessing or using weapons as defined by local state statutes as "dangerous."

3. Assistance to Law Enforcement Officials. Civil Air Patrol units and CAP members engaged in CAP activities may provide passive assistance to law enforcement officers and agencies. CAP members may not be

deputized nor may they take an active part in arrest or detention activities and have no authority to restrict persons by means of force, actual or implied.

a. CAP assistance to law enforcement agencies which may lead to criminal prosecution is restricted to patrol, surveillance, and reporting only. Requests for such assistance, unless of an emergency nature, must be approved in advance by the Wing and Region Commanders and coordinated with National Headquarters/DO. All CAP flights will be in accordance with CAPR 60-1.

b. Assistance may also be a by-product of the normal conduct of the CAP mission. In some instances, such as during an airborne search, CAP members may observe suspicious activities and as concerned citizens, should report those activities to proper authorities.

4. Other Assistance. When requested by proper authorities, CAP members may provide crash site surveillance and/or crowd control duties during an emergency/disaster situation. When on such a mission, the senior CAP member present will ensure the above restrictions are understood and will contact the nearest law enforcement officer if assistance is required.

OFFICIAL

JOHN T. MASSINGALE JR., Colonel, USAF
Executive Director

Signed

ELIZABETH A. MASHBURN, Major, USAF
Director of Administration

SUMMARY OF CHANGES

This revision authorizes CAP members to carry firearms on their persons on CAP activities only when required by law and deletes the prior provision authorizing the carrying of firearms if required by an employer (para 1a); deletes the prior authorization to carry firearms in survival kits (unless required by law); deletes the prior prohibition of CAP assistance to law enforcement officials which might lead to criminal prosecution and authorizes limited CAP assistance to law enforcement even if criminal prosecution may result providing prior approval is obtained from the CAP Wing and Region Commander and National Headquarters/DO (para 3).

Supersedes CAPR 900-3, 5 December 1984.

OPR: CLC/JA

Approved by: Thomas A. Handley/Capt Jimmie L. Benton

Distribution: In accordance with CAPR 5-4.