



# **THE CODE OF FIREARMS AND WEAPONS LAW**

## **(Firearms Code)**

### **Article 1. General Provisions and Principles of the Firearms Code**

#### **1.1 The Code of Firearms and Weapons Law.**

**1.1.1** The Code of Firearms and Weapon Law (Firearms Code) is a set of laws that regulates the lawful use, possession, sale and storage of Firearms, Weapons and Ammunition in the State of San Andreas.

**1.1.2** Any use of Firearms and/or Weapons in the State of San Andreas, including the use of State Issued Equipment by Employees of State Organisations, must comply with the Firearms Code and all other State Law.

#### **1.2. Rules and Principles of the Code of Firearms and Weapons Law.**

**1.2.1** The Principles and Provisions of the Firearms Code applies throughout the State of San Andreas and extends its legal force to all Citizens of the State and State Employees.

- a) In the event of a conflict or a need for clarification between provisions of the Firearms Code and any other State Law, or a conflict of provisions within the Firearms Code itself, the Supreme Court shall make an Official Judicial Ruling as to the provisions that apply and the order of primacy of those provisions.

**1.2.2** Any Amendments to this Law by the Government or Judicial Rulings made by a Judge shall not apply retroactively and will only have force of law from the date of first application during a Trial or promulgation or publication as State Law.

#### **1.3 Rules and Principles of the Right to Bear Arms.**

**1.3.1** It is the Right of any Citizen of the State to possess Weapons, Firearms and Ammunition for those Firearms so long as they comply with the Laws for the Carry, Use and Storage of those Firearms.

- a) This Right shall be revoked and all Weapons, Firearms and Ammunition shall be confiscated if the Citizen is to be Processed into the Department of Corrections (DOC) following Conviction of a Felony Crime or is otherwise found in violation of the Firearms Code.

**1.3.2** It is the Right of any Citizen of the State to use an appropriate Measure of Force in Defence of themselves or in Defence other Citizens of the State from an unlawful attack made against them.

- a) This shall not apply if the Citizen is intentionally interfering or trying to prevent the lawful Detention and/or Arrest of a Suspect by Law Enforcement Officers.
- b) This shall not apply if the Citizen is using any Measure of Force to prevent their own lawful Detention and/or Arrest during or following the commission of a crime.
  - i) In the event of an unlawful or otherwise illegal Use of Force against the Citizen, they do have the Right to Defend themselves and their Right to Liberty.

**1.3.3** It is the Right of any Citizen of the State to use an appropriate Measure of Force in the protection of their Private Property or any Shared Property that they are part of.

- a) This shall not apply in the event that the Citizen is intentionally interfering in the lawful execution of:
  - i) A Warrant of Search of that Property.
  - ii) A Search of a Property for a Suspect during a pursuit.
  - iii) Any response to an Emergency Call (such as a House Robbery) at that Property by Law Enforcement Officers.

**1.3.4** These Rights may be revoked in the event that the Citizen has committed a Felony Crime that mandates the Confiscation of any Licence that permits the carry or purchase of those Weapons, Firearms and/or Ammunition.

#### **1.4 Rules and Principles of the Use of Firearms and Weapons.**

**1.4.1** The use of any Weapons and/or Firearms must be preceded by a clearly expressed Warning to the person against whom the Weapons and/or Firearms may be used except in cases where any delay in the use of Firearms or Weapons creates an immediate or additional danger or risk to the life of the Citizen defending themselves or other Citizens of the State who are being defended.

**1.4.2** The use of Firearms or Weapons in any act of Defence should not cause harm to any Third Parties and/or innocent bystanders.

#### **1.5 Rules and Principles of the Use of Firearms and Weapons by a State Employee.**

**1.5.1** A State Employee is permitted to use State Organisation Firearms, Ammunition and Equipment in the performance of their lawful duties to the State so long as they comply with the Firearms Code and all other State Law.

- a) Employees of State Organisations are permitted to carry more than the limitations of this Firearms Code only while On-Duty.
  - i) Employees of State Organisations must still comply with these limitations while Off-Duty.
- b) Employees of Emergency Medical Services (EMS) may not carry any Weapons, Firearms or Ammunition while On-Duty (exception can be made for a Torch for Rescue Services).

