

## AlliedBarton Security Services Policy Statement

**Purpose:**

To articulate policy and procedures concerning the purchase, storage, transportation, use, and disposal of firearms and non-lethal weapons.

**Person(s) Responsible:**

VP/GMs

District Managers

**Scope of Employees Covered:**

This policy applies to all employees of AlliedBarton Security Services.

**Policy Statement:** It is the policy of AlliedBarton Security Services, hereinafter, the "Company," to ensure compliance with all federal, state, county, and local laws and regulations governing the purchase, storage, transportation, use, and disposal of firearms and non-lethal weapons in providing Armed Security Officer services.

This policy shall not be construed as having created a higher standard of safety and care than the prevailing legal standard to which the Company is subject. Further, this policy is in no way intended to supersede any federal, state, or local laws, ordinances, or regulations. Violations of this policy may result in disciplinary action, up to and including termination of employment.

**References:**

AlliedBarton Shooting Incident Guide

**Reports and Measurements:**

Legal – Form LFA-1.1 Armed Certifications

Legal – Form LFA-1.2 Armed Account Compliance Certification

Legal – Form LFA-1.3 Use of Force Incident Report

Legal – Form LFA-1.4 Preliminary Report of Firearms Discharge

Legal – Form LFA-1.5 Request for Exception/Exemption

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## Definitions

- **Deadly Force**  
Force that is likely to cause death or serious physical injury.
- **Less Than Lethal Force**  
Any use of force other than that considered Deadly Force.
- **Force**  
The unwanted touching directed towards another. This may involve the direct laying on of hands or putting of an object into motion that touches the individual. Use of force is not necessarily wrong, and in certain conditions personnel have the duty and obligation to use it.
- **Reasonable Belief**  
The facts or circumstances an officer knows, or should know, as would cause an ordinary and prudent person to act or think in a similar manner under similar circumstances.
- **Serious Physical Injury**  
Serious bodily injury that creates a substantial risk of death, causes serious or permanent disfigurement, or results in long term loss or impairment of the functioning of any bodily member or organ.
- **Non-Lethal Weapon**  
A weapon specifically designed and primarily employed to incapacitate a person while minimizing fatalities, permanent injury, and undesired damage to property.
- **Criminal Liability**  
A legal obligation one incurs for the commission or omission of an act contrary to federal, state, or local criminal laws. This act may result in an arrest and booking; trial in court; and sentencing to pay a fine, or serving time in jail or prison.
- **Civil Liability**  
A legal obligation other than criminal liability one incurs for the commission or omission of an act. It may require one to pay money to another for damages. The process generally involves one party filing a civil suit against another party in civil court. This process does not involve arrest. An officer can be held both civilly and criminally liable for the same incident.
- **AlliedBarton**  
AlliedBarton Security Services LLC, and its affiliates.

## **Policy**

### **I. General Prohibition**

The safety and well-being of our employees, clients, and the general public is of paramount importance to the Company. Therefore, no AlliedBarton employee or agent may carry, possess, or store a firearm in the workplace, except as provided by this policy. This prohibition includes the carrying of a personal firearm to work, as well as having a personal firearm available in the passenger compartment or trunk of a Company vehicle or private vehicle being used for work purposes. Employees who violate this policy will be subject to discipline up to, and including, immediate termination.

### **II. Armed Accounts**

The Company may provide services using armed security officers where requested by the client. Such a determination must be made by both the President of the relevant Division in consultation with the General Counsel and Vice President – Compliance. The decision must be based on the circumstances surrounding the particular account which may include an existing relationship with the prospect, the type of facility and level of security required, operations to be secured, local licensing laws, and local crime conditions. The authorization of the relevant Division President, General Counsel, and Vice President - Compliance will be communicated to the sales person requesting the opportunity to bid or propose on such services.

### **III. Armed Officers**

As noted above, the Company may provide services to accounts using armed security officers. Strict compliance with this policy, especially the firearms safety requirements and deadly force policy set forth in this document, is a condition of employment for these officers. Only those employees who, as licensed armed security officers may be issued a weapon by the Company, or are authorized to carry a weapon by the Company in performing their job, are excluded from the above general prohibition against firearms in the workplace.

#### **A. Employment Standards**

As an initial matter, all armed security officers must meet AlliedBarton's general hiring, background, and security officer training standards. Additionally, armed security officers are required to meet, or exceed, all federal, state, and local laws and regulations with respect to firearms and non-lethal weapons possession, training, and qualification. Where required by regulation, armed personnel must possess a current license and/or gun permit to carry a firearm.

As a general guideline, Recruiting should focus efforts on hiring current, former, or retired sworn law enforcement/peace officers for the position of armed security officer.



### A.1. Armed Officer Certifications

In order for authorized personnel to carry a firearm, it is first required that such employees execute the following certifications and/or acknowledgements:

LFA -1.1 *Domestic Violence Certification* – requires disclosure of any misdemeanor crime of domestic violence which would prohibit the possession of a firearm or ammunition as specified in section A.3 below;

*Use of Force Policy Acknowledgement* – acknowledges having read and understood the Company's Deadly Force and Non-Lethal Use of Force policy as specified herein;

*Firearms Acknowledgment* – acknowledges receipt of a permanently assigned, company-owned firearm or use of a personally-owned or department-issued firearm and related policy governing each.

The original of Form LFA-1.1 will be filed in the employee's official personnel file, with copies to the District Manager for filing at the client location and the Company's Legal Department.

### A.2. Management Certification

To ensure strict compliance with the Company's armed security officer employment standards, District Managers are responsible for executing LFA-1.2, the *Armed Account Compliance Certification*, in concert with the relevant Vice President/General Manager before an officer may be authorized to carry a firearm. The original must be maintained in the employee's official personnel file for the length of the contract assignment, and a copy distributed to the Compliance Department. This certification must be executed and approved for each subsequent assignment to a new armed account.

### A.3. Gun Control Act of 1968

It is a felony under the federal Gun Control Act of 1968, Title 18 U.S.C. § 922(g) (9), for any person convicted of a Misdemeanor Crime of Domestic Violence to possess a firearm or ammunition. A "Misdemeanor Crime of Domestic Violence" as defined in the Act means an offense that:

- (1) is a misdemeanor under Federal or State law; and
- (2) has, as an element, the use or attempted use of physical force, or the threatened use of a deadly weapon; and
- (3) was committed by a current or former spouse, parent, or guardian of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, parent, or guardian, or by a person similarly situated to a spouse, parent, or guardian of the victim.

