

**MISSOURI DEPARTMENT OF PUBLIC SAFETY
OFFICE OF THE DIRECTOR
CRIMINAL JUSTICE/LAW ENFORCEMENT UNIT**

**MISSOURI LESO PROGRAM
POLICIES AND PROCEDURES**

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I. PURPOSE

The purpose of the “Missouri LESO Program Policies and Procedures Manual” is to set forth the terms and conditions, which will be binding on the parties with respect to Department of Defense (DoD) excess personal property transferred pursuant to 10 USC § 2576a, in order to promote the efficient and expeditious transfer of the property and to ensure accountability of the property.

II. AUTHORITY

The Secretary of Defense is authorized by 10 USC § 2576a to transfer to Federal and State/Territory Law Enforcement Agencies (LEAs), personal property that is excess to the needs of the DoD that the Secretary determines is suitable to be used by such agencies in law enforcement activities, with preferences for counter-drug/counter-terrorism or border security activities, under such terms prescribed by the Secretary.

The Secretary of Defense has delegated authority for management of the program to the Defense Logistics Agency (DLA). This program is known as the “Law Enforcement Support Office (LESO) Program” and is administered by the DLA Disposition Services, LESO.

Within Missouri, the Department of Public Safety (DPS) is the Governor-appointed agency to administer the LESO Program. Specifically within the Department of Public Safety, the State Coordinator is the Program Manager of the Criminal Justice/Law Enforcement (CJ/LE) Unit. Once appointed, the CJ/LE Program Manager may choose to name and delegate all or a portion of his/her authority to an authorized State Point of Contact(s). Contact information for the State Coordinator (SC) and State Point of Contacts (SPOCs) is available on the DPS - LESO webpage at <https://dps.mo.gov/dir/programs/cjle/dod.php> and on the DLA webpage at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/SCLocatorMap.aspx>.

III. HISTORY

In 1990, Section 1208 of the National Defense Authorization Act (NDAA) of 1990 authorized transfer of military hardware from the DoD broadly to "federal and state agencies" but specifically "for use in counter-drug activities". Until 1997, it was called the “1208 Program” and run by the DoD from the Pentagon and its regional offices.

In 1995, the Law Enforcement Support Office (LESO) was created within the DLA to work exclusively with law enforcement. The LESO is located in Battle Creek, MI.

In 1997, the “1208 Program” was expanded to the “1033 Program” with the NDAA for Fiscal Year 1997 allowing "all law enforcement agencies to acquire property for bona fide law enforcement purposes that assist in their arrest and apprehension mission", and that "preference is given to counter-drug and counter-terrorism requests”.

Until September 28, 2015, the Missouri Department of Public Safety operated as a Transitional Distribution Point (TDP). This authorization began in July 1993. The TDP model benefited the LEAs within Missouri by allowing them to physically inspect items to determine use. The Missouri TDP staff screened and received property and placed it in the distribution center in Jefferson City, which was a central location for all LEAs in the state. The central location allowed feasible travel for viewing and pickup of property. Having the property on hand at the distribution center allowed the LEAs to pick up more items in one trip, avoiding the need to schedule multiple direct pick up events or arrange for multiple shipments from the holding unit(s), and provided the LEAs with more flexibility in arranging property transport than the more restrictive timeframe required by the holding units. Only one (1) other state (Wisconsin) was actively authorized to operate as a TDP at the time such decision was made to dissolve TDPs. It was the decision of the DLA to discontinue the TDP model.

In 2016, the “1033 Program” began being referred to as the “LESO Program” because the program no longer fell under Section 1033 of the NDAA, and the preference was extended to include “counter-drug/counter-terrorism and border security activities”.

IV. ELIGIBILITY

DLA defines law enforcement activities as activities performed by governmental agencies whose primary function is the enforcement of applicable Federal, State, and Local laws and whose compensatedⁱ officers have powers of arrest and apprehension.

NOTE: Nongovernmental law enforcement entities such as private railroad police, private security, private academies, correctional departments and prisons, or security police at private schools or colleges are not authorized to participate in the LESO Program. Furthermore, fire departments, by definition, are ineligible for the LESO Program. LESO Program property may not be requested nor received for unauthorized participants.

With the exception of those noted above, law enforcement agencies are eligible for the Missouri LESO Program if all the following is met:

1. The department is located within the State of Missouri.
2. The department has a valid ORI # associated with a physical street address within Missouri. (If the department’s ORI # is associated with a PO Box, such information will need to be provided during the application/enrollment process to corroborate authenticity of the department.)
3. The department’s primary function is the enforcement of applicable Federal, State, and Local laws.
4. The department’s compensatedⁱ law enforcement officers have powers of arrest and apprehension.

5. The department is recognized by the Missouri State Highway Patrol (MSHP) as a law enforcement agency and by the Missouri Department of Public Safety, Peace Officers Standard and Training (POST) Unit as having licensed officers.
6. The department has at least one (1) compensatedⁱ, full-time law enforcement officer employed by the law enforcement agency.

NOTE: Only compensatedⁱ full-time and part-time law enforcement officers are authorized to receive (use) LESO Program property. Non-compensated reserve officers are not authorized to receive (use) LESO Program property.

V. ENROLLMENT

Missouri law enforcement agencies who wish to acquire and/or retain LESO Program property must be enrolled and authorized to participate in the LESO Program. To enroll in the Missouri LESO Program, eligible law enforcement agencies must complete the “LESO Program Application”, which is available online at <https://www.dps.mo.gov/dir/programs/cjle/dod.php>.

The “LESO Program Application” includes the following documents:

1. Contact Information
2. Law Enforcement Support Office (LESO) Application for Participation/Authorized Screeners Letter
3. State Plan of Operation (SPO)

The Contact Information form and the LESO Application for Participation/Authorized Screeners Letter form will request the law enforcement agency’s Department of Defense Activity Address Code (DoDAAC). The DoDAAC is a six position code that uniquely identifies a Department of Defense unit, activity, or organization that has the authority to requisition, contract for, receive, have custody of, issue, or ship DoD assets. If the law enforcement agency has ever participated in the LESO Program, it has been assigned a DoDAAC and such information should be entered (if known) in the applicable field on the Contact Information form and the LESO Application for Participation/Authorized Screeners Letter form. If the law enforcement agency has never participated in the LESO Program, it will be assigned a DoDAAC by LESO during the application approval process.

The LESO Application for Participation/Authorized Screeners Letter form will require a signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal). The SPO will require a signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal) and the Local Governing Executive Official (e.g. Mayor, City Administrator, County Executive, County Commissioner, Director). The signature of these parties demonstrates an agreement to the terms and conditions of the LESO Program and demonstrates consent to participate in and receive excess military equipment from the LESO Program.

Once completed, the “LESO Program Application” must be submitted to the Missouri LESO Program staff through any of the following methods:

Email: MissouriLESO@dps.mo.gov

Fax: (573) 526-1876

Mail: Missouri Department of Public Safety
Attn: LESO Program
4720 Scruggs Station Road
Jefferson City, MO 65109

VI. ENROLLMENT REVIEW

Upon receipt of a “LESO Program Application”, the Missouri LESO Program staff will review the submission for eligibility and take the appropriate action to approve or disapprove the enrollment.

The application review will consist of, but may not be limited to, the following:

1. ORI (Originating Agency Identifier) lookup to verify the existence and authenticity of the law enforcement agency. The ORI is used to identify the level of government of the agency (e.g. city, county, state, federal) and the type of agency (e.g. prosecuting attorney’s office, correctional institution, civil court, railroad or campus police department, probation and parole office, medical examiner and coroner’s office), as applicable.
2. DPS-POST lookup to verify the number of licensed/commissioned officers.
3. Internet search of the local agency to identify any fraud and/or instability within the local agency and/or the law enforcement department. The Internet search is used to determine whether or not a precursor for unaccountability exists. Contact with other agencies (e.g. DPS-POST, MSHP) may be made to gather additional details regarding the background of the law enforcement department, law enforcement department head, and/or local agency.
4. Review of previous experience of the law enforcement agency with Missouri LESO Program staff and/or DPS-Criminal Justice/Law Enforcement (CJ/LE) grant staff.
5. Review of previous participation, if applicable, in the Missouri LESO Program by the law enforcement agency.
6. If applicable, Missouri LESO Program staff may request additional justification and/or documentation, as needed.

VII. ENROLLMENT APPROVAL

The “LESO Program Application” is necessary for enrollment of non-participating law enforcement agencies to include law enforcement agencies that have never participated in the LESO Program, law enforcement agencies that previously requested to be deactivated, and law enforcement agencies previously terminated from the LESO Program.

If enrollment is approved by the Missouri LESO Program staff, the State Coordinator (SC) or authorized State Point of Contact (SPOC) will sign the Law Enforcement Support Office (LESO) Application for Participation/Authorized Screeners Letter and State Plan of Operation (SPO) and will forward the signed documents to LESO for further review and approval.

If enrollment is approved by LESO, notification will be forwarded to the Missouri LESO Program staff, and the Missouri LESO Program staff will forward the executed, signed copy of the “LESO Program Application” to the law enforcement agency. The “LESO Program Application” will include the law enforcement agency’s Department of Defense Activity Address Code (DoDAAC). The DoDAAC is a six position code that uniquely identifies a Department of Defense unit, activity, or organization that has the authority to requisition, contract for, receive, have custody of, issue, or ship DoD assets.

NOTE: Law enforcement agencies enrolled to participate in the LESO Program are required to retain a copy of the current, fully signed “LESO Program Application” and may be required to produce such copy upon inspection by the Missouri LESO Program staff, LESO, Office of Inspector General (OIG), or any other auditing/investigating body. The “LESO Program Application” may be retained in electronic or paper format so long as the record is readily accessible. Refer to the “Records Management” section of this manual for more information regarding record retention.

Within thirty (30) business days of forwarding the executed, signed copy of the “LESO Program Application” to the law enforcement agency, the Missouri LESO Program staff will provide a comprehensive overview of the LESO Program verbally and/or in writing to the law enforcement agency.

A law enforcement agency’s approved level of participation in the LESO Program may be limited (restricted) if deemed appropriate by the Missouri LESO Program staff and/or LESO. Participation may include either full access to all LESO Program property or restricted access to only DEMIL Code “A” and/or “Q6” LESO Program property. If a law enforcement agency is limited in its participation of the LESO Program, the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff.