**1.5.2** A State Employee may carry a Personal Firearm and/or Weapon while On-Duty in addition to their State Organisation Firearms, Ammunition and Equipment so long as the use of that Personal Weapon complies with all other State Laws and the limitations for the Possession of Firearms and Ammunition.

- a) Any Personal Firearm used must comply with the requirements or limitations in the Charter of their State Organisation and must be registered for use while On-Duty.

**1.5.3** Law Enforcement Officers or Civil Servants must have a valid Bodycam of any incident where any Firearms or other Weapons are used against a Citizen of the State and must retain this Bodycam for 48-hours.

#### **1.6 Rules and Principles of the Sale or Transfer of Firearms and Weapons.**

**1.6.1** A Citizen may transfer, donate or sell a Weapon, Firearm and/or Ammunition to another Citizen of the State so long as it is within the same limits defined by the Possession of Firearms and/or Ammunition and both Citizens own a Gun Licence.

## **Article 2. Basic Concepts and Definitions**

### **2.1 Gun License.**

**2.1.1** A Gun Licence (also referred to as a Firearms Licence or Licence to Carry a Weapon) is a Permit obtained by a Citizen of the State, giving them the right to buy, carry and use Legal Firearms and Weapons in accordance with this Code of Law and other State Law.

**2.1.2** A Gun Licence is issued by the Government of the State (GOV) and any Citizen may apply for a Gun License according to the Procedure that has been set by the Government.

- a) The Government (GOV) has the right to set certain Conditions for the issue of a Gun Licence as well as the Price of a Gun License.
- b) A Citizen may not transfer, donate or sell their Gun Licence to another Citizen of the State.
- c) It is the responsibility of all Citizens and State Employees to ensure that they have a valid Gun Licence and to renew their Gun Licence in good time.

**2.1.3** If a Citizen of the State does not possess a Gun Licence, then they have no lawful right to buy, own or use any Weapons, Firearms or Ammunition.

- a) Any carry of any Firearms, Ammunition or Weapons without a Gun License is considered a Felony Crime.
- b) Any provision for Self-Defence, Reciprocal-Defence or the lawful Defence of Property shall not apply if the Citizen claiming their actions were justified under those provisions did not at the time possess a Gun License.

## **2.2 Legal Firearms and Weapons.**

**2.2.1** Legal Firearms and Weapons only includes items with a visible AMMO Serial Number (indicated with a Number and the letters AMMO eg: 1234567 (AMMO)).

## **2.3 Illegal Firearms and Weapons.**

**2.3.1** All Firearms with a scratched Serial Number (indicated with the marking “XXX”) are considered Illegal Firearms, regardless of their origin.

**2.3.2** Any provision for Self-Defence, Reciprocal-Defence or the lawful Defence of Property shall not apply if the Citizen is using any Illegal Firearms.

## **2.4 Painted Firearms and Weapons.**

**2.4.1** Painted Firearms have a Color (indicated with a Color and Number eg Color: 1) instead of an AMMO Serial Number or a scratched Serial Number.

**2.4.2** Painted Firearms are considered Illegal Firearms regardless of their origin as they are missing a visible AMMO Serial Number.

## **2.5 State Organisation Firearms and Equipment.**

**2.5.1** State Organisation Firearms, Ammunition and Equipment is the property of the State and the use or possession of any State Organisation Firearms and/or Equipment by a Civilian is strictly prohibited.

**2.5.2** State Organisation Firearms and Equipment includes, but is not limited to:

- a) Any Balaclava, regardless of origin.
- b) Any EMS Medical Mask.
- c) All Firearms, Body Armour and Equipment marked as the property of a State Organisation or any items with the following markings:
  - i) Emergency Medical Services (EMS)
  - ii) Federal Investigation Bureau (FIB)
  - iii) Government (GOV)
  - iv) Los Santos Police Department (LSPD) or marked with Central Police (CP)
  - v) National Guard (NG)
  - vi) San Andreas Highway Patrol (SAHP)

## **2.6 Weapons, Ammunition and Firearms as Crime Scene Evidence.**

**2.6.1** Any Firearms or quantity of Ammunition recovered as Evidence from a Crime Scene may be retained by the Law Enforcement Officer to be used as Evidence until no longer required for this purpose.