This definition includes all misdemeanors that involve the use or attempted use of physical force, (e.g., simple assault, assault and battery,) if the offense is committed by one of the defined parties. This is true whether or not the state statute or local ordinance specifically defines the offense as a domestic violence misdemeanor. For example, a person convicted of a misdemeanor assault against his or her spouse would be prohibited from receiving or possessing firearms or ammunition.

A conviction would not be disabling if it has been expunged or set aside, or if the person was pardoned or otherwise had his or her civil rights restored (if the law of the relevant jurisdiction provided for the loss of civil rights upon conviction for such an offense), provided the pardon, expungement, or restoration of civil rights does not expressly prohibit the shipment, transportation, possession, or receipt of a firearm.

AlliedBarton is required to obtain a signed Domestic Violence Certification from all employees who may be authorized to carry a firearm and/or ammunition (LFA-2). Any employee who acknowledges having been convicted of a crime of domestic violence as defined in the statute, or answers "not certain" of such a conviction, is not permitted to carry a firearm and/or ammunition for the Company.

#### **A.4. Training Requirements**

As a condition of employment, armed security officers will be required to meet all initial state, county, or municipal firearms training and qualification requirements with the firearm he or she will carry once authorized, as well as all mandated periodic classroom and re-qualification courses. Similarly, employees will be required to meet all state, county, or municipal training requirements governing the use of non-lethal weapons, such as a baton, chemical agent (e.g., Oleoresin Capsicum,) or stun device before being authorized to carry such weapons. Should the state licensing code or regulations be silent as it regards non-lethal weapons training, employees will be required to meet the same training standard as applies to state, county, or local law enforcement officers. Evidence of successfully meeting and passing all required training, (e.g., a certificate of completion,) must be provided by the employee before authorized to carry a firearm or non-lethal weapon, must be maintained in his or her employee file, and must be renewed as required.

Under certain conditions, some regulatory authorities exempt current or former sworn law enforcement / peace officers from their firearms and non-lethal weapons training requirements. Employees granted such an exemption or waiver, or who are eligible for such an exemption by regulation, must provide evidence of such exemption, waiver, or eligibility before being authorized to carry a firearm or non-lethal weapon as an armed security officer. Copies of such exemptions, waivers, training certificates, or documents satisfying the eligibility / exemption requirement must be maintained in the employee's personnel file.

In those instances wherein district offices have elected to provide corporate sponsored training, or have elected to outsource that training to a third party vendor, the District Managers and relevant VP/GMs will ensure that the training meets or exceeds that required by the state, county, and/or municipal regulatory authorities through certification of both curriculum and training personnel. In the rare instance wherein a state does not regulate the provision of armed security officer services, District Managers and relevant VP/GMs should outsource to third party vendors who provide firearms and non-lethal weapons training consistent with the qualification standards for sworn law enforcement / peace officers of that state.

### **A.5. Accountability**

Given the heightened risk and increased liability surrounding armed accounts, AlliedBarton Division Presidents, Vice President/General Managers, District Managers, and Account Managers will be held strictly accountable for ensuring compliance with this policy in satisfying all relevant state, county, and municipal employment and training requirements governing the licensure of armed security officers. All VP/GMs, DMs, and AMs with responsibility for an armed account will maintain and have accessible a copy of this policy and the current state, county, and / or municipal regulations governing the licensure of armed security officers. Many codes require annual training and firearms / non-lethal weapons qualification, and some further mandate random drug testing. It is imperative that those managers with direct responsibility for armed accounts know and adhere to the licensing requirements. Consult the Legal Department, Compliance Section, if in need of the current rules and regulations.

AlliedBarton armed security officers will likewise be held strictly accountable for meeting all relevant licensing and training requirements governing their licensure. AlliedBarton armed security officers also have an affirmative obligation to notify Company management of any arrest or similar action/event that may be cause for suspension and/or revocation of their license. Failure to meet all relevant licensing and training requirements, or failure to notify management of potentially disqualifying events, will be cause for disciplinary action up to, and including, termination.

### **IV. Authorized Firearms and Ammunition**

Unless in conflict with state, county, or municipal regulations, the standard Company-issued firearms and ammunition are a:

- Glock Model 22 or 23, .40 caliber semi-automatic pistol with standard 10, 13, and/or 15 round capacity magazines; 165 grain .40 caliber jacketed hollow point round, such as Speer Gold Dot, Federal, Winchester, or a similar manufacturer's round; or a,
- Glock Model 17 or 19, 9mm semi-automatic pistol with standard 10, 15, and/or 17 capacity magazines; 147 grain jacketed hollow point round, such as a Speer Gold Dot, Federal Hydra-Shock, Winchester, or similar manufacturer's round.

Under no circumstances will anything other than factory fresh "brand name" ammunition be utilized. Ammunition will be replenished in accord with the manufacturer's recommendations, annually at minimum. State code and/or regulation that specifies firearms and ammunition inconsistent with this policy (e.g., a .38 caliber 4 inch revolver) must be strictly followed.

So long as not in conflict with state, county, or municipal regulations governing firearms, non-lethal weapons, and ammunition to be carried by licensed armed security officers, sworn law enforcement / peace officers shall be authorized to carry personally owned or departmental issued firearms, non-lethal weapons, and corresponding ammunition.

## **A. Requests for Exceptions / Exemption**

District Offices may seek an exemption for firearms and/or ammunition (whether Company, personally, or department-owned) that conflict with this policy and pre-date its implementation. District Offices may further request such an exception prospectively on an individual account or client basis so long as premised on sound business rationale and permitted by state, county, or local regulations. All such exceptions must be personally approved by the relevant division President in concert with the General Counsel and Vice President – Compliance. Submit Form LFA-1.5, *Firearms Policy; Request for Exception / Exemption*, through the division President to the General Counsel for signature. Legal will return an executed copy for district office recordkeeping.

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## **Use of Force**

### **I. General Principles**

It is AlliedBarton's policy that armed security officers shall use only that force reasonably necessary to effectively bring an incident under control in order to protect their own lives and the lives of others. AlliedBarton armed security officers shall adhere to the commonly accepted law enforcement Confrontational Force Continuum should the use of force be necessary in the performance of their duties. The degree of force employed must follow a graduated continuum from least to most (i.e., verbal commands up to, and including, the exercise of deadly force, and then only as necessary to safely bring the incident under control.)