VIII. ENROLLMENT DENIAL

If enrollment is not approved by Missouri LESO Program staff (or LESO), the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff. The

Missouri LESO Program will maintain a log of disapproved applications and will, as applicable, notify LESO of any disapproved applications.

NOTE: Denial for participation does not preclude the law enforcement agency from re-applying for participation in the future. If corrective action is taken to rectify the reason(s) for previous denial and such can be demonstrated to the Missouri LESO Program staff (and/or to LESO), the Missouri LESO Program staff will review the “LESO Program Application” and re-consider the law enforcement agency for participation.

IX. CHANGE IN ENROLLMENT STATUS

The Missouri LESO Program staff reserve the right to change the enrollment status of any law enforcement agency during the course of participation in the LESO Program. Reasons for such change include, but may not be limited to:

- 1) the law enforcement agency disbands,
- 2) the law enforcement agency does not retain at least one (1) compensatedⁱ full-time officer,
- 3) lost, stolen, serious misused/neglected/damaged, or misappropriated property,
- 4) failure to complete the annual inventory certification by the stated deadline(s),
- 5) a pending or active criminal investigation of the law enforcement agency,
- 6) failure to cooperate with a recall of LESO Program property,
- 7) falsification of program applications or documents, and/or
- 8) failure to cooperate with Missouri LESO Program staff.

Changes in enrollment status generally occur for a minimum of sixty (60) days but may last longer depending on the circumstances.

NOTE: A change in enrollment status may result in suspension and/or termination from the LESO Program. Refer to the “Suspension/Termination” section of the manual for further information.

If the enrollment status of the law enforcement agency changes at any time during the course of participation in the LESO Program, the law enforcement agency will receive written notification, with the reasoning, from Missouri LESO Program staff.

If the law enforcement agency disbands or the law enforcement agency does not retain at least one (1) compensatedⁱ full-time officer, the law enforcement agency will have a period of no more than thirty (30) days to return all property on record with LESO. The law enforcement agency will be responsible for returning such property to the appropriate Disposition Services (DS) site within the stated time period and/or cooperating with Missouri LESO Program staff to facilitate the transfer of such property to another LESO authorized participating agency, unless circumstances out of the control of the law enforcement agency prevent such transfer or turn-in within the stated thirty (30) days.

X. CHANGE IN ENROLLMENT INFORMATION

If information supplied in the “LESO Program Application” changes during the course of participation in the LESO Program, the law enforcement agency must submit, within thirty (30) days of the change, a revised “LESO Program Application”.

NOTE: The Missouri LESO Program staff will periodically remind of the requirement to submit a revised “LESO Program Application” if changes have occurred since submission of the last “LESO Program Application”, but ultimately the responsibility is on the law enforcement agency to communicate changes in a timely manner.

Changes that necessitate a revised “LESO Program Application” include:

1. Change in law enforcement agency name;
2. Change in law enforcement agency physical address or other agency information;
3. Change in number of compensated¹ full-time or part-time officers;
NOTE: This would be a result of decisions to increase or decrease the authorized staffing levels of the law enforcement agency and is not intended for temporary personnel vacancies due to resignations, authorized leave, etc. The officer count (as indicated on the “LESO Program Application”) dictates property allocation limits. Therefore, the officer count provided should represent the department’s authorized hiring level (or realistic hiring level if the authorized hiring level is not obtainable).
4. Addition, deletion, or other change in property screener and/or Controlled Vehicle, Small Arm (Weapon), or Aircraft Point of Contact;
5. Change in Local Governing Executive Official (e.g. Mayor, City Administrator, County Executive, County Commissioner, Director);
6. Change in Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal); or
7. Release of a new version of the State Plan of Operation (SPO).

The above mentioned changes require the Missouri LESO Program staff to update its records.

The above mentioned changes require the Missouri LESO Program staff to also forward the revised “LESO Program Application” to LESO to update its records. Following the update, LESO will notify the Missouri LESO Program staff, and the Missouri LESO Program staff will forward the executed, signed copy of the “LESO Program Application” to the law enforcement agency.

As applicable, records will be updated by Missouri LESO Program staff and/or LESO following completion of the above process.

NOTE: Law enforcement agencies enrolled to participate in the LESO Program are required to retain a copy of the current, fully signed “LESO Program Application” and may be required to produce such copy upon inspection by the Missouri LESO Program staff,

LESO, Office of Inspector General (OIG), or any other auditing/investigating body. The "LESO Program Application" may be retained in electronic or paper format so long as the record is readily accessible. Refer to the "Records Management" section of this manual for more information regarding record retention.

XI. AIRCRAFT

Aircraft is requisitioned directly from LESO, following the necessary requisition forms and approval and placement on the National Waiting List (NWL). Aircraft is not loaded into or requisitioned from RTDWeb; however aircraft parts are requisitioned and allocated through RTDWeb.

Law enforcement agencies must ensure the following standards are in place prior to the receipt of the aircraft and remain in place while the aircraft is on LESO's property book:

1. Operation

Law enforcement agencies shall be responsible for identifying the authorized operator(s). At a minimum, the aircraft operator(s) shall hold a valid pilot's license for the aircraft model being made available from the LESO Program, adhere to the required Federal Aviation Administration (FAA) standards, be authorized to operate government aircraft by their employed governmental entity, and have completed the required training as specified below.

NOTE: The authorized operator(s) of LESO Program aircraft does not have to be an employee of the law enforcement agency.

2. Policies and Protocols

Law enforcement agency policies must include protocols for the appropriate use of controlled property, the supervision of such use, and the evaluation of the effectiveness of such use, including auditing and accountability policies.

3. Training

Law enforcement agencies should provide annual training to relevant personnel on the maintenance, sustainment, and appropriate use of controlled property.

In addition, law enforcement agencies shall be responsible for identifying a training program for the operator(s) of the aircraft. The training must, at a minimum, meet all the ground and flight training requirements listed in the Federal Aviation Regulations (FAR) for the type of aircraft. These requirements include aeronautical knowledge areas and flight maneuvers for the type of aircraft. Law enforcement agencies must train the operator(s) within six (6) months of obtaining the aircraft, or within six (6) months of the aircraft becoming flyable if maintenance is required upon acquisition, to ensure the

aircraft operator(s) is familiar with the basic operations of the aircraft to mitigate risk to both the officer and the public. (All operators must complete training prior to the operation of the aircraft; this includes new employees hired and identified as operators.)

Furthermore, law enforcement agencies must provide personnel authorizing or directing the use of aircraft with enhanced scenario-based training to examine, deliberate, and review the circumstances in which the aircraft should or should not be used.

A training log shall be maintained by the law enforcement agency to document training completion and be made available to Missouri LESO Program staff upon request.

Training should be provided from a qualified instructor. The instructor will be required to certify completion of the training program for each attendee and such certification must be made available to Missouri LESO Program staff upon request. The training records should be retained for at least three (3) years from the date of completion of the training.

4. Insurance

Law enforcement agencies shall be responsible for identifying and maintaining a reasonable level of property insurance for the aircraft depending on the type of aircraft and the usage of such aircraft.

5. Storage

Law enforcement agencies shall be responsible for identifying storage means for the aircraft. At a minimum, law enforcement agencies should ensure that the aircraft is secured from public access during storage and that adequate measures are in place to mitigate the risk of loss, damage, or theft.

Refer to the “Storage/Maintenance of Property” section of this manual for additional information and suggestions.

6. Chain of Custody

Law enforcement agencies must maintain property records to document the chain of custody of an issued aircraft. The equipment custody card/inventory list must identify the aircraft, the aircraft’s serial number, and the receiving officer’s name and must include the signature of the receiving officer indicating that he/she has received the identified aircraft.

An example of an approved “Equipment Custody Card” can be found online at <https://dps.mo.gov/dir/programs/cjle/dod.php>. Law enforcement agencies are allowed to create their own equipment custody card or property tracking list so long as all the required elements outlined in LESO’s example are collected.

If the aircraft is not issued for use to a specific officer(s), a custody card/inventory list is not necessary. The law enforcement agency remains responsible for general chain of custody.

7. Maintenance

Law enforcement agencies shall be responsible for identifying their fiscal wherewithal to support the operation and maintenance of the aircraft. At a minimum, law enforcement agencies must ensure the aircraft is maintained in a safe and sustainable operating condition and that such aircraft is response capable at all times. (If the aircraft becomes inoperable or irreparable, refer to the “Disposal of Controlled Property” and/or “Cannibalization” section of this manual for more information.)

8. Modifications

Law enforcement agencies are allowed to paint and affix police markings to aircraft so long as the modifications do not degrade the aircraft from original manufacture.

Requests for aircraft (but not aircraft parts) require the submission of the “LESO Aircraft Application”, which is available at <https://www.dps.mo.gov/dir/programs/cjle/dod.php> and includes two (2) forms: 1) Law Enforcement Agency (LEA) Aircraft Request form and 2) Aircraft Justification memo. In addition, the requesting law enforcement agency must submit a copy of the department’s training plan/safety standard and a copy of the operator(s)’s pilot license (front and back).

The Law Enforcement Agency (LEA) Aircraft Request form will require the signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal). The Aircraft Justification memo will require the signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal) and the Local Governing Executive Official (e.g. Mayor, City Administrator, County Executive, County Commissioner, Director). The signatures of these parties demonstrate an agreement to the terms and conditions of obtaining aircraft from the LESO Program and the desire and consent to receive the aircraft from the LESO Program.

Once completed, the “LESO Aircraft Application” must be submitted to the Missouri LESO Program staff through any of the following methods:

Email: MissouriLESO@dps.mo.gov

Fax: (573) 526-1876

Mail: Missouri Department of Public Safety
Attn: LESO Program
4720 Scruggs Station Road
Jefferson City, MO 65109

A review of the “LESO Aircraft Application” will consist of, but may not be limited to, the following:

1. Verification the requesting law enforcement agency has an active, current “LESO Program Application” on file with Missouri LESO Program staff.
2. Verification the requesting law enforcement agency has a current Aircraft Point of Contact on file with Missouri LESO Program staff.
3. Verification the requesting law enforcement agency has an active FEPMIS user.
4. Verification the property will be used for approved law enforcement activities and is appropriate for the law enforcement agency (or area being served).
5. Verification the request meets the requirements for obtaining such property.
6. Where applicable, review of use of similar property previously obtained from the LESO Program.

