

Date Revised: 10/22/2019

Course Goal: To provide the students with basic skills necessary to complete investigations involving weapons in a manner consistent with law, policy, and tactically sound principles.

Learning Objective:

- Recognize the crime elements required to arrest for:
 - Possession of a prohibited weapon [\[40.1.A.1\]](#)
 - Possession of an illegal knife [\[40.1.A.2\]](#)
 - Unlawful possession of tear gas weapon or chemical agent [\[40.1.A.3\]](#)
- Recognize the crime classification as misdemeanor or felony [\[40.1.B\]](#)
- Recognize the crime elements required to arrest for:
 - Carrying a firearm in a public place or within a vehicle [\[40.2.A.1\]](#)
 - Possession of a deadly weapon with intent to assault another person [\[40.2.A.2\]](#)
 - Possession of a loaded firearm with intent to commit a felony [\[40.2.A.3\]](#)
 - Alteration or removal of identifying marks from a firearm [\[40.2.A.4\]](#)
- Recognize the crime classification as misdemeanor or felony [\[40.2.B\]](#)

Session Time: 2 Hours

Resources:	
<ul style="list-style-type: none"> • Classroom with tables • Overhead projector • Computer with multimedia software and Microsoft PowerPoint 	
Session Summary: The instructor will lead a facilitated discussion accompanied with learning activities with the whole class.	
Outline	Instructor's Notes
I. Prohibited Weapons A. Prohibited Weapons PC 16590 1. Crime Elements [40.1.A.1] a. Any person who b. Manufactures or causes to be manufactured c. Imports into the state d. Sells, offers for sale, exposes for sale, keeps for sale e. Gives, lends, or possesses	<u>TTS 40.1.A.1 - 40.1.B (2 Hours)</u> <div style="background-color: yellow; text-align: center; padding: 2px;">PowerPoint Slide # 1 - 47</div> Run Learning Activity # 1 Note: See last page for learning activity # 1