### **II. Deadly Force Policy**

AlliedBarton armed security officers may use deadly force only when necessary, that is, when the officer has a reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person. By way of example, but not limitation:

- A. Deadly force may not be used to prevent the escape of a fleeing suspect not posing an imminent danger of death or serious injury to the officer or others.
- B. Firearms may not be fired solely to disable moving vehicles.
- C. If feasible and if to do so would not increase the danger to the officer or others, a verbal warning to submit to the authority of the officer shall be given prior to the use of deadly force.
- D. Warning shots are not permitted.
- E. Armed security officers will be trained in alternative methods and tactics for handling resisting subjects which must be used when the use of deadly force is not authorized by policy.

The core principle of the Company's Deadly Force Policy is that its armed security officers may resort to the use of deadly force only when based on a reasonable belief that the subject of that force poses an imminent danger of death or serious physical injury to the officer or to another. Imminent danger does not mean "immediate" or "instantaneous," but that a dangerous action is likely and pending. Thus, a subject may pose an imminent danger to an officer or another person even if he or she is not at the very moment pointing a weapon at either. For example, imminent danger may exist if the officer reasonably believes that:

- (i). the subject possesses a weapon, or is attempting to gain access to or control of a weapon, under circumstances indicating an intention to use it against the officer or others; or,
- (ii). the subject is attempting to escape from the vicinity of a violent confrontation in which he or she has inflicted or attempted to inflict death or serious physical injury to the officer or another person, and the officer reasonably believes that the fleeing suspect poses an imminent danger of death or serious physical injury to another person.

As described in Section II. B., deadly force shall not be used solely to disable a moving vehicle. An armed security officer must reasonably believe that the subject, in the use of a vehicle as a weapon, poses an imminent danger of death or serious physical injury to the officer or to another person before resorting to the use of deadly force.

### **III. Application of Deadly Force**

When the decision is made to use deadly force, an armed security officer may continue its application until the subject surrenders or otherwise no longer poses an imminent danger to the officer or to others.

When the application of deadly force is necessary, attempts to wound or otherwise cause minor injury are unrealistic and impractical, and can prove dangerous to the officer and others because such attempts are unlikely to neutralize the imminent danger he or she confronts.

The use of a firearm is a grave and dangerous situation for all involved; therefore, the display of an un-holstered firearm in a public setting is strictly prohibited unless the situation warrants the use of deadly force. Officers must be mindful of their obligation to the safety of others. Even when deadly force is permissible, armed security officers should assess whether its use creates a danger to third parties that outweighs the likely benefits of its use. Consideration must be given innocent bystanders. For example, even though the use of deadly force is acceptable to prevent the escape of a fleeing felon who poses an imminent danger of death or serious physical injury to the officer or to another person, it would be unreasonable to fire at that person should he or she flee into a congested children's schoolyard.



## IV. Reasonable Force and the Confrontational Force Continuum

### Reasonable Force

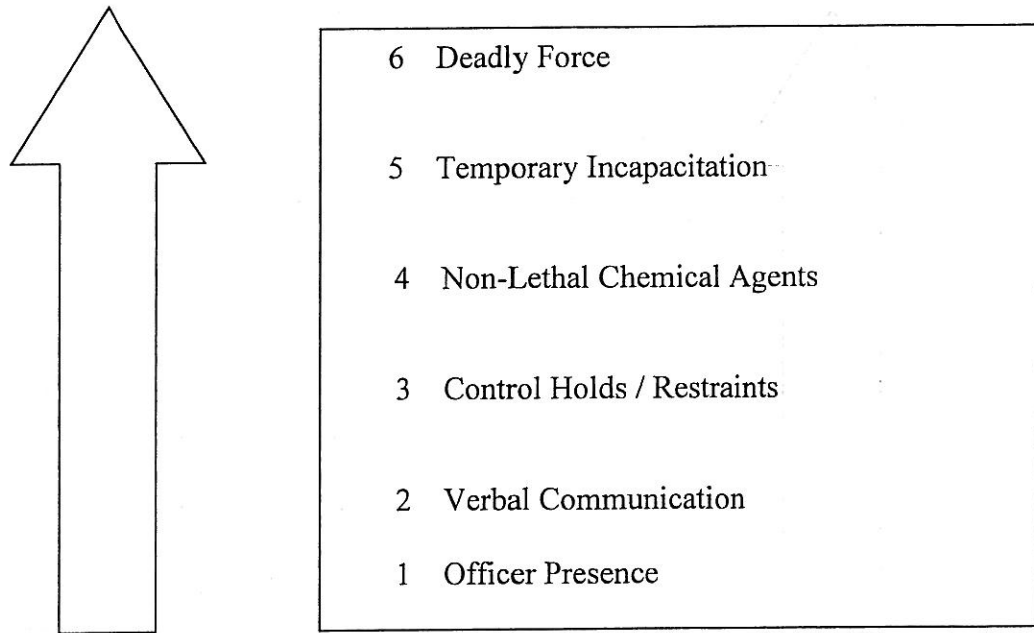
Unlike police officers, security officers are not required to ever make an arrest. Most security officers observe and report and call the police if a crime occurs in their presence. However, when a security officer needs to take someone into custody for a crime, he or she must use reason and common sense. One common definition of reasonable force is simply not to be excessive, under the circumstances. This means to consider the seriousness of the crime, the risk of harm for everyone, and the immediacy of the situation. The preference always is to get a law enforcement response to affect the arrest. Security Officers must use their judgment in discontinuing use of the Confrontational Force Continuum and seeking the intervention of law enforcement.

For example, a petty shoplifting suspect might respond to the physical presence of the officer, their verbal commands, and should require no more than holding force to make a detention. If verbal commands fail, a violent suspect might require more physical force to subdue and chemical sprays or a baton might be needed for self-defense. While the choices and variations are endless, AlliedBarton security officers must always consider the use of force as a measured, graduated continuum from one of no force to deadly force, based upon need. Choosing just that level of force necessary to overcome the obstacle is the proper course of action.

### The Confrontational Force Continuum

The Confrontational Force Continuum shall be the standard model for the use of force by all AlliedBarton security officers. The continuum is broken down into six broad levels. Each is designed to have an *elastic factor* to accommodate evolving situations evoking different levels of force. It is common for the level of force to move from level two, to level three, and back again in a matter of seconds. AlliedBarton security officers should be mindful that so long as prudent under the circumstances, disengagement in favor of calling the police or other law enforcement authorities is always an option as part of the force continuum.