If the “LESO Aircraft Application” is approved by the Missouri LESO Program staff, the State Coordinator (SC) or State Point of Contact (SPOC) will sign the Law Enforcement Agency (LEA) Aircraft Request form and forward the application to LESO for further review and approval. If the request is approved by LESO, the appropriate LESO staff will sign the Law Enforcement Agency (LEA) Aircraft Request form and forward the form back to the Missouri LESO Program staff. The Missouri LESO Program staff will then forward the fully executed, signed “LESO Aircraft Application” to the requesting law enforcement agency. When the property becomes available, the Missouri LESO Program staff will notify the law enforcement agency and will provide instructions to begin the acquisition/transfer process.

If the “LESO Aircraft Application” is not approved by Missouri LESO Program staff (or LESO), the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff.

XII. ARMORED VEHICLES

Armored vehicles include, but are not limited to, Mine-Resistant Ambush Protected (MRAPS), Peacekeepers, Up-Armored HMMWVs (UAHs), and Tracked Vehicles. The primary purpose of an armored vehicle in Missouri law enforcement is for special response and tactics/operations, search and rescue, and evacuation/emergency situations.

Armored vehicles are requisitioned and allocated through RTDWeb following submission of the “LESO Armored Vehicle Application” and approval from the Missouri LESO Program staff and LESO.

NOTE: Requests submitted via RTDWeb for an armored vehicle without an approved “LESO Armored Vehicle Application” will be denied.

The current allocation for Up-Armored HMMWVs (UAHs), which is subject to change, is one (1) vehicle for every three (3) compensated¹ full-time and part-time officers. The current allocation for MRAPs/Armored Vehicles, which is subject to change, is two (2) vehicles per law enforcement agency. Law enforcement agencies are not entitled to the armored vehicle allocations identified; justification for an armored vehicle will determine allocations. The Missouri LESO Program staff and LESO reserve the right to deny requests for armored vehicles based on a lack of justification.

NOTE: Some models of vehicles previously classified and issued as a HMMWV have been reclassified by DLA as a UAH if it encompasses the characteristics and armoring of a UAH. Law enforcement agencies in possession of a now-classified UAH(s) are grandfathered and will not be asked to return any over-allocation of UAHs but, unless an exception is made specifically for the law enforcement agency, will not be able to obtain additional quantities of a UAH in excess of the current allocation limits. In addition, HMMWVs are no longer classified as an “armored vehicle” and thus no longer require a “LESO Armored Vehicle Application”.

Law enforcement agencies must ensure the following standards are in place prior to the receipt of the armored vehicle and remain in place while the armored vehicle is on LESO’s property book:

1. Operation

Law enforcement agencies shall be responsible for identifying authorized operators. At a minimum, armored vehicle operators shall hold a valid driver’s license, be authorized to operate government vehicles by their employed governmental entity, and have completed the required training as specified below.

2. Policies and Protocols

Law enforcement agency policies must include protocols for the appropriate use of controlled property, the supervision of such use, and the evaluation of the effectiveness of such use, including auditing and accountability policies.

3. Training

Law enforcement agencies should provide annual training to relevant personnel on the maintenance, sustainment, and appropriate use of controlled property.

In addition, law enforcement agencies shall be responsible for identifying a training program for the operator(s) of the armored vehicle. The training must, at a minimum, cover 1) operator training emphasizing public safety, 2) infrastructure awareness due to

weight and size, 3) seat time/familiarization, and 4) adherence to state and federal (DOT) licensing laws. Law enforcement agencies must train the operator(s) of the armored vehicle within six (6) months of obtaining the vehicle, or within six (6) months of the armored vehicle becoming useable if maintenance is required upon acquisition, to ensure the vehicle operator(s) is familiar with the basic operations of the armored vehicle to mitigate risk to both the officer and the public. (All operators must complete training prior to operation of the armored vehicle; this includes new employees hired and identified as operators.)

Furthermore, law enforcement agencies must provide personnel authorizing or directing the use of armored vehicles with enhanced scenario based training to examine, deliberate, and review the circumstances in which the armored vehicle should or should not be used.

A training log shall be maintained by the law enforcement agency to document training completion and be made available to Missouri LESO Program staff upon request.

Training should be provided from a qualified instructor. The instructor will be required to certify completion of the training program for each attendee and such certification must be made available to Missouri LESO Program staff upon request. The training records should be retained for at least three (3) years from the date of completion of the training.

4. Insurance

Law enforcement agencies shall be responsible for identifying the insurance coverage plan for the armored vehicle. At a minimum, law enforcement agencies should have liability and uninsured motorist insurance, as required for vehicles licensed within the State of Missouri.

5. Storage

Law enforcement agencies shall be responsible for identifying storage means for the armored vehicle. At a minimum, law enforcement agencies should ensure that the armored vehicle is secured from public access during storage and that adequate measures are in place to mitigate the risk of loss, damage, or theft.

Refer to the “Storage/Maintenance of Property” section of this manual for additional information and suggestions.

6. Chain of Custody

Law enforcement agencies must maintain property records to document the chain of custody of an issued armored vehicle. The equipment custody card/inventory list must identify the armored vehicle, the armored vehicle’s serial number, and the receiving

officer's name and must include the signature of the receiving officer indicating that he/she has received the identified armored vehicle.

An example of an approved "Equipment Custody Card" can be found online at <https://dps.mo.gov/dir/programs/cjle/dod.php>. Law enforcement agencies are allowed to create their own equipment custody card or property tracking list so long as all the required elements outlined in LESO's example are collected.

If the armored vehicle is not issued for use to a specific officer(s), a custody card/inventory list is not necessary. The law enforcement agency remains responsible for general chain of custody.

7. Maintenance

Law enforcement agencies shall be responsible for identifying their fiscal wherewithal to support the operation and maintenance of the armored vehicle. At a minimum, law enforcement agencies must ensure the armored vehicle is maintained in a safe and sustainable operating condition and that such armored vehicle is response capable at all times. (If the armored vehicle becomes inoperable or irreparable, refer to the "Disposal of Controlled Property" and/or "Cannibalization" section of this manual for more information.)

8. Modifications

Law enforcement agencies are allowed to paint and affix police markings to armored vehicles so long as the modifications do not degrade the vehicle from original manufacture.

Requests for armored vehicles require the submission of the "LESO Armored Vehicle Application", which is available at <https://www.dps.mo.gov/dir/programs/cjle/dod.php> and includes three (3) forms: 1) Law Enforcement Agency (LEA) Controlled Vehicle Request form, 2) Armored Vehicle Justification memo, and 3) Demilitarization Preparation Responsibilities form (needed for MRAP requests only). In addition, the requesting law enforcement agency must submit a copy of the department's training plan/safety standard.

The Law Enforcement Agency (LEA) Controlled Vehicle Request form and Demilitarization Preparation Responsibilities form (where applicable) will require the signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal). The Armored Vehicle Justification memo will require the signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal) and the Local Governing Executive Official (e.g. Mayor, City Administrator, County Executive, County Commissioner, Director). The signatures of these parties demonstrate an agreement to the terms and conditions of obtaining an armored vehicle from the LESO Program and the desire and consent to receive the armored vehicle from the LESO Program.

Once completed, the “LESO Armored Vehicle Application” must be submitted to the Missouri LESO Program staff through any of the following methods:

Email: MissouriLESO@dps.mo.gov

Fax: (573) 526-1876

Mail: Missouri Department of Public Safety
Attn: LESO Program
4720 Scruggs Station Road
Jefferson City, MO 65109

A review of the “LESO Armored Vehicle Application” will consist of, but may not be limited to, the following:

1. Verification the requesting law enforcement agency has an active, current “LESO Program Application” on file with Missouri LESO Program staff.
2. Verification the requesting law enforcement agency has a current Controlled Vehicle Point of Contact on file with Missouri LESO Program staff.
3. Verification the requesting law enforcement agency has an active RTDWeb user and active FEPMIS user.
4. Verification the property will be used for approved law enforcement activities and is appropriate for the law enforcement agency (or area being served).
5. Verification the request meets the requirements for obtaining such property, such as, but not limited to, adherence to the property allocation standards set by LESO.
6. Where applicable, review of use of similar property previously obtained from the LESO Program.

If the “LESO Controlled Vehicle Application” is approved by the Missouri LESO Program staff, the State Coordinator (SC) or State Point of Contact (SPOC) will sign the Law Enforcement Agency (LEA) Controlled Vehicle Request form and forward the application to LESO for further review and approval. If the request is approved by LESO, the appropriate LESO staff will sign the Law Enforcement Agency (LEA) Controlled Vehicle Request form and forward the form back to the Missouri LESO Program staff. The Missouri LESO Program staff will then forward the fully executed, signed “LESO Controlled Vehicle Application” to the requesting law enforcement agency. The law enforcement agency will either be notified when the LESO property becomes available or be provided instructions to begin the acquisition process via RTDWeb or the transfer process from another LESO participating law enforcement agency.

NOTE: Law enforcement agencies approved to receive a DEMIL Coded “B”, “C”, “D”, “E”, “F”, “G”, or “Q3” vehicle may need to complete a DLA Form 1928 titled “Certificate to Register a Tactical Vehicle”, which is available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Forms.aspx>, following receipt of such vehicle. This form is commonly needed by law enforcement agencies 1) trying to insure the vehicle and the insurance company is requesting proof of registration (lawful possession) by the law enforcement agency and/or 2) trying to request license plates for the vehicle to operate on the roadways. The completed DLA Form 1928 should be forwarded to the Missouri LESO Program staff who will forward to LESO. Completion of a Form 1928 will not relinquish title from DLA to the law enforcement agency but rather may assist with insurance or licensing matters. For information regarding titling of a DEMIL “A” or “Q6” vehicle, refer to the “Screening of Property” section of this manual for additional information.

If the “LESO Controlled Vehicle Application” is not approved by Missouri LESO Program staff (or LESO), the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff.

XIII. SMALL ARMS (WEAPONS)

Small Arms (weapons) are acquired one of two ways, following submission of the “LESO Small Arms Application” and approval from the Missouri LESO Program staff and LESO: 1) as a transfer from agency-to-agency or 2) as a transfer directly from the Anniston Army Depot. For agency-to-agency transfers, the Missouri LESO Program staff will coordinate in-state transfers whereas LESO will coordinate out-of-state transfers. In addition, LESO will coordinate transfers directly from the Anniston Army Depot.