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<ul style="list-style-type: none">f. Any weapon that has been specified within this penal code section as prohibited2. Felony3. Specified Prohibited Weapons<ul style="list-style-type: none">a. Prohibited Rifles and Shotguns<ul style="list-style-type: none">1) Short-barreled shotgun<ul style="list-style-type: none">a) Barrel length of less than 18 inchesb) Overall length of less than 26 inchesc) Modified or altered shotgun with one of the above characteristicsd) Any device which can be readily restored to meet one of the above descriptionse) Any part(s) designed to convert a device into meeting one of the above descriptionsf) Any firearm that can be assembled to fit this description (PC 33215)2) Short-barreled rifle<ul style="list-style-type: none">a) Barrb) el length of less than 16 inchesc) Overall length of less than 26 inchesd) Modified or altered rifle with one of the above characteristicse) Any device which can be readily restored to fire a fixed cartridge which when restoredf) Converts to a device described in a)-c)g) Any firearm that can be assembled to fit this description (PC 33215)3) When measuring shotgun or rifle, ignore removable or folding	
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<p>shoulder-stock, as long as the weapon is capable of being fired in the shortened configuration.</p> <ul style="list-style-type: none">b. Additional Firearms<ul style="list-style-type: none">1) Unconventional pistol<ul style="list-style-type: none">a) Does not have a rifled boreb) Barrel length of less than 18 inches or an overall length of less than 26 inches (PC 31500)2) Zip Gun- Non-commercially produced (i.e., not imported, designed, or taxed as a firearm) capable of firing a projectile by the force of an explosion or other form of combustion (PC 33600)c. Unrecognizable Firearms<ul style="list-style-type: none">1) Pen gun (PC 20910)2) Belt buckle gun (PC 31500)3) Cane gun (PC 24410)4) Wallet gun (PC 24710)d. Undetectable Firearms<ul style="list-style-type: none">1) After removal of grips, stocks, and magazines, and the weapon is not detectable by the security exemplar by walk through metal detector2) Any major component of the weapon that can't be detected accurately by x-ray machines used at airports. (PC 24610)e. Blade weapons<ul style="list-style-type: none">1) Ballistic knife (PC 21110)2) Shuriken- throwing weapons, throwing star (PC 22410)3) Shobi-zue- staff, crutch, stick, rod, or pole, concealing within it a knife or blade which may be exposed by a flip of the wrist or by a mechanical action (PC 20710)4) Undetectable knife	
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<ul style="list-style-type: none">a) Capable of ready use as a stabbing weapon that may inflict great bodily injury or deathb) Commercially manufactured to be used as a weaponc) Not detectable by a metal detector or magnetometer (PC 20810) <p>4. Dirks and Daggers</p> <ul style="list-style-type: none">a. Definition<ul style="list-style-type: none">1) A knife or other instrument2) With or without a hand guard3) Capable of ready use as a stabbing weapon4) That may inflict great bodily injury or deathb. Felony if carried concealed, PC 21310c. Not considered concealed if<ul style="list-style-type: none">1) Carried in a sheath which is worn openly suspended from the waist of the wearer2) Folded or closed and is not capable of "ready use"3) Consists of a cylindrical device which would have to be unscrewed, turned around, and then screwed back on before it could be used as a knife <p>5. Unrecognizable Blade Weapons</p> <ul style="list-style-type: none">a. Belt buckle knife- blade length of at least 2 ½ inches (PC 20410)b. Lipstick case knife (PC 20610)c. Cane sword (PC 20510)d. Air gauge knife (PC 20310)<ul style="list-style-type: none">1) Exposed by mechanical action, or gravity2) Locks into place when extendede. Writing pen knife (PC 20910)- knife exposed by<ul style="list-style-type: none">1) Removal of the device's cap or cover	
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<ul style="list-style-type: none">2) Mechanical action3) Gravity4) Locks into place when extendedf. Nunchaku (PC 22010)<ul style="list-style-type: none">1) It's lawful to manufacture for sale to a martial arts school2) Also lawful to keep on school premisesg. Metal knuckles (PC 21810)h. Composite knuckles (PC 21710)- Like metal knuckles, except made out of composite materialsi. Leaded cane- staff, stick, pole weighted with lead (PC 22210)j. Blackjack- A hard device usually consisting of leather-enclosed metal, with a strap or spring shaft for a handle (PC 22210)k. Billy- Any device intended to be used as a striking device (PC 22210)l. Sandbag/Sandclub- Bag or device filled with sand (PC 22210)m. Sap- Device used to bludgeon (PC 22210)n. Slungshot- A device consisting of a small mass of metal or stone fixed on a metal handle or strap (PC 22210)6. Authorized possession of striking weapons<ul style="list-style-type: none">a. Peace officers can carry if devices are authorized for law enforcement (PC 17515)b. Private security guards can carry if completed training (PC 22295(b))c. Private security guards authorized to carry must wear shoulder patch which identifies them as security officers (Business & Professional Code 7539.3)d. Animal control carry if completed training (PC 830.9)7. Other Prohibited Devices (PC 24310)	
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<ul style="list-style-type: none">a. Camouflaging firearm container<ul style="list-style-type: none">1) Not readily recognizable as containing a firearm2) Designed and intended to enclose a firearm3) Allows the firing of the firearm by external controls while the firearm is in the containerb. Multiburst trigger activator- A device designed to attach to a semi-automatic weapon that allows it to fire as an automatic (PC 32900)c. Large capacity magazine- Any ammunition-feeding device that can hold more than 10 rounds (PC 32310)d. Assault weapons prohibited (PC 30510) unless<ul style="list-style-type: none">1) Weapon obtained prior to June 1, 19892) Lawfully registered3) 50 cal. rifle of any type that can fire a .50 BMG cartridge (PC 30530(a))<ul style="list-style-type: none">a) Exception lawfully possessed before Jan, 1 2005b) PC 30905 mandates registration by April 30, 2006c) PC 30900 defines registration <p>8. Prohibited Specialty Ammunition</p> <ul style="list-style-type: none">a. Containing or consisting of a flechette dart (a dart capable of being fired from a firearm) which:<ul style="list-style-type: none">1) Measures approximately 1 inch in length2) With tailfins which take up 5/16 of an inch of the bodyb. Bullets which contain explosive agents (PC 30210) <p>9. Concealed Explosives- Felony for anyone who conceals explosive substance (PC 19100).</p>	