The following diagram demonstrates the progression of the use of force with 1 being the least force used and 6 being deadly force:



## LEVEL ONE

**Officer Presence.** The mere presence of a highly visible uniformed security officer is often enough to stop a crime in progress or prevent future crime. Included in officer presence are standing, walking, and running. Without saying a word, an alert officer can deter crime or direct criminals away from a property by use of body language and gestures. At this level gestures should be non-threatening and professional.

## LEVEL TWO

**Verbal Communication.** Used in combination with a visible presence, the use of the voice can usually achieve the desired results. Words can be whispered, used normally, or shouted to be effective. The content of the message is as important as the officer's demeanor. It's always best to start out calm but firm and *non-threatening*. Choice of words and intensity can be increased as necessary or used in short commands in serious situations. The right combination of words can de-escalate a tense situation and prevent the need for a physical altercation. Training and experience improves the ability of a security officer to communicate effectively with everyone, including the police.



## LEVEL THREE

**Control Holds & Restraints.** Certain situations may arise where words alone do not reduce the aggression. Sometimes security officers will need to get involved physically. At this level, minimal force would involve the use of bare hands to guide, hold, and restrain. This does not include offensive moves such as punching, tackling, or choking. Pain compliance holds could apply here but only after ordinary holds fail to control an aggressive suspect. A baton may only be used at this level as a self-defense mechanism to block blows or temporarily restrain a suspect. Handcuffs can be used a restraint device only if the officer has been trained to do so. Not every suspect needs to be handcuffed. Restraints should only be used on a person who exhibits aggression, poses a real threat, or where flight is a real possibility. Handcuffs should not be applied too tightly and should be double-locked when safe to do so. Once a suspect is handcuffed, the officer is responsible for his or her safety. To avoid the possibility of "positional asphyxiation," AlliedBarton security officers may not pile on top of or place a handcuffed suspect face down on the ground. Hog-ties are strictly prohibited.

## LEVEL FOUR

**Chemical Agents.** When a suspect is violent or threatening, more extreme but non-lethal measures may be used in defense to bring the suspect under control or affect an arrest. Before an officer may moving to level four, it is assumed that he or she exercised other less physical measures or deemed them inappropriate. When used by surprise, pepper spray is an excellent distraction, allowing the officer time to get away, call the police, or subdue the suspect. Pepper spray should not be used to protect property or to enforce business rules. It is a defensive weapon. Pepper spray must be directed in the suspect's face for maximum result, and not sprayed wildly at groups of people. Even though considered non-lethal, pepper sprays can cause severe reaction and possible injury. Also, pepper sprays have a blinding effect and care must be used that spray victims do not fall down stairs, wander into traffic, or operate a motor vehicle.

## LEVEL FIVE

**Temporary Incapacitation.** This level of force may only be employed when the situation is so extreme, violent, and immediate that it is necessary to temporarily incapacitate a suspect prior to the arrival of the police. This includes the use of all methods of non-deadly force beginning with the empty hand up through and including impact tools. At level five, properly used defensive and offensive moves are allowed under the right circumstances. Baton blows to soft tissue and certain joint areas are consistent with professional security training standards. Baton blows to the suspect's head or throat, however, can be deadly, are inconsistent with professional training standards, and are strictly prohibited **UNLESS THE USE OF DEADLY FORCE IS JUSTIFIED**. Any violation of this directive will be treated as a serious offense warranting discipline up to, and including, discharge.

Temporary incapacitation is used to stop a suspect from injuring an officer or others, permitting the application of handcuffs or other restraints. Stun devices are a recognized means of temporarily incapacitating an assailant, but may only be carried by an AlliedBarton security officer with the

express approval of the Division President and General Counsel, in consultation with the Vice President – Compliance [see Authorized Non-Lethal Weapons].

## LEVEL SIX

**Deadly Force.** AlliedBarton officers are justified in threatening or using non-lethal force against another when and to the extent that the officer reasonably believes that such threat or force is necessary to defend him/herself or a third party against another's imminent use of unlawful force. Deadly force, however, may be used only when necessary, that is, when the officer has a reasonable belief that the subject of such force poses an imminent danger of death or serious physical injury to the officer or to another person. Such force can be applied by an officer's hands, through impact tools, or with a firearm.

Deadly force is the highest level force on the Confrontational Force Continuum and must be justified. The continuum will be considered in the aftermath as a test to see if other alternatives were used or were more appropriate, before resort to deadly force.

Whether deadly or non-lethal, when force is used against a person it must cease when the resistance or threat is overcome. AlliedBarton security officers must be mindful that the purpose of force is to overcome aggression, resistance, or non-compliance, and ultimately to protect the lives of the officer or other persons. The application of force for any other purpose is not justified.

Since the Confrontational Force Continuum requires the exercise of non-lethal force before resort to deadly force, no AlliedBarton security officer will be authorized to carry a firearm unless and until that officer is trained in the use of, and equipped with, a non-lethal weapon such as a baton, pepper O.C. (Oleoresin Capsicum) spray, or stun device.

***NOTE: Client-specific use of force policies as regard the application of "deadly" or "lethal" force that conflict with Company policy must be discussed with the General Counsel and Vice President for Compliance.***

## V. Application of Non-Lethal Force

AlliedBarton security officers will exercise only that level of force necessary to de-escalate an incident and safely achieve control. As indicated by the Confrontational Force Continuum, whenever feasible, verbal commands should be given before resort to physical compliance techniques or the use of O.C. spray, a baton, or stun device. The level of force necessary to safely achieve control will logically be proportionate with the level of resistance confronted. Officers are authorized to exercise non-lethal force under the following conditions:

- ❖ To protect themselves or a third party from serious physical harm should the subject not be controlled.
- ❖ When making lawful arrests or overcoming resistance to such arrests.
- ❖ When in self-defense, or defense of another against unlawful violence to his/her person.
- ❖ Where they have been trained to do so in accordance with relevant state, county, or municipal regulations governing non-lethal weapons.

AlliedBarton security officers must be mindful that if prudent given the circumstances, disengagement in favor of calling law enforcement authorities is always an option to the application of force.