The current allocation for small arms, which is subject to change, is one (1) type of small arm for each compensated¹ full-time and part-time officer.

NOTE: The type of small arm for purposes of allocation limits is not categorical (e.g. rifles, pistols, shotguns, and suppressors) but rather is by individual platform of small arm (e.g. M14 rifles, M16 A1 rifles, M16 A2 rifles, pistols, glocks, revolvers, shotguns, and suppressors).

Law enforcement agencies must ensure the following standards are in place prior to the receipt of the small arm and remain in place while the small arm is on LESO’s property book:

1. Operation

Law enforcement agencies shall be responsible for identifying authorized operators. At a minimum, operators shall have completed the required training as specified below.

2. Policies and Protocols

Law enforcement agency policies must include protocols for the appropriate use of controlled property, the supervision of such use, and the evaluation of the effectiveness of such use, including auditing and accountability policies.

3. Training

Law enforcement agencies should provide annual training to relevant personnel on the maintenance, sustainment, and appropriate use of controlled property.

In addition, law enforcement agencies shall be responsible for identifying a qualification training program for the operator(s) of the small arm(s). Law enforcement agencies must train the operator(s) within 3 months of issuing the small arm to the individual to ensure the operator(s) are familiar with the basic use of the small arm to mitigate risk to both the officer and the public. The training must, at a minimum, cover 1) rules to ensure firearms safety, 2) identification of the major component parts of the small arm, and 3) identification of the fundamental of shooting.

Furthermore, law enforcement agencies must provide personnel authorizing or directing the use of small arms with enhanced scenario based training to examine, deliberate, and review the circumstances in which the small arm should or should not be used.

A training log shall be maintained by the law enforcement agency to document training completion and be made available to Missouri LESO Program staff upon request.

Training should be provided from a qualified instructor. The instructor will be required to certify completion of the training program for each attendee and such certification must be made available to Missouri LESO Program staff upon request. The training records should be retained for at least three (3) years from the date of completion of the training.

4. Storage

Law enforcement agencies shall be responsible for identifying storage means for the small arm. At a minimum, law enforcement agencies should ensure that the small arm is secured from public access during storage and that adequate measures are in place to mitigate the risk of loss, damage, or theft.

Refer to the “Storage/Maintenance of Property” section of this manual for additional information and suggestions.

5. Chain of Custody

Law enforcement agencies must maintain property records to document the chain of custody of an issued small arm. The equipment custody card/inventory list must identify the small arm, the small arm's serial number, and the receiving officer's name and must include the signature of the receiving officer indicating that he/she has received the identified small arm.

An example of an approved "Equipment Custody Card" can be found online at <https://dps.mo.gov/dir/programs/cjle/dod.php>. Law enforcement agencies are allowed to create their own equipment custody card or property tracking list so long as all the required elements outlined in LESO's example are collected.

6. Maintenance

Law enforcement agencies must establish adequate maintenance procedures to keep the property in good working condition so that such small arm is response capable at all times. (If the small arm becomes inoperable or irreparable, refer to the "Disposal of Controlled Property" section of this manual for more information.)

7. Modifications

Small arms can be modified (e.g. painted, replace the upper receiver, replace the barrel, replace the hand guards, replace the butt stock, affix scope) so long as no holes are drilled and all removed parts are retained. (When the small arm is later returned to LESO, or transferred to another law enforcement agency, all parts must be included in the turn-in or transfer.) Modifications shall not degrade the small arm from original manufacture.

Requests for small arms require the submission of the "LESO Small Arms Application", which is available at <https://www.dps.mo.gov/dir/programs/cjle/dod.php> and includes two (2) forms: 1) Law Enforcement Agency (LEA) Small Arms Request form and 2) Small Arms Justification memo. In addition, the requesting law enforcement agency must submit a copy of the department's training plan/safety standard.

The LEA Small Arms Request form will require the signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal). The Small Arms Justification memo will require the signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal) and the Local Governing Executive Official (e.g. Mayor, City Administrator, County Executive, County Commissioner, Director). The signatures of these parties demonstrate an agreement to the terms and conditions of obtaining a weapon from the LESO Program and the desire and consent to receive the weapon from the LESO Program.

Once completed, the "LESO Small Arms Application" must be submitted to the Missouri LESO Program staff through any of the following methods:

Email: MissouriLESO@dps.mo.gov

Fax: (573) 526-1876

Mail: Missouri Department of Public Safety
Attn: LESO Program
4720 Scruggs Station Road
Jefferson City, MO 65109

A review of the “LESO Small Arms Application” will consist of, but may not be limited to, the following:

1. Verification the requesting law enforcement agency has an active, current “LESO Program Application” on file with Missouri LESO Program staff.
2. Verification the requesting law enforcement agency has a current Small Arms (Weapons) Point of Contact on file with Missouri LESO Program staff.
3. Verification the requesting law enforcement agency has an active FEPMIS user.
4. Verification the property will be used for approved law enforcement activities and is appropriate for the law enforcement agency.
5. Verification the request meets the requirements for obtaining such property, such as, but not limited to, adherence to the property allocation standards set by LESO.
6. Where applicable, review of use of similar property previously obtained from the LESO Program.

If the “LESO Small Arms Application” is approved by the Missouri LESO Program staff, the State Coordinator (SC) or State Point of Contact (SPOC) will sign the Small Arms Request form and forward the application to LESO for further review and approval. If the request is approved by LESO, the appropriate LESO staff will notify the Missouri LESO Program staff. The Missouri LESO Program staff will then forward the executed, signed Small Arms Request form to the requesting law enforcement agency. When the LESO property becomes available, the Missouri LESO Program staff will notify the law enforcement agency and will provide instructions to begin the acquisition/transfer process.

NOTE: The Bureau of Alcohol, Tobacco, Firearms, and Explosives (commonly referred to as the “ATF”) National Firearms Act (NFA) Branch is responsible for the effective administration of the National Firearms Act, 26 U.S.C. Chapter 53. Law enforcement agencies receiving NFA controlled small arms (i.e. M16 rifles, M14 rifles, suppressors, and silencers) through the LESO Program will be required to complete and submit the ATF Form 5 titled “Application for Tax Exempt Transfer and Registration of Firearm” following LESO’s approval of the “LESO Small Arms Application”. [Non-NFA small

arms (i.e. pistols, revolvers, and shotguns) do not require the ATF Form 5.] The ATF will review the submission and will forward its decision in writing to the law enforcement agency. This process can take up to 30 days (if not longer) so the submitting law enforcement agency is encouraged to start the process shortly after receiving notification from the Missouri LESO Program staff. Once approval is received from the ATF, the law enforcement agency must then notify the Missouri LESO Program staff in order to obtain approval to proceed with the transfer. (In the event the law enforcement agency is receiving a NFA controlled small arm directly from a DLA Disposition Services site or from a LESO participating law enforcement agency that failed to previously complete the ATF Form 5 process, the gaining law enforcement agency will be required to instead complete the ATF Form 10 titled "Application for Registration of Firearms Acquired by Certain Governmental Entities". Similar to the ATF Form 5 process, the ATF will review the submission and will forward its decision in writing to the law enforcement agency. This process can also take up to 30 days (if not longer) so the submitting law enforcement agency is encouraged to start the process shortly after receiving notification from the Missouri LESO Program staff. Once approval is received from the ATF, the law enforcement agency must then notify the Missouri LESO Program staff in order to obtain approval to proceed with the transfer. Law enforcement agencies should retain the approved ATF paperwork for each NFA controlled small arm in its possession to demonstrate appropriate and lawful possession of such firearm in the event of inspection by the ATF, Office of Inspector General (OIG), LESO, or Missouri LESO Program staff. The ATF Form 5 and ATF Form 10 are available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Forms.aspx>.

If the "LESO Small Arms Application" is not approved by Missouri LESO Program staff (or LESO), the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff.

XIV. SCREENING OF PROPERTY

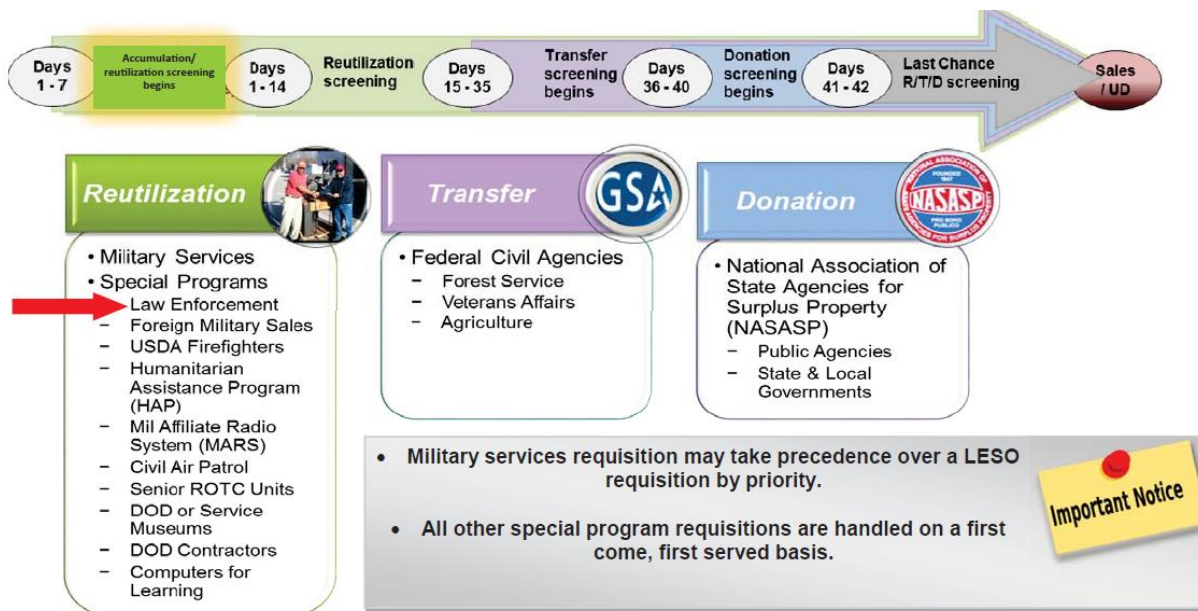
The term "screening" is commonly used to refer to the request of property from the LESO Program.