**2.6.2** It is not a Felony Crime for a Law Enforcement Officer to possess any Illegal Firearms that have been recovered to be used as Evidence, so long as valid Bodycam of the Crime Scene and where the Illegal Firearms were found can be provided when required by a Judge or Lawyer.

**2.6.3** The Law Enforcement Officers and/or Civil Servants must dispose of any Illegal Firearms and/or Weapons at the Front Desk of their Headquarters or should discard the Items in the presence of the Judge or Lawyer as soon as no longer required as Evidence.

### **2.7 Legal and Illegal Ammunition.**

**2.7.1** Ammunition is not marked in any way and the legality and/or origins of any Ammunition cannot be proved to be legal or illegal under the law, except in clear cases of theft from the Armory of a State Organisation or failure to return Ammunition to the Armory of a State Organisation.

- a) In the event that a State Employee accidentally returns personal Ammunition to a State Armory, they have no claim or right to take this Ammunition back once returned and this shall be regarded as theft.

### **2.8 Open Carry.**

**2.8.1** Open Carry of any type of armament in the hand(s) by a Civilian is not permitted and may result in Felony Charges or a Misdemeanour Fine.

- a) Law Enforcement Officers and Civil Servants have the right to request a show of Licences from any Citizen who has been seen with an Open Carry Firearm or Weapon.

**2.8.2** Open Carry of State Issued Firearms by State Employees must be justified by their immediate need for use or a situation that may require a state of readiness (such as guard duty).

**2.8.3** The open wearing of any Body Armour or Vest without a clear valid reason shall also be considered a form of Open Carry.

## **Article 3. Laws for the Possession and Storage of Firearms and Ammunition**

### **3.1 Possession of Firearms and Ammunition.**

**3.1.1** A Citizen of the State with a Gun License is permitted to carry:

- a) No more than 1 x Legal Firearm and 50 Ammunition in total, and;
- b) No more than 1 x Close Combat Weapon or object that may be used as a Close Combat Weapon (Baseball Bat, Golf Putter, Hammer, Torch etc).

**3.1.2** Any carry of more than the above permitted limits is considered a Felony Crime and shall result in Criminal Charges and Confiscation of all Items as well as the Gun License in accordance with this Firearms Code and the Criminal Code.

- a) Employees of State Organisations are permitted to carry more than these limitations only while On-Duty in order to perform their lawful duties to the State.
  - i) All Employees of State Organisations must still comply with these limitations while Off-Duty.

**3.1.3** Any possession, use or storage of any Weapons, Firearms and/or Ammunition without a Gun License is considered a Felony Crime and shall result in Criminal Charges and Confiscation of the Firearms and/or Ammunition in accordance with this Firearms Code and the Criminal Code.

### **3.2 Possession of State Organization Firearms, Ammunition and Equipment.**

**3.2.1** State Organization Firearms, Ammunition and Equipment is the property of the State and is reserved for carry and use by State Employees only:

- a) While that State Employee is On-Duty and,
- b) While that State Employee is wearing a Uniform of their State Organisation.
  - i) An exception to the above provisions must be allowed directly following a State Employee being out of Uniform due to any unavoidable circumstances (eg: sent to the Hospital or a Code A).
  - ii) It is the obligation of the State Employee to remove any visible State Equipment and to return to Active Duty and to change into their Uniform, or to return any State Organization Firearms, Ammunition and Equipment if they will not be resuming Active Duty, as soon as reasonably possible.