## **VI. Authorized Non-Lethal Weapons**

The following non-lethal weapons are authorized for use by AlliedBarton security officers with client approval: O.C. Spray; an ASP or equivalent baton. Equipment other than that described, such as a flashlight, portable radio, or handcuffs may not be used as a non-lethal weapon except in an extreme emergency wherein the failure to overcome resistance and achieve control could reasonably lead to severe bodily injury or death to the officer or another.

The use of stun devices must be expressly authorized as an exception to the Company's authorized non-lethal weapons by the Division President and General Counsel in consultation with the Vice President – Compliance. Client permission/concurrence must also be obtained. If authorized, Division Presidents, VP/GMs, District Managers, Account Managers, and security officers themselves will be held strictly accountable for meeting all relevant state, county, and municipal laws and regulations, including but not limited to training standards, governing the possession and use of stun devices by private security officers. Consult the Legal Department, Compliance Section, if in need of the current laws, rules, and regulations.

### **A. Requests for Exceptions / Exemption**

District Offices may seek an exemption for non-lethal weapons (whether Company, personally, or department-owned) that conflict with this policy and pre-date its implementation. District Offices may further request such an exception prospectively on an individual account or client basis so long as premised on sound business rationale and permitted by state, county, or local regulations. All such exceptions must be personally approved by the relevant division President in concert with the General Counsel. Submit Form LFA-1.5, *Firearms Policy; Request for Exception / Exemption*, through the division President to the General Counsel for signature. Legal will return an executed copy for district office recordkeeping.

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## **Use of Force – Notification Requirements and Response**

### **A. Non-Lethal Use of Force Incidents**

#### **I. Notification Requirements**

In every incident involving the use of Non-Lethal Force, the officer(s) involved must complete a "Use of Force Incident Report," form LFA 1.3 within 24 hours of the event. This report will provide detail about the incident including the identity of those involved, the level and type of force applied,

and the reasons for its application. Injuries to either officers or others must be fully described, as must any resultant property damage.

District Office management will ensure strict compliance with notification requirements specified by all relevant state, local, and county private security licensing and regulatory authorities surrounding the use of Non-Lethal weapons such as O.C. spray and/or a baton.

Within 5 business days of the event, District Office management will submit form LFA-1.3 to the General Counsel with copies to the relevant VP/GM. As indicated, the officer(s) immediate supervisor must make a recommendation regarding what, if any, additional investigation is dictated by the facts and circumstances of the incident.

## **II. Response**

In all incidents involving the use of Non-Lethal Force, the officer's immediate supervisor will respond to the scene as soon as possible to gather the facts and assist the officer in the preparation of form LFA-1.3, the Use of Force Incident Report. He or she should notify the Account Manager and/or District Manager of the event as soon as practicable.

Absent aggravating circumstances, no further investigation is necessary beyond the submission of form LFA-1.3 to the General Counsel and relevant VP/GM. In determining whether an investigation is necessary based upon aggravating circumstances, local management should consider the nature and level of force applied, the extent of any injuries, the notoriety of the incident, and the level of adherence to policy. The Supervisor, Account Manager, District Manager, and, if appropriate, the VP/GM should contact the General Counsel for guidance in such cases when formulating a recommendation for follow-up investigation.

## **B. Deadly Force Incidents - Intentional or Accidental Firearms Discharge**

### **I. Notification Requirements**

In all shootings involving an AlliedBarton armed security officer, whether intentional or accidental (including accidental discharges), notification will be made immediately to the relevant Account and District Office Managers, VP/GM, Division President, and to the General Counsel's Office. Where injury has occurred to any person, the Division President and/or General Counsel will further seek to notify the company Executive Vice President and President/CEO.

District Office management will ensure strict compliance with notification requirements specified by all relevant state, local, and county private security licensing and regulatory authorities, including the filing of any firearms discharge reports if required by local authorities.

Within 24 hours of all shooting incidents, whether intentional or accidental (including accidental discharges), Security Officers and their Supervisors will complete Form LFA-1.4, "Preliminary Report of Firearms Discharge." Within 5 business days of the incident, District Managers must approve and submit the report to the General Counsel with copies to the relevant Division President and VP/GM.



## **II. Response**

### **A. Intentional / Accidental Line-of-Duty Shootings**

In all shootings, whether intentional or accidental, and whether injuries are sustained or not, the company's first responsibility is to ensure that its employees are well cared for both physically and mentally. The first company manager on the scene will ensure that the officer involved in the shooting incident is permitted and encouraged to immediately contact family and loved ones. If the officer has been injured and unable to contact others, his or her family and loved ones should be contacted by a company representative immediately, before press or media accounts of the event appear.

Officers personally involved in a shooting incident should, in cooperation with the investigating authorities, be removed from the scene as soon as practicable and NOT assigned responsibilities surrounding the investigation into the incident.

The Division VP/GM and/or President will initiate personal contact with the officer and his / her family and loved ones to provide emotional and other support. Such contact should be made as soon as practicable, ideally within 24 hours of the event. Senior Executive Management of the company will if deemed appropriate also make personal contact with the officer and his or her family and loved ones to offer support. Should an officer be seriously injured or killed, arrangements must be made to provide immediate grief counseling, benefits assistance, and comfort to his or her family and loved ones.

To diminish rumor and distorted accounts of the event, the District Manager, VP/GM, and/or Division President should hold an office conference as soon as practicable following a shooting incident to keep all employees abreast of developments. Employees should be advised that the shooting details are to be held in confidence. Further, field management should keep company media representatives fully apprised of developments.

No information should be released to the media without approval of the Division President in coordination with the Corporate Communications Section. Further, the identity of any officer involved in a shooting incident shall not be released to the media without first consulting with AlliedBarton Senior Executive Management and General Counsel. As a general rule, only if the officer's name has been disclosed through public records or proceedings should his or her name be confirmed in response to media inquiries.

Division management must be sensitive to the possibility of post-shooting trauma following a shooting critical incident. Officers and other employees involved in or witness to a shooting incident and the fellow employees of an officer grievously wounded or killed may require post-critical incident counseling, extended peer support, and other services offered through the Company Employee Assistance Program.

## **B. Accidental Discharges – No Injuries**

Response to and intervention following an accidental discharge not resulting in injury will be the responsibility of the officer's immediate supervisor and/or District Manager. While accidental discharges may result in property damage alone, managers should be sensitive to the psychological effect such incidents may have on the officer involved and his/her fellow employees. Managers should be further sensitive to the root cause of any accidental discharge in making a recommendation for remedial training on firearms safety and/or disciplinary action.