In general, the majority of LESO property is electronically screened online via DLA Disposition Services' RTDWeb at <https://amps.dla.mil/oim>. However, certain commodity items (i.e. armored vehicles) require submission of the applicable application request forms (as detailed in an earlier section of this manual) by the law enforcement agency and subsequent approval from Missouri LESO Program staff and LESO prior to the item being screened in RTDWeb.

Some high profile, high awareness, Demilitarization required property (i.e. aircraft and small arms) is made available to LESO Program participants outside of RTDWeb. Parts for the high profile, high awareness, Demilitarization required property can be found and requisitioned via RTDWeb, but the high profile, high awareness, Demilitarization required property will not be

found via RTDWeb. Specific instructions for these types of items are outlined in earlier sections of this manual and are available from Missouri LESO Program staff.

Property that has been deemed excess to the needs of the DoD are loaded into RTDWeb daily, and the DLA screening timeline begins with a seven (7) day period in which only DoD agencies may request such property. Following this initial seven-day period, both DoD agencies and Special Programs (which includes LESO) may request property for a period of fourteen (14) days. After the fourteen-day period lapses, screening is open to DoD agencies, Office of Facilities and Administrative Services (OFAS), and Donees for a twenty-one (21) day period, but DEMIL Code A property is not available for screening during this phase. After the twenty-one day period lapses, it is followed by a five (5) day period for Federal Donation. Once these periods have lapsed, a final two (2) day period opens for all previously mentioned customers (including LESO). After the final two-day period has lapsed, the property proceeds through a sales phase for disposition. The following graphic depicts the screening cycles:



To access RTDWeb, the law enforcement agency must be enrolled with the Account Management and Provisioning System (AMPS) at <https://amps.dla.mil/oim> to receive a login for RTDWeb. The AMPS website gives program participating law enforcement agencies access to RTDWeb through the Enterprise External Business Portal. (The AMPS website also allows users to reset their RTD passwords when they become locked out.) Once registered with AMPS, the user’s information will sync with RTDWeb to enable the registration process with RTDWeb. The user must then log into RTDWeb and request their role within RTDWeb.

For step-by-step instructions to create an AMPS Account, request the RTD role, or to unlock a RTD Account, refer to LESO’s Training Guides, which are available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Training.aspx>.

Once the user has registered for AMPS and requested their role for RTDWeb, the Missouri LESO Program staff will be notified and will review the registration for approval.

If the user's request for access to RTDWeb is approved by Missouri LESO Program staff, the request for access will automatically forward to LESO for final approval. If the request is approved by LESO, the user will not receive any notification of the approval. Approval will be known by logging into RTDWeb and seeing the "Law Enforcement Support Office" option listed under the RTD Home menu. When the request for user access has been approved, the user may screen for property through RTDWeb.

If the user's request for access to RTDWeb is not approved by Missouri LESO Program staff (or LESO), the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff.

Authorized property screeners in RTDWeb are those persons that will have approval to access, request, and acquire excess property through the LESO Program on behalf of the law enforcement agency and have been identified as a property screener on the current, signed "LESO Program Application". Property screeners must be compensated¹ full-time or part-time individuals employed by the law enforcement agency. Each law enforcement agency must have a minimum of two (2) screeners, if the law enforcement agency has at least 2 officers/deputies, and the Property Accountability Officer (main point of contact) must be a compensated¹ full-time sworn officer of the law enforcement agency.

NOTE: When selecting the Property Accountability Officer (main point of contact), it is encouraged that the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal) not serve in such position. The Property Accountability Officer (main point of contact) needs to be readily available to the Missouri LESO Program staff and LESO, and generally the Chief Law Enforcement Official is busy with other management duties.

For step-by-step instructions to search for property within RTDWeb, refer to LESO's Training Guides, which are available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Training.aspx>.

When searching for and requesting property within RTDWeb, law enforcement agencies should be mindful of the following criteria:

- **Cycle:** as law enforcement agency customers, LESO participants are only allowed to requisition property in one of the following screening cycles: DOD, EXP DOD, FEPP (foreign exchange so be prepared for potentially hefty shipping costs and customs inspections), and RTD2. Requests of property in any other screening cycle must be denied by the Missouri LESO Program staff or LESO.
- **Days Left:** requests for property are subject to review and approval from both Missouri LESO Program staff and LESO. This can generally take 1-3 business days so there must

be sufficient time remaining in the screening cycle for the requisition to successfully move through the process. If the requisition enters a prohibited screening cycle, the requisition will be cancelled.

- Location: property is made available from a variety of military sites around the United States and the world. Law enforcement agencies should be mindful of the location as they will be responsible for travel and/or shipping associated with obtaining any awarded property. For a map and contact information of the DLA Disposition Services sites, visit <http://www.dla.mil/DispositionServices/Contact/FindLocation.aspx>.
- Condition: each property item is categorized by a condition code ranging from A to H; “A” is a serviceable and issuable item without concern, “B” is a serviceable and issuable item but may have minor flaws, ... “F” is unserviceable but repairable, “G” is unserviceable and incomplete, and “H” is unserviceable and condemned. Contact to the holding Disposition Services (DS) site about a specific property item can further explain the reason for the condition code (and provide photos, where photos are not available within RTDWeb). The condition code is not always truly reflective of the property’s condition. The DS site can provide more accurate information.
- DTID: requests for Optics/Night Vision that have a DTID starting with “2YT” are items previously requisitioned by law enforcement customers and returned, often because they are unserviceable. Following coordination with the LESO Advisory Council, LESO has indicated it will not approve requests for Optics/Night Vision with a DTID starting with “2YT”. Therefore, law enforcement agencies should refrain from requisitioning such items. However, if a law enforcement agency inquires about the condition of an optic/night vision with a DTID starting with “2YT” and still desires to request the item, the law enforcement agency should include such details in the RTDWeb justification field so that the Missouri LESO Program staff and LESO do not automatically cancel the requisition. Such requisitions may be approved if the appropriate justification is provided.

Requests submitted by law enforcement agencies via RTDWeb are subject to approval by Missouri LESO Program staff and LESO to ensure appropriate justification is submitted for the requested property, the requested quantity is justified and in line with the current property allocations outlined in the State Plan of Operation (SPO), and the property will be used only for law enforcement purposes within Missouri.

NOTE: The LESO Program is intended to provide property to law enforcement agencies for law enforcement activities. Therefore, the justifications provided within RTDWeb for requested property should clearly state how the law enforcement agency will utilize the property to further their mission. If property is being acquired for purposes of providing protection, security, or transportation of the public or jailees, the requesting law enforcement agency should be sure to clearly state such but make sure to also identify that the property will be used by law enforcement officers to provide such protection, security, or transportation so that the justification does not appear to read as

if it will be used by the public or jaillees. (For example, justification that reads “The blankets will be used by the jail inmates for warmth” implies that the property is being obtained for use by the jail inmates, which is not an approved use for the LESO Program whereas justification that reads “The law enforcement agency will use the blankets to provide warmth to jail inmates” implies that the property is being obtained for use by the law enforcement agency in their bona fide law enforcement activities.) Effective 9/6/2016, the justifications provided within RTDWeb are made public by LESO following previous scrutiny of the LESO Program; therefore, the Missouri LESO Program staff and LESO must ensure the justifications do not read as a violation of the program purpose. Also, property should never be acquired by law enforcement agencies for non-law enforcement activities or be acquired for other non-law enforcement departments.

If a request for property is not approved by Missouri LESO Program staff (or LESO), the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff or LESO.

If a request for property is approved, the DS site should send a “Letter of Authorization (LOA) to Remove Property” (C-5 Form) to the law enforcement agency indicating approval to release the property from the DS site. In addition, within RTDWeb, there is a requisition status column. This column automatically updates as the item goes through the “awarding” process; the status column will say “item being processed for release and shipment” once approved. (If the law enforcement agency does not receive the written notification or the status column has not updated in 72 hours, the law enforcement agency should contact the DLA Disposition Services (DS) site directly. Contact information for the DLA DS sites can be found online at <http://www.dla.mil/DispositionServices/Contact/FindLocation.aspx>.)

NOTE: Do not click the “Get Updated Status” button within RTDWeb during the first 48 hours. Pressing that button throws the request into a “holding pattern” and delays the Material Release Order for an extended period of time. The RTDWeb system automatically provides the most recent status without having to press this button.

Law enforcement agencies must remove, either by scheduling delivery or traveling for physical pickup, the approved property from the DS site within fourteen (14) days of approval. This period can be extended if the law enforcement agency is unable to coordinate removal within the 14 day period and receives such approval from the DS site in advance of the 14 day period end date. (All costs associated with delivery or pickup will be the sole responsibility of the receiving law enforcement agency.)

Prior to the date of removal of the property from the DS site, the “Letter of Authorization (LOA) to Remove Property” (C-5 Form) must be completed with the requested information, signed by an authorized screener from the law enforcement agency, and submitted via email or fax to the DS site. On the date of removal of the property from the DS site, if traveling for physical pickup, the law enforcement agency should take a copy of the completed LOA because the DS site will require proof of authorization to release the property to the designated screener.

NOTE: The Missouri LESO Program staff encourages all law enforcement agencies to contact the DS site prior to travel for pickup to ensure they have been approved for the quantity they will be receiving and to verify any logistics for pickup.

Law enforcement agencies approved to receive a DEMIL “A” or “Q6” vehicle, trailer, etc. will want to collect the Standard Form SF-97 titled “Certificate to Obtain Title to a Vehicle” from the DS site at the time of pickup. This is encouraged so that when the DEMIL “A” or “Q6” property item archives from the FEPMIS property book after one (1) year, the title to the property will be available to the law enforcement agency. If this document is not obtained at the time of pickup, requests for titles to DEMIL “A” or “Q6” vehicles, trailers, etc. obtained from the LESO Program must be communicated to the DLA DS site from which the property was obtained. However, the law enforcement agency must understand that record retention periods of DLA DS sites may hinder the availability of such document if too much time has lapsed; thus, the law enforcement agency should receive such paperwork at the time of acquisition. For a map of DLA DS sites and respective contact information, visit <http://www.dla.mil/DispositionServices/Contact/FindLocation.aspx>.