- c) Where a State Employee of the Federal Investigation Bureau (FIB) or Government (GOV/USSS) is working Undercover, the carry of any State Issued Firearms, Ammunition and Equipment is only permitted under the regulations for Undercover Agents as defined in the Charter of that State Organisation.
  - i) The State Employee must be able to prove that they are authorised to work Undercover at that time and they are On-Duty.
- 3.2.2** State Employees must have a valid Gun Licence in order to take or carry State Issued Firearms, Ammunition and Equipment from the Armory of their Organisation.
  - a) In the event that a State Employee is found to not be in possession of a valid Gun Licence, they must immediately return all State Issued Firearms and Equipment to the Armory and must obtain a Gun Licence before resuming Active Duty.
- 3.2.3** It is strictly prohibited for Employees of a State Organisation or any Civilian:
  - a) To sell or attempt to Sell State Organization Firearms, Ammunition and Equipment.
  - b) To transfer or donate State Organization Firearms, Ammunition and Equipment to a Civilian.
  - c) To carelessly discard or dispose of State Organization Firearms, Ammunition and Equipment.
  - d) To place or store State Organization Firearms, Ammunition and Equipment in a Personal Vehicle or Family Vehicle.
  - e) To place or store State Organization Firearms, Ammunition and Equipment in the warehouse of a Private Property or Shared Property.
- 3.2.4** A State Employee may transfer or donate State Organization Firearms, Ammunition and Equipment to another State Employee in the event of an emergency situation or an urgent need.
  - a) Where possible such State Organization Firearms, Ammunition and Equipment should be returned to the proper State Organisation as soon as the emergency situation has passed.
  - b) Any State Organization Firearms, Ammunition and Equipment that have been transferred or donated under this provision should be documented and Evidence should be retained for 48-hours in the event of an Investigation.
- 3.3 Storage of Firearms and Ammunition in a Vehicle.**
  - 3.3.1** A Citizen of the State with a Gun License is permitted to store (in total):
    - a) No more than 3 x Legal Firearms in a Vehicle and/or:
    - b) A maximum total of 150 bullets in a Vehicle for any type of Firearm (not for each Firearm).
  - 3.3.2** Any storage of more than the above permitted limits is considered a Felony Crime and shall result in Criminal Charges and Confiscation of all Items as well as the Gun License in accordance with this Firearms Code and the Criminal Code.
  - 3.3.3** All Weapons, Firearms and Ammunition stored in the trunk of a Vehicle are the responsibility of the Driver of the Vehicle.
    - a) Where the Driver is not at the scene, the Owner of the Vehicle may not be subject to Felony Charges or placed on the Wanted List following a Search of the Vehicle, but may be issued the relevant Fine(s) for the violation of the law if the Search of the Vehicle was lawful.
      - i) Law Enforcement Officers are required to retain any Evidence of the situation for a minimum of 48-hours and be able to prove that the Search was lawful in the event of an Investigation by the Department of Justice (DOJ).

### **3.4 Storage of Firearms and Ammunition in a House or Apartment.**

- 3.4.1** There is no legal limit to the secure storage of Firearms and Ammunition in the Warehouse of a Private Property or a Shared/Family House or Apartment.

## **Article 4. Laws and Procedures for the Lawful Use of Force by Citizens**

### **4.1 Rules and Principles of the Right to Defence of Self (Self Defence).**

- 4.1.1** Self-Defense is a legal principle that permits the Use of Force to protect oneself from attempted attack, harm or injury by another Citizen of the State.

**4.1.2** In order for a Party to a Case or Trial to claim Self-Defence, that Party must have met the following necessary requirements:

- a) The Party must be confronted with an unprovoked attack against themselves.
- b) The Party must not have actively placed themselves in a dangerous situation (eg: running into an ongoing shootout).
- c) The Party must be under imminent threat of injury or death.
- d) The Party must have an objectively reasonable fear of injury or death.
- e) The Degree of Force used in Self-Defence must be reasonable under the circumstances.
  - i) A victim should not respond with Lethal Force when engaged with any lesser Measure of Force unless there is no other reasonable option to defend themselves or to safely leave the situation.

**4.2 Rules and Principles of the Right to Defence of Others (Reciprocal or Mutual Defence).**

**4.2.1** Mutual or Reciprocal Defence is a type of Defence that includes the protection of a Citizen who is deprived of the opportunity to defend themselves from an unlawful attack.

**4.2.2** In order for a Party to a Case or Trial to claim Reciprocal Defence, that Party must have met the following necessary requirements:

- a) The Victim must be confronted with an unprovoked attack against themselves.
- b) The Victim must not have actively placed themselves in a dangerous situation (eg: running into an ongoing shootout)
- c) The Victim must be under imminent threat of injury or death.
- d) The Party that acted in Reciprocal Defence must have an objectively reasonable expectation that injury or death of the Victim may result if they do not Defend the Victim.
- e) The Degree of Force used in Reciprocal-Defence must be reasonable under the circumstances
  - i) The Defending Party should not respond with deadly force when a Victim is engaged with non-deadly force unless there is no other reasonable option to defend the Victim.