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## **Investigation of Intentional or Accidental Firearms Discharge**

### **I. Intentional / Accidental Line-of-Duty Shootings**

#### **A. Shooting Inquiry**

An internal shooting inquiry will be conducted into any intentional or accidental line-of-duty shooting under the direction of the relevant Division President in close coordination with the Company Legal Department. As a standing instruction of the General Counsel, the Division President will assemble a shooting incident response team (SIRT) from other than the affected district office to conduct a thorough, factual investigation into the event and submit a comprehensive report to the General Counsel's Office. Composition of the inquiry team is left to the discretion of the Division President in consultation with the General Counsel. Preference should be shown former police officers and investigators, led by a manager with proven leadership, organizational, and problem solving skills and exceptional interpersonal abilities.

While as a private sector company we confront a number of limitations in conducting an internal investigation into a public event, the SIRT should nonetheless attempt to conduct as thorough and comprehensive an inquiry as possible within the confines of the law, including but not limited to:

- Communication with state and/or local authorities to ensure coordination and diminish any conflict.
- Sequestration and interview of the officer involved in the incident. The officer must be given sufficient time to regain his or her composure before being asked to provide a statement. Consideration should be given such factors as physical injuries or trauma experienced by the officer in determining when an interview should take place.
- Interviews of all other employees who witnessed the incident or have information of probative value to the investigation.
- Interviews of other witnesses at the scene, assuming they are willing to provide a statement. Understand that witnesses outside of AlliedBarton employees are under no obligation to cooperate with an internal shooting inquiry.
- Interview(s) of the subject(s) of any shooting incident, again assuming a willingness to submit to interview. Such interviews may prove productive in recording admissions and other statements relevant to a defense against civil or criminal charges.

- Photographs and diagrams of the shooting incident scene.
- Any video recordings and or still images captured by a customer or client security monitoring system, or by independent third parties, if available.
- When applicable, medical reports regarding the officer obtained with his/her consent through an executed medical release.
- Complete police reports regarding the incident if available. Consult the Legal Department for guidance in requesting such reports.

## **B. Shooting Inquiry Report**

Reports should include a table of contents which organizes and identifies report contents. The following is an example of items which might normally be included in a comprehensive shooting report:

- A. Interviews of all employees involved, including the subject officer;
- B. Interviews of all witnesses;
- C. Interviews of the subject civilian involved in the incident;
- D. Medical reports;
- E. Maps, diagrams, photographs, video, and other graphic depictions or representations of the shooting incident scene;
- F. Police reports.

Reports will be submitted within 30 days of a shooting incident to the General Counsel's Office, with copies to the relevant Division President and VP/GM.

The AlliedBarton Shooting Incident Guide provides helpful guidance on how best to organize an administrative Shooting Inquiry Report. Available upon request.

## **II. Accidental Discharges – No Injuries**

Absent aggravating circumstances, no investigation need be conducted into an accidental discharge not resulting in injury beyond execution of the LFA-1.4. In consultation with the General Counsel, division executive management will nonetheless consider the need for remedial training and/or disciplinary action following all instances of an accidental discharge.

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### *Legal Issues*

Any armed security officer involved in a shooting incident should expect a swift response by state and/or local authorities, followed by a thorough, comprehensive investigation. Logically, as part of such an investigation the authorities would request an interview and/or statement of the officer regarding the event. If death resulted as a consequence of the shooting, a coroner's inquest could be held or a grand jury impaneled to ascertain if the shooting was legally justified. At some point, an officer could be named as a defendant in a civil action. Interviews with the police, coroners' inquests, grand jury investigations, and litigation are predictably common to nearly all shootings and thus should be anticipated by any officer involved in a shooting incident.

An officer involved in a shooting incident enjoys the same protections as any other person under the Constitution. Unless granted statutory immunity from prosecution, he or she cannot be constitutionally compelled to give a statement or testify concerning the event. Accordingly, the Company cannot compel an officer involved in a shooting to give a statement.

There is no attorney-client relationship between an officer involved in a shooting incident and a Company attorney on a personal level, other than as a representative of the Company. Management must be sensitive to advising the General Counsel's Office of all demands, summonses, subpoenas, notices, or other documents received or created as part of any shooting / firearms discharge investigation.

While it is AlliedBarton's policy that it cooperate fully and faithfully with any investigation into a shooting incident and/or firearms discharge, the Company will do so always cognizant of its employees' rights.

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### *Firearms Safety, Care, and Cleaning*

The possession of a firearm is a tremendous responsibility, not to be taken lightly. When handling any firearm, AlliedBarton security officers must be mindful that knowledge of safety rules by itself does not prevent accidents. Rather, only through strict adherence to safety rules can firearms accidents be prevented.

#### **I. Firearms Safety**

##### **Cardinal Rules:**

- Treat every gun as if loaded. This applies to weapons that you both think or "know" to be unloaded.
- Never point a firearm, loaded or not, at anyone unless you are justified in doing so. This includes pointing it in any direction where an accidental discharge could cause injury or damage.
- Keep your finger off the trigger unless you intend to shoot.

**General Rules:**

- In transferring a weapon, never give to or receive a firearm from anyone unless the weapon is unloaded and the action is open. If a semi-automatic pistol, present the weapon with the magazine removed, action open, safety on (if applicable), BUTT first. If a revolver, present the weapon with the cylinder open, BUTT first.
- Immediately upon picking up any firearm, face a safe direction, remove any magazine, open the action, and check to see that the weapon is unloaded. Check it again.
- A holstered weapon is a safe weapon. When you remove a weapon from a holster for any reason other than to fire...UNLOAD.
- Never "show" or display a weapon to anyone unless directed to do so by a supervisor. UNLOAD the weapon before passing it to another person BUTT first. Do not permit anyone else to handle your firearm.

**Safety Precautions:** Loading and unloading of firearms must be done in an area designated as such, furnished with a "bullet trap" designed for such purposes. Further, the designated loading and unloading area should be conspicuously adorned with visual reminders of firearms safety, such as shown below:

**SAFETY FIRST**

1. **ALWAYS** assume a firearm is **LOADED** until you personally remove the magazine, open the action or cylinder, and determine otherwise.
2. **NEVER** place your finger inside the trigger guard unless you intend to fire the weapon.
3. **NEVER** leave a weapon, loaded or unloaded, lying about unattended.
4. **NEVER** point a weapon at anyone or anything unless you may have to fire it in your own defense, or the defense of another.
5. **NEVER** engage in horseplay when you are armed. Weapons are a deadly

Firearms safety is the direct responsibility of each member of the AlliedBarton organization. This extends to aiding fellow security officers in their safe handling of weapons. AlliedBarton employees are expected to report any known instance of mishandling or carelessness on the part of an armed security officer to a supervisor for corrective action.