Law enforcement agencies approved to receive a DEMIL Coded “B”, “C”, “D”, “E”, “F”, “G”, or “Q3” vehicle may need to complete a DLA Form 1928 titled “Certificate to Register a Tactical Vehicle”, which is available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Forms.aspx>, following receipt of such vehicle. This form is commonly needed by law enforcement agencies 1) trying to insure the vehicle and the insurance company is requesting proof of registration (lawful possession) by the law enforcement agency and/or 2) trying to request license plates for the vehicle to operate on the roadways. The completed DLA Form 1928 should be forwarded to the Missouri LESO Program staff who will forward to LESO. Completion of a Form 1928 will not relinquish title from DLA to the law enforcement agency but rather may assist with insurance or licensing matters.

XV. PROPERTY ALLOCATION

The Secretary of Defense is authorized by 10 USC § 2576a to transfer to Federal and State/Territory Law Enforcement Agencies (LEAs), personal property that is excess to the needs of the DoD that the Secretary determines is suitable to be used by such agencies in law enforcement activities, with preferences for counter-drug/counter-terrorism or border security activities, under such terms prescribed by the Secretary. As a result, preference will be given to requisitions indicating that the transferred property will be used in counter-drug/counter-terrorism or border security activities of the recipient law enforcement agency.

Generally, no more than one of any item per compensatedⁱ full-time and part-time officer will be allocated. Quantity exceptions may be granted on a case-by-case basis by the Missouri LESO Program staff and/or LESO based on the justification provided by the requesting law enforcement agency.

Currently, the following allocation limits also apply (but are subject to change):

- Armored Vehicles/MRAPs: two (2) vehicles per law enforcement agency
- HMMWVs/Up-Armored HMMWVs: one (1) vehicle for every three (3) compensatedⁱ full-time and part-time officers
- Robots: one (1) of each type for every twenty-five (25) compensatedⁱ full-time and part-time officers
- Small Arms: one (1) of each platform/type for every compensatedⁱ full-time and part-time officer

Refer to the “Aircraft”, “Armored Vehicles”, and “Small Arms (Weapons)” sections of this manual for additional information regarding the requisition and justification process for these high-profile property items.

XVI. DISTRIBUTION OF PROPERTY

Property shall not be obtained for the purpose of sale, lease, loan, personal use, rent, exchange, barter, or to secure a loan. All requests for property shall be based on bona fide law enforcement requirements.

NOTE: Law enforcement agencies should understand that LESO conditionally transfers all excess DoD property in the LESO Program. The DLA reserves the right to recall controlled and non-controlled property issued through the LESO Program at any time. The law enforcement agency will be responsible for returning recalled property to the appropriate Disposition Services (DS) site within the stated time period and/or cooperating with Missouri LESO Program staff to facilitate such turn-in within the stated time period.

Property with Demilitarization (DEMIL) Codes of “B”, “C”, “D”, “E”, “F”, “G”, and “Q3” is known as “controlled” property. The title and ownership of such controlled property will remain with the DoD in perpetuity and will not be relinquished to the law enforcement agency. When the law enforcement agency no longer has a legitimate law enforcement use for controlled property, the law enforcement agency must notify the Missouri LESO Program staff, who will then notify the LESO, and the controlled property must either be transferred to another enrolled law enforcement agency (via standard transfer process) or be returned to DLA Disposition Services for disposal.

Property with DEMIL Codes of “A” and “Q6” is known as “non-controlled” property. The title of such property passes to the law enforcement agency one year from the initial transfer to the law enforcement agency’s FEPMIS property book, but prior to this date, the law enforcement agency remains responsible for the accountability and physical control of the item(s) while the item(s) remains on the FEPMIS property book. The DoD will not relinquish ownership and title to the law enforcement agency until one (1) year from the transfer date. Property with DEMIL Codes “A” or “Q6” will be placed in a ‘closed’ status on the law enforcement agency’s FEPMIS property book upon meeting the one (1) year mark and ownership and title will pass from the

DoD to the law enforcement without issuance of any further documentation. Law enforcement agencies receive title and ownership of DEMIL “A” and “Q6” items as governmental entities. Title and ownership of DEMIL “A” and “Q6” property does not pass from DoD to any private individual or law enforcement official in their private capacity. Accordingly, such property must be maintained and ultimately disposed of in accordance with provisions of State or Local laws that govern public property. Sales or gifting of DEMIL “A” or “Q6” property after one (1) year from the transfer date in a manner inconsistent with State or Local law may constitute grounds for suspension and/or termination from the LESO Program.

XVII. USE OF PROPERTY

Property made available from the LESO Program is for the use of authorized program participants only. Property may not be obtained for any individual, organization, or agency that has not been approved as a participant in the LESO Program. All requests for property must be based on bona fide law enforcement requirements. Property shall not be obtained by any authorized participant for the purpose of sale, lease, loan, personal use, exchange, barter, transfer, or to secure a loan. In addition, all acquired property shall be deployed for law enforcement use only.

In addition, property shall not be loaned, donated, or otherwise provided to other groups or entities not authorized to participate in the LESO Program. Refer to the “Eligibility” section of this manual for additional information about authorized and unauthorized participants.

Authorized participating law enforcement agencies may, with prior approval from the Missouri LESO Program staff, on a temporary basis, conditionally loan property to another authorized participating agency as their mission requires, utilizing an equipment custody card. (An example of an approved “Equipment Custody Card” can be found online at <https://dps.mo.gov/dir/programs/cjle/dod.php>.) Property temporarily loaned must be returned to the law enforcement agency responsible for the accountability.

XVIII. FEDERAL EXCESS PROPERTY MANAGEMENT INFORMATION SYSTEM (FEPMIS)

The Law Enforcement Support Office (LESO) has adopted the Federal Excess Property Management Information System (FEPMIS) as the automated property management system that will be used to provide accountability and management for property requisitioned through the Department of Defense (DoD) Defense Logistics Agency (DLA) Disposition Services LESO Program. FEPMIS is a module of the National Fire and Aviation Management Web (FAMWEB) Applications.

Law enforcement agencies registered in FEPMIS are given full online access to all LESO property allocated to their department and subsequently on their property book. FEPMIS provides registered users the ability to receipt property obtained through RTDWeb, annually certify possession of LESO property, initiate a transfer request to move property to another in-

state participating agency, and to initiate a turn-in request once controlled property has reached the end of its useful life or is no longer needed.

NOTE: It is a requirement of the LESO Program that at least one (1) person per law enforcement agency maintain access to FEPMIS. This includes maintaining registration to FEPMIS and ensuring the registered account remains “active”. An account will become “inactive” when the account password expires. For this reason, registered FEPMIS users should heed the password reminder emails sent from FEPMIS and update passwords as required. If an account becomes “inactive”, the registered user must contact the FAMWEB Help Desk by phone at (866) 224-7677 (option #4) to reset the password.

A copy of LESO’s FEPMIS User Guides is available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Training.aspx>.

XIX. RECEIPTING OF PROPERTY

LESO property received through RTDWeb will automatically be entered into the Federal Excess Property Management Information System (FEPMIS) and be available to the law enforcement agency to receipt into their LESO property book within a couple of days of acquiring the property.

NOTE: The term “receipting” is commonly used when referring to the need to add (accept) property to the law enforcement agency’s property book. This is true of property obtained directly from RTDWeb but also of property obtained from another law enforcement agency. However, this section of the manual is discussing the process of receipting for property from RTDWeb only. Receipting for property obtained from another law enforcement agency is discussed in the following section titled “Disposal of Controlled Property”.

Once the property is received [or shipped from the Disposition Services (DS) site if shipping is the desired choice for acquisition], the law enforcement agency has thirty (30) days to receipt the property in the Federal Excess Property Management Information System (FEPMIS) through the “Receipts” module of FEPMIS. If the law enforcement agency does not receipt the property within FEPMIS within thirty (30) days of acquisition, the law enforcement agency will be unable to obtain additional property from the LESO Program until such action is resolved; requisitions will be cancelled by the Missouri LESO Program staff or LESO as a result of overdue receipts. If the law enforcement agency does not receipt the property within FEPMIS within sixty (60) days of acquisition, the law enforcement agency will be suspended from the LESO Program for a minimum of sixty (60) days. The law enforcement agency will be unable to obtain additional property from the LESO Program until the suspension is lifted. If the law enforcement agency does not receipt the property within FEPMIS within ninety (90) days of acquisition, the law enforcement agency will be terminated from the LESO Program. Upon notice of termination, the law enforcement agency will have a period of no more than thirty (30) days to return all property on record with LESO, unless circumstances out of the control of the law enforcement

agency prevent such transfer or turn-in within the stated thirty (30) days. The law enforcement agency will be responsible for returning property to the appropriate Disposition Services (DS) site within the stated time period and/or cooperating with Missouri LESO Program staff to facilitate the transfer of property to another LESO authorized participating agency.

During the receipt process, please note that additional information will be required of the law enforcement agency for items such as, but not limited to, aircraft, HMWWVs, UAHs, MRAPs, small arms (weapons), robots, and optics (e.g. night vision, sight reflex, fiberscopes, telescopes, etc.) Such additional information may include, but not be limited to, the entry of the item's serial number and/or the upload of photos of the item. Where necessary, the Missouri LESO Program staff may request additional information be provided to better identify the property after it is received.

For step-by-step instructions to receipt for property, refer to LESO's FEPMIS User Guides, which are available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Training.aspx>.

XX. DISPOSAL OF CONTROLLED PROPERTY

Property with Demilitarization (DEMIL) Codes of "B", "C", "D", "E", "F", "G", and "Q3" is known as "controlled" property. The title and ownership of such controlled property will remain with DoD in perpetuity and will not be relinquished to the law enforcement agency.

The law enforcement agency may not dispose of DEMIL "B", "C", "D", "E", "F", "G", or "Q3" property locally. The title of such property permanently remains with DoD. Once the law enforcement agency no longer has a legitimate law enforcement use for the property, the item must either be transferred to another law enforcement agency within Missouri authorized to participate in the LESO Program, be transferred to another law enforcement agency outside Missouri authorized to participate in the LESO Program, or be returned to DLA Disposition Services (DS) for disposal.

Transfers of LESO property (controlled and non-controlled) between in-state law enforcement agencies can be initiated by the law enforcement agency or Missouri LESO Program staff through the Federal Excess Property Management Information System (FEPMIS). However, transfers of LESO property (controlled and non-controlled) to or from an out-of-state law enforcement agency may only be initiated by LESO through FEPMIS. Law enforcement agencies are not authorized to transfer any property on their inventory without notification and approval from the Missouri LESO Program staff and LESO. Property cannot physically move until the LESO approval process is complete.