**4.3 Rules and Principles of the Right to Defence of Private Property.**

**4.3.1** The Owner of a Property has the lawful right to protect their Private Property from unlawful attempts at trespassing, unlawful entry into the House and/or any attempt at theft from their Private Property.

- a) A Private Property includes the Driveway of the Property and the area of a Property immediately adjacent to the Property enclosed by any structures such as pillars, walls, hedges or fences surrounding the Property as well as the interior of any House or Building on the Property.
  - i) Where the Property is an Apartment Block or Tenement Block without clearly defined Property boundaries or shared boundaries the Court shall determine the boundaries after evaluation of the specific Property.
- b) A Private Property does not include the public streets and the sidewalks in front of or adjacent to the Private Property.

**4.3.2** A Citizen may only claim Defence of Private Property if they have first given a clear Verbal Warning or Demand for the trespasser(s) or intruder(s) to leave their Property.

**4.4 Rules and Principles of the Right to Defence of Shared Property.**

**4.4.1** The Members or other stakeholders in a Shared Property (including Family, Corporate or Communal Property) have the lawful right to protect their Property from unlawful attempts at trespassing, unlawful entry into the House and/or any attempt at theft from their Property.

- a) A Shared Property includes the Driveway of the Property and the area of a Property enclosed by any structures such as pillars, walls, hedges or fences surrounding the Property as well as the interior of any House or Building on the Property.

- i) Where the Property is an Apartment Block or Tenement Block without clearly defined Property boundaries or shared boundaries the Court shall determine the boundaries after evaluation of the specific Property.
  - b) A Shared Property does not include the public streets and the sidewalks in front of or adjacent to the Private Property.
- 4.4.2** A Citizen may only claim Defence of a Shared Property if they have first given a clear Verbal Warning or Demand for the trespasser(s) or intruder(s) to leave the Property.
- 4.4.3** A Citizen may only claim Defence of a Shared Property if they are able to prove their Claim to being a Member or a stakeholder in the Shared Property.

## **Article 5. Laws and Procedures for the Lawful Use of Force by the State**

### **5.1 Rules and Principles of Necessity and The Use of Force During Detention and/or Arrest.**

**5.1.1** In case of the need to use force during a Detention or Arrest, a Law Enforcement Officer or Civil Servant is required to adhere to the Principles of Necessity and wherever possible:

- a) To only use as much force as necessary, given the circumstances.
- b) To limit the Use of Force in relation to the actions of the Suspect to whom they are applied.
- c) To limit the Degree of Force in relation to the Degree of Threat.
- d) To only use Lethal Force against the intended Suspect.
- e) To only use Lethal Force where the law permits the use of Lethal Force.

**5.1.2** Where any Damaging, Harmful or Lethal Force has been used, Law Enforcement Officers must provide on-scene first aid to the Suspect as soon as reasonably possible.

**5.1.3** Any other Use of Force outside of these requirements or other conditions set out in this Firearms Code or the provisions of the Criminal Code may be considered a violation of the law and may result in Civil or Criminal Liability.

### **5.2 Rules and Principles of the Use of Excessive Force.**

**5.2.1** Where the circumstances or the actions of a Suspect limit the available means to resolve a situation through the use of lesser Stages of Force, Law Enforcement Officers and/or Civil Servants of the State may use a higher Tier of Force:

- a) Only to resolve the immediate situation at hand.
- b) Only if the Suspect is in a clear violation of the law.
- c) Only if no other options are possible to resolve the situation (for example: a Suspect refusing to step out of a vehicle or a Suspect remaining armed when ordered to put away their weapon).

**5.2.2** In this situation any Use of Force must be clearly stated as a Warning beforehand, unless the Suspect is a Direct Threat or remains Armed and Dangerous.

- a) A Warning Shot may also be fired to indicate that Lethal Force may be used against the Suspect.

**5.2.3** All Excessive Use of Force outside of these requirements may be considered a violation of the law and may result in Civil or Criminal Liability.