**II. Firearms Care and Cleaning**

At the District Office or Account level, weapons care and maintenance is restricted to cleaning, with NO weapon disassembly, alteration, or repair authorized. Firearms which malfunction in any way shall be taken to a professional gunsmith for evaluation and repair.

Cleaning kits and equipment will be provided and available at the District Office responsible for an armed account. After being used, and periodically during storage, all weapons should be carefully cleaned and lubricated per the manufacturer's recommendations. Care must be taken to prevent excess solvent and oil from entering inaccessible areas of the firearm. Excess oil and solvent must be completely wiped from wood stocks.

Holstered weapons will rust if left untreated. Regular inspection and lubrication is required to prevent rusting and possible malfunction. Leather equipment should be cleaned and treated with a good preservative. Canvas and/or nylon items should be cleaned with soap and water and completely dried before reuse.

### III. OSHA Lead Regulations

**Employer Responsibility:** The owner and operator of a shooting range, as an employer, is responsible for meeting OSHA standards governing exposure to lead. As an employer, AlliedBarton likewise has a responsibility to protect its employees from excessive lead exposure, however remote, associated with firearms qualification and training. Accordingly, the company will comply with all applicable OSHA rules and regulations concerning the handling, maintenance, and /or use of firearms and lead ammunition.

It is AlliedBarton policy that District Managers supervising armed-officer accounts request and retain a copy of the shooting range air monitoring results from any range authorized to train and qualify AlliedBarton officers in meeting licensing requirements. OSHA regulations permit the use of monitoring results taken within the preceding 12 months. Should a District Manager find that a range's air monitoring results exceed an action level of 30 micrograms of lead per cubic meter (30ug/m<sup>3</sup>), he or she should contact the Legal Department, Risk Management Section, immediately for further guidance.

**Employee Responsibility:** AlliedBarton armed officers are responsible for practicing good hygiene and exercising sound judgment while handling lead associated with firearms training and qualification. Experience has shown that strict compliance with these provisions can virtually eliminate several sources of lead exposure which significantly contribute to excessive lead absorption:

- *At the range, always wash your hands and face before eating, drinking, smoking, or applying cosmetics.*
  - *Wash your hands and face before leaving the range.*
  - *Wash range clothing separately from the rest of the family laundry.*
  - *Do not use compressed air to clean a firearm.*
  - *Always load bullets in a ventilated area.*
  - *Do not load bullets in the home or in areas frequented by children.*
  - *Keep the bullet loading area clean through the use of detergent.*
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## **Firearms, Ammunition, and Non-Lethal Weapons Purchase, Transportation, Storage and Disposal**

Strict responsibility and accountability will be assigned to the purchase, transportation, storage, and disposal of Company purchased firearms, ammunition, and non-lethal weapons.

### **I. Purchase of Firearms, Ammunition, and Non-Lethal Weapons**

AlliedBarton Security Services is a federally licensed firearms dealer as specified within Title I of the Gun Control Act of 1968 and the regulations issued thereunder, 27 CFR Part 178. Accordingly, the Company is authorized to purchase, store, distribute, and dispose of firearms in interstate commerce in the ordinary course of providing contract security services. All company-issued firearms will be centrally purchased by the AlliedBarton Purchasing Department (in consultation with the Compliance Department) for distribution to district offices on an as-needed basis.

**Operations personnel are prohibited from purchasing firearms on behalf of the Company. Such purchases would violate federal regulations, jeopardize the Company's license, and expose AlliedBarton to civil fines.**

The AlliedBarton Compliance Department will be held strictly accountable for adherence with the requirements of 27 CFR, Part 178, including but not limited to license renewal, notice regarding a change in trade name, license posting, sales or deliveries between licensees, firearms transaction records (Forms 4473), firearms receipt and distribution records, and record retention.

For safety and security reasons, the Company will strive to purchase and distribute firearms direct to District Offices on an as-needed basis, permanently storing few if any firearms at corporate headquarters. To assist the Purchasing Department in meeting operational deadlines, Divisions and/or District Offices awarded armed security services contracts are requested to provide early notice of their firearms needs. Do not independently price firearms or complete a purchase order. Rather, provide the Purchasing Department with the following information and it will process the order: Make, model, and number of firearms needed; Department, Job, or Account Name and Number; GL Number to be charged; and full name and street address to whom the firearms should be shipped.

As needed to service an armed account, ammunition and, with the exception of stun devices, non-lethal weapons may be purchased from licensed firearms dealers or other reputable law enforcement supply houses / sources at the District Office level. Authorized stun devices will be purchased, transported, stored, and disposed of as though a firearm, i.e., centrally through the Compliance Department in consultation with Corporate Purchasing.

### **A. Exceptions to Policy**

The Company may consider the purchase of used weapons from a prospective client as part of a proposal to provide services, e.g., in situations wherein the prospective client wishes to outsource what had been a proprietary armed guard force. Any such proposals must be discussed with, and

have the approval of, the relevant Division President and the General Counsel in consultation with the Vice President – Compliance. Used weapons must be examined for functionality by a reputable gunsmith as part of any such proposal. Further, ammunition of questionable “freshness” will not be considered for purchase as part of any such proposal.

In the event the Company purchases firearms from a client / customer outside of Pennsylvania, the purchase will be made in strict accordance with the provisions of 27 CFR, Part 178 as well as applicable state and local laws and regulations. Consult the General Counsel or Vice President – Compliance on governing state and local law.

## **II. Transportation and Distribution of Firearms, Ammunition, and Non-Lethal Weapons**

### **A. Transportation**

Title 27, Section 178.38 of the Code of Federal Regulations (CFR) specifies that firearms and ammunition may be transported in interstate commerce only if during such transportation the firearm is unloaded, and neither it nor any ammunition is readily accessible or directly accessible from the passenger compartment of the transporting vehicle. In the case of a vehicle without a compartment (trunk space) separate from the driver’s compartment, the firearm and ammunition must be contained in a locked container other than the glove box or console. AlliedBarton employees will strictly adhere to this regulation in transporting company-owned firearms and ammunition to/from any location, whether corporate headquarters, a licensed firearms dealer or gunsmith, district office, account location, or training facility. While not required by law, it is AlliedBarton policy that all company owned non-lethal weapons will be transported in similar fashion.