NOTE: Transfer of LESO property requires specific paperwork and approval to be in place first. For example, the transfer of a UAH would require the gaining law enforcement agency to have a current, executed "LESO Program Application" and an approved "LESO Controlled Vehicle Application" on file. Transfers should not be initiated and cannot be completed until all applicable paperwork is final. For this reason, it is often

easier for the Missouri LESO Program staff to initiate the transfer of LESO property (controlled and non-controlled) between in-state law enforcement agencies.

Transfers of LESO property (controlled and non-controlled) between in-state law enforcement agencies is handled through the “Modify” module of FEPMIS. If the transfer request is initiated by the law enforcement agency, the Missouri LESO Program staff must review the modification request before it is sent to LESO for final approval. (If the Missouri LESO Program staff initiates the transfer for the law enforcement agency, the modification request is automatically submitted to LESO for final approval.) If LESO approves the transfer, a DD Form 1348-1 is created by LESO and forwarded to the Missouri LESO Program staff, who then coordinates with the losing agency and the gaining agency. Property cannot be physically moved until the DD Form 1348-1 is received and such approval is granted. Once the property is transferred, the gaining agency must sign the DD Form 1348-1. A copy of the signed DD Form 1348-1 should be retained by the gaining agency and by the losing agency, and a copy should be forwarded to the Missouri LESO Program staff, who must then forward to LESO. Then, the gaining agency will be required to accept the transferred property into their law enforcement agency’s property book through the “Modify” module of FEPMIS. The gaining law enforcement agency has thirty (30) days to accept the transferred property in FEPMIS. If the law enforcement agency does not accept the transferred property within FEPMIS within thirty (30) days of the approved transfer, the transfer will be flagged as an overdue transfer accept and the Missouri LESO Program staff will contact the gaining law enforcement agency to get such resolved.

Turn-ins of LESO property (controlled and non-controlled) to DLA Disposition Services (DS) can be initiated through the “Change of Status” module of FEPMIS. The Change of Status record will require identifying the desired turn-in location within the “Explanation/Disposal Instructions” field of the Change of Status screen so that it can be printed on the DD Form 1348-1. Subsequently, the law enforcement agency must make this determination prior to creating the turn-in request. This may require contacting the desired DS site to ensure they will accept the turn-in property. For a map of DLA DS sites and respective contact information, visit <http://www.dla.mil/DispositionServices/Contact/FindLocation.aspx>.

Once the turn-in request is submitted via FEPMIS, LESO will email a DD Form 1348-1 to the Missouri LESO Program staff and the Missouri LESO Program staff will then forward the DD Form 1348-1 to the law enforcement agency. Once the DD Form 1348-1 is created by LESO, the law enforcement agency has thirty (30) days to return the property to the identified DS site. During the turn-in process, the law enforcement agency must obtain the DS site’s signature (or conditional stamp) on the DD Form 1348-1 to prove the turn-in was completed. A copy of the signed DD Form 1348-1 must be forwarded to the Missouri LESO Program staff and the Missouri LESO Program staff will then forward the signed DD Form 1348-1 to LESO, if applicable, to remove the property from the law enforcement agency’s property book.

If a turn-in or transfer request is not approved by Missouri LESO Program staff (or LESO), the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff.

For step-by-step instructions to transfer property, receipt for property, or to turn-in property, refer to LESO's FEPMIS User Guides, which are available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Training.aspx>.

XXI. DISPOSAL OF NON-CONTROLLED PROPERTY

Property with DEMIL Codes of "A" and "Q6" is known as "non-controlled" property. The title of such property passes to the law enforcement agency one year from the initial transfer to the law enforcement agency's FEPMIS property book, but prior to this date, the law enforcement agency remains responsible for the accountability and physical control of the item(s) while the item(s) remains on the FEPMIS property book.

The law enforcement agency may dispose or sell DEMIL "A" and "Q6" items but only after the property has been 'closed' on the FEPMIS property book. Disposition should occur in accordance with applicable State or Local laws governing public property. Sales or gifting of DEMIL "A" or "Q6" property after one (1) year from the transfer date in a manner inconsistent with State or Local law may constitute grounds for suspension and/or termination from the LESO Program.

NOTE: Upon disposition (e.g. transfer, trade, sale, trash, etc) of DEMIL "A" or "Q6" property, the law enforcement agency should record the disposition date, disposition method, and if applicable, the sale price associated with the sale of property within its LESO Program records. Furthermore, in the event disposition occurs as a transfer to another agency, the law enforcement agency is encouraged to obtain signatures of the involved parties to record such transfer. Maintaining records on both the acquisition and the disposition of property is vital for auditing, accountability, and internal controls.

XXII. ANNUAL INVENTORY CERTIFICATION

The term "annual inventory certification" refers to the process by which law enforcement agencies and the State of Missouri execute an annual physical inventory of all property which is conditionally transferred to them via the LESO Program and then confirm/attest to their custody, control, and responsibility for the item(s). The annual inventory certification process is completed via the "LESO Inventory" module of FEPMIS.

NOTE: The annual inventory certification process extends to ALL law enforcement agencies active within the LESO Program. The requirement is not just for those law enforcement agencies with LESO Program property. The process involves verifying the law enforcement agency's 'station' information and, as applicable, certifying for the existence of LESO Program property.

Annual inventory certification begins on October 1 (or shortly thereafter if October 1 falls on a weekend or holiday) of each year and ends January 31 of each year; however, effective 2016, the Missouri LESO Program staff requires Missouri law enforcement agencies to complete their certification process no later than November 30 each year. This then allows the Missouri LESO

Program staff to review the certifications and to certify the state's overall property book by January 31 of each year. Failure of the Missouri LESO Program staff to complete this process by January 31 of each year would result in the State of Missouri being suspended from the LESO Program (and possibly even terminated from the LESO Program), which would not be favorable for Missouri or its law enforcement agencies.

NOTE: LESO disallows requests for property, as well as requests for turn-in or transfer of property shortly before the annual inventory certification process begins on October 1 (generally beginning in mid- to late-August) and for the duration of the annual inventory certification period. This is purposeful to ensure property is not incoming or outgoing to the law enforcement agency's property book during the annual inventory certification process. The LESO property book becomes a static copy from which annual inventory certification is performed. Once the law enforcement agency completes its annual inventory certification requirement, requests submitted via RTDWeb for additional property for the law enforcement agency may resume until the next annual inventory certification period. Transfers of property between law enforcement agencies can resume once both involved agencies have completed its annual inventory certification requirements.

In order for law enforcement agencies to complete their annual inventory certification, all received property must be receipted and at least one (1) individual from the law enforcement agency must have an active FEPMIS account.

NOTE: It is a requirement of the LESO Program that at least one (1) person per law enforcement agency maintain access to FEPMIS. This includes maintaining registration to FEPMIS and ensuring the registered account remains "active". An account will become "inactive" when the account password expires. For this reason, registered FEPMIS users should heed the password reminder emails sent from FEPMIS and update passwords as required. If an account becomes "inactive", the registered user must contact the FAMWEB Help Desk by phone at (866) 224-7677 (option #4) to reset the password.

Law enforcement agencies that fail to complete their annual inventory certification by November 30 will be suspended from the LESO Program for a minimum of sixty (60) days or until the issue is resolved, whichever lasts longer.

Law enforcement agencies that fail to complete their annual inventory certification by December 31 will be terminated from the LESO Program. Upon notice of termination, the law enforcement agency will have a period of no more than thirty (30) days to return all property on record with LESO, unless circumstances out of the control of the law enforcement agency prevent such transfer or turn-in within the stated thirty (30) days. The law enforcement agency will be responsible for returning such property to the appropriate Disposition Services (DS) site within the stated time period and/or cooperating with Missouri LESO Program staff to facilitate the transfer of such property to another LESO authorized participating agency.

For step-by-step instructions regarding the annual inventory certification process, refer to LESO's FEPMIS User Guides, which are available online at <http://www.dla.mil/DispositionServices/Offers/Reutilization/LawEnforcement/Training.aspx>.

XXIII. CANNIBALIZATION

The term “cannibalization” refers to the act of removing parts or equipment from one item in order to use them for another (e.g. to cannibalize old aircraft for replacement parts of another aircraft).

NOTE: Cannibalization of LESO Program property is not the same as modifications of LESO Program property.

Requests for property solely for the purpose of cannibalization, and cannibalization of property currently on the law enforcement agency's property book, must be submitted in writing, on department letterhead, with the signature/endorsement of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal) to the Missouri LESO Program staff for approval. If allowable and appropriate, the Missouri LESO Program staff will then forward the request to LESO for approval. Requests for cannibalization will be considered on a case-by-case basis. If LESO approves the request, LESO will forward such approval to the Missouri LESO Program staff and the Missouri LESO Program staff will then forward to the requesting law enforcement agency. The notification from LESO regarding cannibalization approval will identify the deadline by which the cannibalization must occur and the deadline by which the cannibalized property must then be returned to the appropriate DLA Disposition Services (DS) site.

If a cannibalization request is not approved by Missouri LESO Program staff (or LESO), the law enforcement agency will be notified in writing, with the reasoning, by Missouri LESO Program staff.

Law enforcement agencies found to have cannibalized LESO property without approval from the Missouri LESO Program staff and LESO will be suspended from the LESO Program for a minimum of sixty (60) days or until the issue is resolved, whichever lasts longer.

NOTE: Small arms (weapons) are specifically prohibited from being cannibalized.

XXIV. MODIFICATIONS

The term “modification” refers to the act of updating/revising LESO Program property. Law enforcement agencies are allowed to modify LESO Program property so long as the modifications do not degrade the property from original manufacture.

Refer to the “Aircraft”, “Armored Vehicles”, and “Small Arms” sections of this manual for more information and examples.

XXV. REPORTING REQUIREMENTS FOR LOST, STOLEN, OR DESTROYED PROPERTY

In the event LESO property on a law enforcement agency's FEPMIS property book is determined to be lost, stolen, or destroyed (LSD), it must be reported to the Missouri LESO Program staff, who must then report it to LESO within the same time constraints outlined below.