### **5.3 Use of Restraining Force.**

**5.3.1** Restraining Force is defined as the use of any Measure of Force which limits or prevents a Citizen's ability to take any actions or to move and involves the use of Handcuffs and (if required) Holding or Leading the Suspect by the arm.

**5.3.2** Restraining Force may be used if it is necessary to ensure compliance with a lawful order, to forcibly remove a Citizen from a crime scene or situation if necessary or to Detain and/or Arrest a Citizen.

- a) The use of Handcuffs and/or Holding the Citizen may be used to control or prevent a situation where there is a reasonable suspicion that the Citizen may interfere in a Detention and/or Arrest but has not yet committed any violation of the law.

- i) The Law Enforcement Officer should clearly state that the Citizen is only being Restrained and is not being Detained and/or Arrested.

#### **5.4 Use of Immobilising Force.**

**5.4.1** Immobilising Force is defined as the use of any Measure of Force that uses debilitating attacks and does not cause physical harm or damage to a Suspect (such as a Stun Gun or Taser).

- a) Immobilising Force should always be the first option considered by Law Enforcement Officers against an unarmed Suspect unless a higher Measure of Force is required or is necessary under the circumstances.

**5.4.2** Immobilising Force may be used by Law Enforcement Officers and Civil Servants on the following Grounds:

- a) **On the Grounds of Failure to Comply.** Immobilising Force may be used against an unarmed Suspect who does not comply with a lawful order of a Law Enforcement Officer or Civil Servant and who needs to be immobilised before being Handcuffed, Held by the Arm or Restrained by the Law Enforcement Officer.
- b) **On the Grounds of Escape or Attempted Escape.** Immobilising Force may be used against an unarmed Suspect who attempts to flee the scene of a crime or escape from any form of Custody (Detention or Arrest) or Imprisonment.
- c) **On the Grounds of Damage to Property.** Immobilising Force may be used against an unarmed Suspect who is intentionally causing unlawful damage to Property and whose further actions need to be stopped.

#### **5.5 Use of Damaging or Harmful Force.**

**5.5.1** Damaging or Harmful Force is defined as the use of all Measures of Force that cause physical damage but are not immediately considered Lethal Force. Damaging Force includes Unarmed Attacks (punching, kicking) and Close Combat Weapons such as batons/nightsticks.

**5.5.2** Damaging or Harmful Force may be used where necessary against a Suspect and where Lethal Force would be considered unlawful or excessive on the following Grounds:

- a) **On the Grounds of Self-Defence.** In the event of an intentional attack on the Law Enforcement Officer or Civil Servant that causes physical harm, Damaging or Harmful Force may be used where Lethal Force is not necessary or would otherwise be considered excessive.
- b) **On the Grounds of Reciprocal-Defence.** In the event of an intentional attack on any Citizen of the State that causes physical harm, Damaging or Harmful Force may be used where Lethal Force is not necessary or would otherwise be considered excessive.

#### **5.6 Use of Lethal Force.**

**5.6.1** Lethal Force is defined as the use of any Firearms, or the continued use of Damaging or Harmful Force only where continued use is necessary.

**5.6.2** Lethal Force should not be used in an arbitrary manner and may only be used on the following Grounds and should, where reasonable, be preceded by a clear Warning.

- a) **On the Grounds of Self-Defence.** In the event of an intentional attack on the Law Enforcement Officer or Civil Servant that may result in a risk to their life or unconsciousness, Lethal Force may immediately be used without any Warning.
- b) **On the Grounds of Reciprocal-Defence.** In the event of an intentional attack on any Citizen of the State that may result in a risk to their life or unconsciousness, Lethal Force may immediately be used by Law Enforcement Officers or Civil Servants without any Warning.
- c) **On the Grounds of a Direct Threat.** Lethal Force may be used to prevent a clear and intentional threat or risk to the life of a Law Enforcement Officers, Civil Servants and other Citizens of the State.
- d) **On the Grounds of a Suspect Being Armed and Dangerous.** Where a Suspect remains armed and does not put away their Weapon when ordered to, or draws a Firearm or Weapon with the intent to attack by pointing the Firearm at another Citizen, the Suspect is considered Armed



and Dangerous and Lethal Force is immediately authorised to neutralise the possible threat they pose to Law Enforcement Officers, Civil Servants and other Citizens of the State.