### **B. Distribution**

As specified in Section II.A. above, company-owned firearms, ammunition, and non-lethal weapons may be transported by vehicle for delivery to locations within driving distance. Sections 178.30 and 178.31 of Title 27, CFR, further permit the shipment and delivery of firearms and ammunition by common or contract carrier provided the common or contract carrier is notified that the shipment contains an unloaded firearm and/or ammunition. The regulations prohibit the common or contract carrier from requiring or causing any label to be affixed on any package indicating it contains a firearm or ammunition.

Handguns **MAY NOT** be shipped via the United States Mail.

All AlliedBarton employees responsible for shipping company-owned firearms and/or ammunition by common or contract carrier will strictly adhere to the requirements of Title 27, Sections 178.30 and 178.31, by declaring the firearms and/or ammunition with the common or contract carrier. Packages will be addressed for delivery to the personal attention of the relevant District Manager, VP/GM, or in the case of AlliedBarton Corporate headquarters, a relevant Compliance Department representative.



While not required by law, it is AlliedBarton policy that all company-owned non-lethal weapons will be distributed through common or contract carrier in similar fashion.

### **III. Storage of Firearms, Ammunition, and Non-Lethal Weapons**

Whether at AlliedBarton Corporate headquarters, a District Office, or an Account location if specified by contract, when not in use all company-owned firearms, ammunition, and non-lethal weapons will be stored on site in a Class 5 or similar Weapons Container, or in a traditional firearms locker. The container itself should be located in a protective storage area with limited access, controlled by the senior supervisor on duty or his/her designated alternate, preferably dehumidified and temperature controlled. In the field, this same protective storage area should also house the firearms "bullet trap," safety posters, and cleaning supplies as specified in the Firearms Safety, Care, and Cleaning Section of this policy.

Firearms will always be stored in an unloaded, clean, functional condition. Revolvers will be stored unloaded, cylinder closed, hammer down.

District Offices will house firearms, ammunition, and non-lethal weapons only as necessary to meet account demands. At the discretion of local management, excess weapons and ammunition will be returned to the Compliance Department. District Offices not permitted to store firearms within the office based upon lease restrictions must make alternate arrangements and/or seek lease modifications through the Vice President of Strategic Sourcing and Director of Purchasing.

#### **A. Requests for Exceptions / Exemption**

District Offices may seek an exemption for firearms storage that conflicts with this policy and pre-dates its implementation. District Offices may further request such an exception prospectively on an individual account or client basis so long as premised on sound business rationale and permitted by state, county, or local law and regulations. All such exceptions must be personally approved by the relevant division President in concert with the General Counsel.

Submit Form LFA-1.5, *Firearms Policy; Request for Exception / Exemption*, through the division President to the General Counsel for signature. Legal will return an executed copy for district office recordkeeping.

In the event that state, county, or local law and regulations permit a licensed, armed security officer to transport a firearm from home to/from a client location in the performance of his/her duties, and if personally approved through Form -1.5 by the relevant Division President and the General Counsel based upon sound business rationale and practical considerations, said officers may store a firearm at home on the following conditions. Such officers shall:

- Never allow a child, family member, or friend to play with the firearm;
- Use discretion in handling and displaying the firearm in the presence of others;
- Remove all ammunition and secure the firearm with an authorized trigger lock; ideally, lock the firearm itself away;
- Secure the ammunition removed in a separate location;

- Keep the firearm separate and apart from jewelry, silver, money, or other valuables;
- Never leave the firearm in an unattended vehicle.

Any violation of this policy will be grounds for immediate discipline up to, and including, dismissal.

#### **IV. Disposal of Firearms, Ammunition, and Non-Lethal Weapons**

The AlliedBarton Compliance Department will coordinate the sale, permanent transfer, or disposal of all company-owned firearms, ammunition, and non-lethal weapons. No sale or permanent transfer of any firearm, ammunition, or non-lethal weapon may be made at the field level.

The Compliance Department will fully comply with the provisions of 27 CFR, Part 178 and all applicable state or local laws and regulations in selling or otherwise permanently transferring any firearm.

#### **V. Recordkeeping, Inventory, and Property Management**

Division Presidents, VP/GMs, District Managers, Account Managers, and Compliance Department personnel are responsible for establishing and enforcing internal controls meant to secure and prevent unauthorized access to company-owned firearms, ammunition, and non-lethal weapons. Further, said persons are responsible for establishing and enforcing an audit trail designed to document the receipt, charge-out, return, transfer, and disposition of all company-owned firearms, ammunition, and non-lethal weapons within their control.

VP/GMs and District Managers servicing armed-accounts shall designate a Weapons Custodian with responsibility for documenting the receipt, charge-out, return, transfer, and disposition of all company-owned firearms, ammunition, and non-lethal weapons. An inventory will be taken of all company-owned firearms and non-lethal weapons within the control of the field as well as the Compliance Department on a quarterly basis, in a form specified by and coordinated with Compliance. The inventory will be taken by a minimum of two persons, one an independent observer with no authority/responsibility governing firearms. All firearms (and if applicable, stun devices) will be described by make, model number, and serial number.

Division Presidents, VP/GMs, District Managers, Account Managers, and corporate Compliance Department personnel are responsible for establishing and enforcing controls to ensure that company-owned firearms, ammunition, and non-lethal weapons are charged-out and returned by officers, and recovered from security officers who separate from the company or are otherwise removed from an armed account. Any failure to recover a company-owned firearm, ammunition, or non-lethal weapon must be reported immediately to Division management, the Compliance Department, and the General Counsel.

Lost, missing, or unrecoverable company-owned firearms and stun devices must be immediately reported as such to local law enforcement, the Legal Department, and to Compliance as it must make a report of any theft or loss of a firearm from inventory to the Bureau of Alcohol, Tobacco, Firearms and Explosives within 48 hours of occurrence or discovery. Where required by state, county, or local laws or regulations, lost, missing, or unrecoverable firearms (and if applicable, stun devices) must





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also be reported to the appropriate licensing and regulatory authority. An AlliedBarton Incident Report and copies of all relevant law enforcement and regulatory agency reports must be forwarded to the Legal and Compliance Departments. Originals shall be retained by the District Office.