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<p>B. Illegal Knife</p> <ol style="list-style-type: none">1. Possession of a switchblade knife is a misdemeanor (PC 21510)2. Elements [40.1.A.2]<ol style="list-style-type: none">a. Any person whob. Possesses<ol style="list-style-type: none">1) On one's person2) In the passenger's or driver's area of any motor vehicle in any public place or place open to the publicc. Sells, offers for sale, exposes for saled. Loans, transfers, or gives awaye. A switchblade knifef. With a blade two or more inches in length3. Definition/Description of a switchblade knife<ol style="list-style-type: none">a. Having the appearance of a pocket knife, including:<ol style="list-style-type: none">1) Spring-blade knives2) Snap-blade knives3) Gravity knives4) Any other similar type knifeb. A blade two or more inches long which can be released automatically by:<ol style="list-style-type: none">1) A flick of a button2) Pressure on the handle3) Flip of the wrist (butterfly knives), or other mechanical device4) The weight of the blade5) Any other mechanismc. Note: Does not apply to knives that can be opened with one hand by using thumb4. Not a crime if:<ol style="list-style-type: none">a. Private residence (other than carried on a person)b. In a vehicle not in a public place or open to public <p>C. Tear Gas Weapons</p>	
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<ol style="list-style-type: none">1. Crime of possession of tear gas or tear gas weapon is a misdemeanor (PC 22810)2. Elements [40.1.A.3]<ol style="list-style-type: none">a. Any person, firm, or corporation who knowingly:<ol style="list-style-type: none">1) Possesses2) Sells, offers for sale, exposes for sale3) Transportsb. Any prohibited tear gas or tear gas weaponsc. Except when otherwise permitted3. PC 22810 allows possession up to 2.5 ounces unless the person<ol style="list-style-type: none">a. Has been convicted of a felony, or a crime involving assaultb. Is addicted to narcoticsc. Is attempting to sell or furnish the tear gas weapon to a minord. Is under 16 years olde. Is 16 or 17 years old without written parental consent and not accompanied by a parent or guardian (PC 22815)4. Using tear gas for purposes other than self-defense is a felony. (PC 22810(g)(1))5. Possession by Professionals<ol style="list-style-type: none">a. Peace officers as long as they are certified and completed training (PC 22820)b. Military & Federal Law Enforcement as long as used during/for duty (PC 22830)c. Private investigators/Private patrol officers (PC 22835)<ol style="list-style-type: none">1) Solely for defense2) Used in course of activity which they are licensed to use3) Completed instructions by Dept of Consumer Affairs6. Possession of tear gas with altered serial numbers is a felony (PC 22910(a)) <p>II. Possession of Firearms</p>	
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<p>A. Carrying a Loaded Firearm in veh (PC 25850(a))</p> <ol style="list-style-type: none">1. Elements [40.2.A.1]<ol style="list-style-type: none">a. Any person whob. Carries a loaded firearmc. On one's person or in a vehicle in:<ol style="list-style-type: none">1) A public place2) On any public street in an incorporated city3) Within a prohibited area of an unincorporated area2. Classification is misdemeanor, but is a felony if person:<ol style="list-style-type: none">a. Has a prior felony conviction PC 25850(c)(1), or of any crime made punishable by a provision listed in PC 16580b. Knew or reasonably should have known the firearm was stolen PC 25850(c)(2)c. Is an active participant in a criminal street gang PC 25850(c)(3)d. Is not in lawful possession of the firearm PC 25850(c)(4)e. Has been convicted of a crime against a person or property, or of a narcotics violation PC 25850(c)(5)f. Is not listed with the Department of Justice as the registered owner of the pistol, revolver, or firearm capable of being concealed upon the person PC 25850(c)(6)3. Examining firearms in public<ol style="list-style-type: none">a. Officers are authorized to examine a firearm to see if it is loaded in a public place (PC 25850(b)).b. Refusal to allow inspection constitutes probable cause for violation of carrying loaded firearm.4. Making an arrest	<p>Ask, What are the crime elements for carrying a loaded firearm in a vehicle and what is its crime classification?</p>
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<ul style="list-style-type: none">a. Can arrest if the crime was not committed in the officer's presence. (PC 25850(g)(1))b. Can arrest if have probable cause, whether or not the action has in fact occurred (PC 25850(g)(2))c. Can arrest for a violation of PC 25850(c)(6) if probable cause to believe that the person carrying a loaded firearm that can be concealed upon the person is not listed with the Department of Justice as the registered owner PC 25850(h) <p>5. Immediate self-defense: PC 26045(a) allows carrying of loaded firearm if person reasonably believes property or person is in immediate grave danger.</p> <p>6. Hunters can carry loaded firearm while engaged in legal hunting in lawful area, but cannot have unexpended cartridge in chamber while in or around vehicle on public highway (misdemeanor Fish and Game Section 2006)</p> <p>7. Additional exemptions for carrying loaded firearm.</p> <ul style="list-style-type: none">a. Peace officer PC 25900(b)b. Attempting or making lawful arrest PC 26050c. Possessing lawful firearm at residence or campsite PC 26055d. Employee, agent, or employer in lawful business or any private property PC 26035e. Uniformed security guard on duty or en route to or from work PC 26030(a)(10) <p>B. Possession of a Deadly Weapon with Intent to Assault Another Person [40.2.A.2]</p> <ul style="list-style-type: none">1. Elements: every person having upon him or her person any deadly weapon with intent to assault another.	
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<ul style="list-style-type: none">2. PC 17500, Misdemeanor3. Possession of a loaded firearm with intent to commit a felony PC 25800(a) [40.2.A.3]<ul style="list-style-type: none">a. Felonyb. Note: Loaded firearm is whenever both the firearm and the unexpended ammunition are in the immediate possession of the same person PC 16840(a). <p>C. Altering Identification Marks on a Firearm PC 23900</p> <ul style="list-style-type: none">1. Elements [40.2.A.4]<ul style="list-style-type: none">a. Any person whob. Changes, alters, removes or obliterates the<ul style="list-style-type: none">1) Name of the maker2) Model - manufacturer's number3) Other mark of identification including any distinguishing number or mark assigned by the Department of Justicec. On any firearmd. Without having secured written permission from the Department of Justice to make such a change, alteration or removal2. Felony3. It's a misdemeanor for anyone with knowledge of the firearm to<ul style="list-style-type: none">a. Buyb. Receivec. Dispose ofd. Sell or offer for salee. Possess that weaponf. Exemptions: Military, peace officers, forensic lab employees during scope of duties	<p>Ask What are the elements for possession of a deadly weapon with intent to assault another person and what is its crime classification?</p> <p>Review TTS 40.2.A.3</p> <p>Ask: What are the elements to altering the identification marks on a firearm and what is the crime classification?</p>
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Learning Activity # 1 - Weapons Violations