- e) **On the Grounds of State Security.** The Use of Lethal Force is immediately authorised without the normal requirements for the Use of Force or any Warning by the United States Secret Service (USSS) as well as all Employees of the Government (GOV) in the event of any risk or threat to the life or safety of a First Person of the State or a Government Official.
- f) **On the Grounds of Military Security.** The Use of Lethal Force is immediately authorised to be used in the defence of Fort Zancudo by the National Guard (NG) and State Employees assisting the National Guard without the normal requirements for the Use of Force in the event of any Citizen entering or trespassing within the Restricted Zone (Red Zone) of Fort Zancudo without permission or prior authorisation.
- g) **On the Grounds of Escape or Attempted Escape.** Where the Use of Immobilising Force fails or is not possible in the circumstances, Law Enforcement Officers and Civil Servants may use Lethal Force in order to prevent the escape of a Suspect.
  - i) At least one clear verbal Warning should be given before Lethal Force is used on a Suspect who is clearly Evading Detention and/or Arrest or is attempting to Escape from Custody (eg: "Stop or I will Shoot").
  - ii) Where a Suspect may not hear a verbal Warning, a Warning Shot may be fired in addition to the verbal Warning.
  - iii) If a Suspect cooperates with the order to stop, Lethal Force must not be used unless the Suspect remains a Direct Threat or is Armed and Dangerous.

Signed into Legislation By

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Governor of the State of San Andreas

# Credit and Copyright

This work, and the others in this series of legislative enhancement are produced and promulgated in the interests of justice and the promotion of the legal rights of all Citizens of the State of San Andreas.

All Articles of this Code of Firearms and Weapon Law reviewed and amended by Attorney General Poppy Lasombra in the 5th Month of 2023. Work completed in the 6th Month of 2023.

Originally derived from work laid out by the Whitewind Law Office, Lane Stevens, and Ni Bjeebies from another city with a great history.

## Version History and Changes

### First Edition. Published on the 1st of July 2023.

(27/01/2023) First Edition formally changed the Firearms Code to the Code of Firearms and Weapon Law (Firearms Code) in keeping with the naming convention of all Updated Laws. Changes to the format of the Firearms Code in keeping with all Updated Law Format.

(27/01/2023) Article 1. Clarified the Principles of Firearms Law. Removed all Unnecessary Descriptive Sections. These are considered Dead-Letter Law as explosive devices and other descriptions are not relevant in the State. Further removed 2.2 and 2.3 as these were not valid and are descriptive of things that are not possible in the city and are not prescriptive as law.

(27/01/2023) Article 1.3 Added and Clarified the Right to Bear Arms as a Right of all Citizens so long as they comply with this Code of Law and the law for the Use of Firearms.

(25/05/2023) Added 1.6 Rules and Principles of the Sale of Firearms and Weapons. It is commonplace for Civilians to share a weapon with family members for activities and this should not be considered illegal so long as the laws for possession and use are followed (1 x Legal Gun and 50 ammo maximum).

(20/05/2023) Amended 2.1 Possession of Firearms and Ammunition. Allowed a close combat weapon to be carried in addition to the current gun and ammo limitations. This is to allow for the proper use of force when possible in Self-Defence and might improve some RP of these situations. Previously it was not possible to carry a gun AND a close combat weapon making all situations use firearms (excessive force)

(27/05/2023) Clarified 2.3 Storage of Firearms and Ammunition in a Residence. There has never been any actual limit to this defined in the law nor is it possible for Law Enforcement Officers to Search a Warehouse in a House.

(22/05/2023) Article 4 Redefined and Clarified the Principles of Self-Defence, Reciprocal Defence and Property Defence. Clarified that this does not include public streets and sidewalks next to a house.

(01/04/2023) Repealed 3.10 *The use of any type of civilian weapon on duty is strictly prohibited for all State employees. Exception : approved undercover agents, EMS employees.* This has not been enforced and is considered Dead Letter Law. It has long been permitted for a LEO to use a Revolver and many use a Circumcised Shotgun instead.

