



# PROTECTIVE BODY ARMOR

FC No.: 413  
Date: 04-27-20

If a provision of a regulation, departmental directive, or rule conflicts with a provision of the contract, the contract prevails except where the contract provision conflicts with State law or the Police Collective Bargaining Law. (FOP Contract, Article 61)

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## I. Policy

The department's policy is to provide each officer with protective soft body armor and encourage officers to wear it at all times while on duty, however, the wearing of the armor is not mandatory, *except during ad hoc, high-risk assignments*. Although officers are not required to wear their armor, *except as previously stated*, they will be held accountable for the proper maintenance of this important piece of equipment. It is also the policy of the department to ensure that law enforcement officers, who are called upon to act in an official capacity while off-duty, are afforded protection against harmful attack. Therefore, the department will maintain its practice of replacing primary protective body armor according to manufacturer's recommendations and permitting officers the option of voluntarily using *their retained* protective body armor, primarily while off-duty. *The department will issue protective soft body armor to other designated employees. The assembly and wearing of department-issued body armor will be in accordance with the body armor's manufacturer's specifications.*

## II. Type of Armor and Accessories Provided

- A. The department currently provides each officer with protective soft body armor. This body armor:
  1. Provides *at a minimum* Threat Level II protection.
  2. Consists of a front and rear ballistic panel encased in a water repellent cover.
  3. Has a removable trauma *insert/plate(s)*.
  4. Is individually made to fit each officer's measurements. Officers are cautioned not to exchange armor with other officers for this reason.
- B. Two *department-approved* washable sleeve carriers are issued with the panel and are designed to be worn under the uniform shirt.
- C. Each officer will also receive a *department-approved* vest carrier with the Montgomery County Police badge patch *to be affixed to the carrier's left chest area. If patches are issued with the carrier that would identify the wearer's division, section, unit, etc., they will be affixed to the carrier in the location*

*designated for them.* The panels are placed inside this carrier which is designed to be worn over the uniform shirt.

### **III. Wearing of the Armor**

A. The department does not require officers to wear the department issued armor; however, it is strongly recommended and encouraged that officers do so whenever they are on duty.

- 1. The wearing of body armor by officers will be consistent with the provisions of Fraternal Order of Police Collective Bargaining Agreement, Article 30, Section C.*
- 2. An officer shall wear the issued armor, pursuant to the provisions of Fraternal Order of Police Collective Bargaining Agreement, Article 15, Section S, during ad hoc, high-risk assignments, but shall not be required to wear the armor while waiting to be activated for such actual assignment. For the purposes of this section only, high risk involves other than normal risk or calls for service and includes but is not limited to civil disturbances, raids, and hostage/barricade situations.*
- 3. The wearing of department-issued body armor by members of the department who are not police officers will be consistent with the provisions of the member's collective bargaining agreement.*
- 4. If there is not specific language in the collective bargaining agreement governing an employee who has been issued body armor, or the employee is not covered by a collective bargaining agreement, the wearing of the body armor will be as directed by the employee's supervisor.*
- 5. The ballistic panels fit into the carriers, there is a pouch located on the upper mid-section of the front ballistic panel to accommodate the trauma insert/plate. It should be worn in conjunction with manufacturer's instructions, and with the ballistic panel facing away from the body.*
- 6. The inner carrier is worn under the uniform shirt.*
- 7. The outer carrier is designed to be worn over the uniform shirt. The panels are taken out of the inner carrier and placed in the outer carrier.*

### **IV. Procedure for Retention of Secondary Protective Body Armor**

A. Officers may, at their option, retain their issued body armor when it is replaced according to the manufacturer's recommendations. *Intended to enhance officer safety*, this body armor will be known as "secondary protective body armor" *and its retention and use will be consistent with the provisions of Article 30, Section Q of the current Fraternal Order of Police Collective Bargaining Agreement.* The following guidelines will apply:

1. Officers will continue to wear the primary protective body armor while on duty.
2. If the officer chooses to retain the secondary protective body armor, the officer will be given an MCP 413, "Secondary Body Armor **Reissue** Notice." The officer will be asked to acknowledge receipt of the *retention* by way of a signature on the notice.
3. The serial number of the secondary protective body armor will be recorded on the MCP 413 and will be retained in the *Procurement and Logistics Section* (Supply).
4. Prior to *retention*, the secondary protective body armor will be inspected by the officer who retains the vest for obvious signs of wear, tear, abuse, deterioration, and proper fit.
5. If the inspection finds the secondary protective body armor to be unsuitable for *retention*, the officer will relinquish the body armor to the *Procurement and Logistics Section* (Supply).
6. This policy does not create an entitlement to secondary protective body armor. It is intended to permit the *retention* of protective body armor subject to the conditions set forth in this directive and at the discretion of the Chief of Police.
7. The secondary protective body armor remains the property of the Montgomery County Department of Police and officers *retaining the protective body armor* are therefore responsible for its proper care and security.
8. Upon separation from the department, or upon request, officers will relinquish any and all protective body armor assigned to them.

9. In no event will an officer be permitted to retain any protective body armor, which is more than 10 years old.

**V. Maintenance and Care Instructions**

- A. *Maintenance and cleaning of the department-issued inner and outer carriers, ballistic panels, and trauma insert/plate will be in accordance with the manufacturer's specifications for the given body armor.*
- B. *Should the primary or secondary protective body armor sustain damage, return the armor with a statement and/or a copy of the related incident report describing how the damage occurred to the Procurement and Logistics Section (Supply) for replacement. While this procedure also applies to retained secondary protective body armor, the secondary protective body armor will not be replaced at that time.*

**VI. Repairs and Alterations**

- A. Any alteration of the ballistic panels, or the placement of the ballistic panels in any cover other than that provided, will render the warranty null and void.
- B. If the covering is torn or if the armor is subject to any abuse or misuse, the warranty is null and void.
- C. If any part of the ballistic panel is torn or damaged, return the armor to the *Procurement and Logistics Section* (Supply) for repair or possible replacement.

**VII. Supervisor's Responsibility**

- A. To ensure that the department's protective soft body armor is properly maintained and cared for, supervisors will conduct quarterly (every three months based on a calendar year) inspections of the primary protective body armor assigned to personnel under their command. The quarterly physical inspection of the armor's components may identify any possible deficiencies or damage that would impair the effectiveness of the armor to perform up to its designed capabilities. *The quarterly inspections will be conducted on a continuous basis as long as the armor is issued to an officer.* Any identified defect will be repaired or replaced to restore the armor to the proper safety level.
- B. Furthermore, district and unit commanders may conduct periodic inspections of the primary protective body armor at their discretion.
- C. Supervisors will use the MCP 559, "Soft Body Armor Inspection Schedule," provided for each officer. Supervisors will follow the instructions posted on the inspection form. The inspection form will be kept in the individual officer's personnel file located at the officer's duty assignment. Whenever an officer is transferred, the inspection form will automatically be sent along with the officer to the new duty assignment.

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**VIII. CALEA Standards (6<sup>th</sup> Edition): 41.3.5, 41.3.6, 53.1.1**

**IX. Proponent Unit: *Management and Budget Division***

**X. Cancellation:**

This directive cancels Function Code 413, effective date **10-16-00**.



Marcus G. Jones  
Chief of Police