Purpose: To provide the students with basic skills necessary to complete investigations involving weapons in a manner consistent with law, policy, and tactically sound principles.

Description:

1. Divide the class into learning teams of 6 - 8 recruits
2. Assign each learning team one of the prohibited weapon topics
3. The instructor may consolidate or expand the topics to ensure that each learning team receives material to research & present:
 - a. Short-barreled rifles
 - b. short-barreled shotguns
 - c. unconventional handguns
 - d. zip guns
 - e. Unrecognizable firearms
 - f. Bladed weapons
 - g. Dirks & daggers
 - h. Unrecognizable blade weapons
 - i. Striking weapons
 - j. Other prohibited weapons
 - k. Illegal knives
 - l. Tear gas weapons
4. The recruits may research their topic utilizing, but not limited to the following resources:
 - a. LD workbooks
 - b. Penal Code book
 - c. Training Bulletins
 - d. Internet
 - e. News articles
5. Have the learning teams develop presentations (with visual aids are preferred), learning activities such as case studies, scenarios, and / or quizzes to reinforce the topic
6. Have the learning teams conduct their presentations of their particular prohibited weapon(s) topic
7. Conduct a facilitated discussion and ensure to cover the following:
 - a. Possession of a prohibited weapon [40.1.A.1 & 40.1.B]
 - b. Possession of an illegal knife [40.1.A.2 & 40.1.B]
 - c. Unlawful possession of tear gas weapon [40.1.A.3 & 40.1.B]
 - d. Constitutional requirements [117e] [LAPD specific].

Resources needed:

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- Classroom
- Projector
- PowerPoint Presentation

Handouts:

- None

Time required: 1.5 Hours