(22/05/2023) Added 1.5 Rules and Principles of the Use of Firearms and Weapons by a State Employee. Clarified that a State Employee can use their Civilian Firearm (such as a Revolver) while On-Duty but must comply with all normal laws for the use of that Firearm (max 1 x Legal Weapon and 50 x Ammo etc).

(20/05/2023) Added 1.5 Rules and Principles of the Sale of Firearms and Weapons. It is legal to do (and is often done before Family Events) but there must be limits and these are set as the same limits as possessing a firearm.

(08/05/2023) Clarified 2.1 Gun License. Added provision that any use of Firearms (Self Defence etc) is illegal if they have no Gun Licence.

(20/06/2023) Clarified 2.2 Legal Firearms and Weapons, 2.3 Illegal Firearms and Weapons and 2.3.2 Painted Firearms or Firearms

(18/05/2023) Added Clarification 2.4 Legal and Illegal Ammunition. Ammo is not marked and cannot be seen to be legal or illegal unless in violation of other laws (eg: Overcarrying).

(20/05/2023) Clarified 2.5 State Issued Firearms and Equipment and added list of the State Org markings.

(20/05/2023) Added 2.8 Weapons, Ammunition and Firearms as Crime Scene Evidence. Due to officers being unfairly Charged with possession of illegal firearms, a provision needed to exist for their temporary use as Evidence and they must be disposed of as soon as no longer required.

(20/05/2023) Clarified 2.1 Possession of Firearms and Ammunition. Added provision for the carry of a close combat weapon due to clarifications of the use of force.

(20/05/2023) Clarified 2.1.2 a) State Employees can carry more than is permitted only while On Duty. May not do this when Off-Duty.

(20/06/2023) Changed 2.1.2 b) Previously the law indicated that EMS were allowed to actually carry a weapon on duty as per the old Gun Law but this is illogical and, by the internal regulations of EMS, clearly not allowed.

(20/05/2023) Clarified 2.2 Possession of State Organization Firearms, Ammunition and Equipment. Added Provision 2.2.1 c) for State Employees who are in Hospital (they will have items while not in Uniform)

(20/05/2023) Added 2.2.4 as a provision for transfer of State Equipment during an Emergency or Event. This is due to State Employees being unfairly Arrested and needed to be clarified in the law.

(20/05/2023) Clarified 2.5 Storage of Firearms and Ammunition in a House or Apartment. There is no limit.

(19/05/2023) Clarified 4.1 Rules and Principles of the Right to Defence of Self (Self Defence).

(19/05/2023) Clarified 4.2 Rules and Principles of the Right to Defence of Others (Reciprocal or Mutual Defence).

(20/05/2023) Clarified 4.3 Rules and Principles of the Right to Defence of Private Property.

(20/06/2023) Clarified 4.4 Rules and Principles of the Right to Defence of Communal Property.

(21/06/2023) Added clear definition of the boundaries of a Property.

(01/04/2023) Moved Article 5. Laws and Procedures for the Lawful Use of Force by the State from the Civil Code to the Firearms Code. It makes more sense to be considered part of the State Laws dealing with Firearms and the use of them

(11/05/2023) Moved and Clarified 5.1 Rules and Principles of Necessity and The Use of Force During Detention and/or Arrest.

(12/05/2023) Added 5.2 Rules and Principles of the Use of Excessive Force. The options for LEOs are sometimes limited and strict laws need to exist when excessive force can be used.

(16/04/2023) 5.3 Use of Restraining Force. Added provision and laws for Restraining a Citizen (which is not an Arrest or Detention) using Handcuffs as the only possible type of Tier 3 Force that exists. (Previously the law stated things like arm-locks can be used but these do not exist)

(16/04/2023) 5.4 Use of Immobilising Force. Defined Immobilizing Force and clearly indicated that this form of force should be the default method used unless higher forms are necessary.

(22/06/2023) Clarified 5.5 indicating when Tier 4 (Severe/Damaging/Harmful Force) can be used.

(22/06/2023) Clarified 5.6 Use of Lethal Force indicating when Lethal Force can be used. Law Enforcement Officers use Lethal Force too often, even when it is not permitted and clear Grounds and limitations were needed.