



CLEVELAND DIVISION OF POLICE

GENERAL POLICE ORDER



EFFECTIVE DATE: MARCH 28, 2022	CHAPTER: 6 - Property	PAGE: 1 of 3	NUMBER: 6.04.02
SUBJECT: FIREARM PURCHASE			
CHIEF: <i>Dornat A. Drummond, Chief</i>			

Substantive changes are italicized

PURPOSE: To implement articles from the collective bargaining agreements (CBA) of the Fraternal Order of Police and of the Cleveland Police Patrolmen’s Association regarding firearm purchase.

POLICY: **It is the policy of the Cleveland Division of Police** that officers may purchase their Division-issued firearm prior to retirement from the Division of Police as conditioned by the members’ respective CBA and subject to applicable federal, state, or municipal laws or ordinances; the fair market value of firearms is determined by the Division of Purchase and Supplies.

PROCEDURES:

I. Eligibility

A. Cleveland Police Patrolmen’s Association

1. Per the CBA, “A member of the bargaining unit who has 23 years of service in the department [sic] and has reached the age of forty-six (46) may purchase his/her .9mm handgun at the agreed upon fair market value.”
 - a. *The purchase must be made by cash, money order, certified check or cashier’s check.*
 - b. *The member may use money from the annual clothing allowance, received through the cash payment option, to purchase the firearm.*
2. Per Cleveland Codified Ordinance (CCO) 181.19(b), a member with more than 20 years of service may apply purchased military service toward acquiring the required minimum of 23 years of service with the Division of Police.

B. Fraternal Order of Police

1. Per the CBA, “A member of the bargaining unit who has 23 years of service in the *Ohio Police and Fire Pension Fund* and has reached the age of 46, may purchase their primary City-issue handgun at the agreed upon fair market value (not to exceed the maximum limit of the Clothing Allowance).”
 - a. *The purchase must be made by cash, money order, certified check or cashier’s check.*

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- b. *The member may use money from the annual clothing allowance, received through the cash payment option, to purchase the firearm.*
 - 2. Per CCO 181.19(b), a member with more than 20 years of service may apply purchased military service toward acquiring the required minimum of 23 years of service with the Division of Police.
- C. When the Division changes or upgrades the *primary firearm*, officers may purchase the prior issued *firearm*.
 - 1. The cost of the prior issued firearm shall be at the agreed upon fair market value.
 - 2. Members with more than 23 years of service (as described in the previous sections) may purchase their *primary firearm with money from the annual clothing allowance received through the cash payment option*.
 - 3. All other members making this purchase shall pay by cash or money order.
- D. Officers who leave the employment of the Division and are awarded a disability pension from the Ohio Police and Fire Pension Fund are eligible to purchase their *primary firearm* only to the extent that they otherwise may qualify to purchase the firearm based on age and years of service as articulated in the members' respective CBA.

II. Restrictions

- A. All firearm purchases as enumerated above are subject to applicable federal laws; the Federal Gun Control Act of 1968 [18 U.S.C. 922(g)] prohibits, in part, a person from shipping, transporting, receiving or possessing firearms, when any of the following apply:
 - 1. The person is under indictment in any court for a crime punishable by imprisonment for a term exceeding one year.
 - 2. The person has been convicted of a crime punishable by imprisonment for a term exceeding one year.
 - 3. The person is an unlawful user of or addicted to any controlled substance.
 - 4. The person is subject to a court order restraining the person from harassing, stalking, or threatening an intimate partner or child of the intimate partner.
 - 5. The person has been convicted of a misdemeanor crime of domestic violence.
- B. All firearm purchases as enumerated above are subject to applicable state laws; Ohio Revised Code 2923.13 Having Weapons Under Disability prohibits, in part, a person from acquiring, carrying, or using any firearm when any of the following apply:
 - 1. *The person is a fugitive from justice.*

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2. The person is under indictment for or has been convicted of any felony of violence.
3. The person is under indictment for or has been convicted of any offense involving the illegal possession, use, sale, administration, distribution, or trafficking in any drug of abuse.
4. The person is drug dependent, in danger of drug dependence, or a chronic alcoholic.
5. The person is under adjudication of mental incompetence.

III. Firearm Purchase

- A. Officers shall utilize the pre-structured Firearm Purchase Form-1 (Attachment) to complete the purchase of their firearm.
- B. Required signatures.
 1. The purchase of the firearm is not complete until the pre-structured Form-1 has all the requisite signatures.
 2. Officers shall hand-carry the original Form-1 first to the Personnel Unit to verify that the officer is qualified to purchase the firearm.
 3. Upon receiving the requisite approval and signature, the officer shall take the form to the Budget Unit and make payment *by cash, money order, certified check or cashier's check*.
 4. Officers shall take the original Form-1 and firearm to the Ordnance Unit for final verification and approval.
 - a. The Ordnance Unit shall forward the Form-1 to the Chief's Office for final approval.
 - b. In lieu of the Ordnance Unit forwarding the Form-1, the officer may hand-carry the Form-1 to the Chief's Office.
 5. Upon the Chief's signature indicating approval, the original Form-1 shall be forwarded to the Ordnance Unit and copies to the Personnel and Budget Units.

THIS ORDER SUPERSEDES ANY PREVIOUSLY ISSUED DIRECTIVE OR POLICY FOR THIS SUBJECT AND WILL REMAIN EFFECTIVE UNTIL RESCINDED OR SUPERSEDED.

DAD/lms
Policy Unit
Attachment