Controlled property (DEMIL Codes of "B", "C", "D", "E", "F", "G", and "Q3") must be reported in writing to the Missouri LESO Program staff within twenty-four (24) hours of determining property is LSD. Within 72 hours of determining property is LSD, the law enforcement agency must forward to the Missouri LESO Program staff the following attachments, as applicable:

- 1) A letter or memo outlining the following:
 - a. the property item(s),
 - b. the events leading up to the determination that the property item(s) is LSD,
 - c. any efforts to locate property that has been classified as lost or stolen, and
 - d. the corrective action that will be instituted to prevent other LESO property from becoming LSD in the future.
- 2) Copy of the comprehensive law enforcement report detailing the LSD property and the investigation that ensued following such determination
- 3) Copy of entry to the FBI's National Crime Information Center (NCIC), where applicable for serial numbered property items

Upon receipt of the above mentioned items, the Missouri LESO Program staff will initiate a "Financial Liability Investigation of Property Loss" form (FLIPL) (commonly referred to as "DD Form 200") and forward such form to the law enforcement agency for completion and signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal). Once completed, the form must be returned to the Missouri LESO Program staff. The Missouri LESO Program staff will complete its applicable section of the form and forward to LESO.

NOTE: A Form DD200 is not used for weapons, however. Weapons have a specific turn-in process so a LSD weapon is reported to LESO and LESO takes the necessary action to remove the item from the LESO property book. If any portion of a weapon can be returned to LESO (e.g. remains from a burnt weapon), a "Change of Status" should be submitted via FEPMIS to request such turn-in.

Non-controlled property (DEMIL Code "A" and "Q6") must be reported to the Missouri LESO Program staff within seven (7) days of determining such property is LSD. Such notification should be submitted in writing by the law enforcement agency and should include the following attachments, as applicable:

- 1) A letter or memo outlining the following:
 - a. the property item(s),
 - b. the events leading up to the determination that the property item(s) is LSD,
 - c. any efforts to locate property that has been classified as lost or stolen, and

- d. the corrective action that will be instituted to prevent other LESO property from becoming LSD in the future.
- 2) Copy of the comprehensive law enforcement report detailing the LSD property and the investigation that ensued following such determination
- 3) Copy of entry to the FBI's National Crime Information Center (NCIC), where applicable for serial numbered property items

Upon receipt of the above mentioned items, the Missouri LESO Program staff will initiate a "Financial Liability Investigation of Property Loss" form (FLIPL) (commonly referred to as "DD Form 200") and forward such form to the law enforcement agency for completion and signature of the Chief Law Enforcement Official (e.g. Chief, Sheriff, Director, Colonel, Marshal). Once completed, the form must be returned to the Missouri LESO Program staff. The Missouri LESO Program staff will complete its applicable section of the form and forward to LESO.

All reports of LSD LESO property are reviewed by LESO and the DLA Office of the Inspector General (OIG), and law enforcement agencies that report property as lost or stolen will be suspended from the LESO Program for a minimum of sixty (60) days or until LESO and/or the OIG's review is complete, whichever lasts longer. Suspension will be automatic for all reports of lost or stolen property. The suspension period allows for a "time out" from LESO Program activities in order to investigate and/or rectify procedures of property accountability and storage/security. The law enforcement agency will be unable to obtain additional property from the LESO Program until the suspension is lifted, and the law enforcement agency will be required to cooperate with the Missouri LESO Program staff, LESO, DLA OIG, and any other investigating body, as applicable, until the review is resolved.

Law enforcement agencies that report property as destroyed may be suspended from the LESO program for a minimum of sixty (60) days or until LESO and/or the OIG's review is complete, whichever lasts longer, if it is determined that gross negligence or misconduct contributed to the destruction of the LESO property. (The Missouri LESO Program staff reserve the right to determine whether suspension is appropriate.) In the event the law enforcement agency is suspended, the law enforcement agency will be unable to obtain additional property from the LESO Program until the suspension is lifted, and the law enforcement agency will be required to cooperate with the Missouri LESO Program staff, LESO, DLA OIG, and any other investigating body, as applicable, until the review is resolved.

XXVI. SUSPENSION/TERMINATION

Law enforcement agencies participating in the LESO Program will be suspended for a minimum of sixty (60) days in all situations relating to the suspected or actual abuse of LESO Program property or requirements and/or failure to meet the terms and conditions of the program guidelines. In some events, suspension may lead to termination. Upon notice of termination, the law enforcement agency will have a period of no more than thirty (30) days to return all property on record with LESO, unless circumstances out of the control of the law enforcement agency prevent such transfer or turn-in within the stated thirty (30) days. The law enforcement agency will be responsible for returning such property to the appropriate Disposition Services (DS) site

within the stated time period and/or cooperating with Missouri LESO Program staff to facilitate the transfer of such property to another LESO authorized participating agency.

NOTE: Suspensions (and terminations) from the LESO Program may be extended to the DPS Donation Program as well for the same period of time. The Missouri LESO Program staff reserve the right to determine whether suspension (or termination) from the DPS Donation Program is appropriate.

In cases where the suspension was issued by LESO, the Missouri LESO Program staff will request, on behalf of the law enforcement agency, reinstatement of the law enforcement agency when the required period of suspension has lapsed and/or all necessary action has been resolved. LESO has final discretion on reinstatement requests, however. LESO will issue a letter to the law enforcement agency when the suspension is lifted and participation to the LESO Program has been reinstated.

In cases where the suspension was issued by the Missouri LESO Program staff, the Missouri LESO Program staff will issue a letter to the law enforcement agency (and forward a copy to LESO) when the suspension is lifted and participation to the LESO Program has been reinstated.

NOTE: Law enforcement agencies serving a suspension period will not be allowed to requisition or receive additional LESO Program property during such suspension. In addition, any transfer of property pending at the time of suspension may be cancelled by the Missouri LESO Program staff or LESO.

XXVII. PHYSICAL CONTROL OF PROPERTY

Law enforcement agencies remain responsible for the accountability and physical control of LESO property while the item(s) remains on the FEPMIS property book. Law enforcement agencies will be required to certify such physical control during the annual inventory certification process beginning October 1 of each year, but law enforcement agencies are encouraged to conduct physical inventory checks on a more frequent basis.

NOTE: In an effort to identify LESO Program property, especially by officers/deputies that weren't involved in the acquisition of such LESO Program property, law enforcement agencies are encouraged to upload photos of the item within the "Modify" module of FEPMIS. Photo identification of the LESO Program property will ease physical control and accountability of such property items.

Certain controlled equipment must have a documented chain of custody, including a signature of the recipient officer/deputy (if the equipment is assigned to a specific officer/deputy). Such controlled equipment items include, but are not limited to, small arms, aircraft, armored vehicles, optics/night vision, robots, and small arm's parts/accessories. If any controlled or non-controlled LESO property is issued directly to an officer/deputy and the law enforcement agency is not maintaining physical control of that item on a daily basis, the law enforcement agency must implement a custody card system. LESO's example of a custody card, also referred to as an

Equipment Custody Receipt (or ECR), can be found online at <https://dps.mo.gov/dir/programs/cjle/dod.php>. Law enforcement agencies are allowed to create their own custody card or property tracking list so long as all the required elements outlined in LESO's example are collected.

NOTE: During a LESO Program Compliance Review (PCR) or a Missouri LESO Program staff Agency Compliance Review (ACR), law enforcement agencies may not simply produce custody cards in place of the physical inspection of LESO property, unless there are extenuating circumstances. Such extenuating circumstances should be discussed prior to the PCR or ACR visit date, however.

XXVIII. STORAGE/MAINTENANCE OF PROPERTY

A control system shall be in effect to ensure adequate safeguards to prevent loss, theft, or damage to the property. Aircraft and armored vehicles should be parked in a properly lit, monitored, and/or secured facility or lot (not in a location accessible to the general public). In addition, where possible, armored vehicles should be secured with an anti-theft steering wheel lock or wheel lock. Small arms (weapons), optics (e.g. night vision, sight reflex, etc), and other property on the law enforcement agency's FEPMIS property book should have two levels of security (e.g. a locked door could be one level and a locked safe, drawer, room, container/box, or rack could be the second level).

NOTE: Small arms (weapons), optics, and other LESO Program property (controlled and non-controlled) issued to law enforcement officers should be secured at all times by the law enforcement officer. Law enforcement officers should never store LESO Program property in their vehicle while the officer is off-duty. LESO Program property should ideally be removed from the vehicle at the end of each shift and returned to the designated, secured location of the law enforcement agency, or at a minimum, be removed from the vehicle at the end of each shift and taken into the officer's residence for secure storage. In addition, extended storage of LESO Program property within a vehicle or an officer's residence is highly discouraged due to the potential for damage or theft. During periods of extended leave of absences (e.g. vacation, military, workers comp, administrative leave, maternity/paternity leave, FMLA, etc.), LESO Program property assigned to a law enforcement officer should be returned to the designated, secured location of the law enforcement agency and be re-issued the LESO Program property upon return to duty. This turn-in/re-issue process ensures complete accountability to prevent theft, loss, or damage to the LESO Program property and provides immediate access to the LESO Program property in the event of inspection by the OIG, LESO, or Missouri LESO Program staff. Custody cards or property tracking list in use by the law enforcement agency should be updated during any turn-in/re-issue process to accurately track the location and custody of the LESO Program property.

In addition, adequate maintenance procedures shall be established to keep the property in good condition.

In the event LESO property is found to be lost, stolen, or destroyed, the law enforcement agency must adhere to the “Reporting Requirements for Lost, Stolen, and Destroyed Property” section of this manual.

XXIX. AGENCY COMPLIANCE REVIEWS (ACRs)

LESO shall conduct a Program Compliance Review (PCR) for the State of Missouri every two (2) years. Currently, the Missouri Department of Public Safety’s PCRs are scheduled on the odd numbered year (e.g. 2009, 2011, 2013, 2015, 2017, 2019, 2021, 2023, 2025, etc.)

The Missouri LESO Program staff is required to conduct similar PCRs of at least 5% of its participating law enforcement agencies (with property) annually within the federal fiscal year of October 1 and September 30. The Missouri LESO Program staff has coined their monitoring process as Agency Compliance Reviews (ACRs).

ACRs are designed to provide assistance to the law enforcement agency both from a technical and programmatic standpoint, as well as, to provide the Missouri LESO Program staff with the necessary information to ensure the law enforcement agency is complying with the LESO Program guidelines.

The Missouri LESO Program staff will contact the law enforcement agency selected for an ACR via phone and/or email to ensure they are aware of the ACR schedule and prepared for review. Through such process, the law enforcement agency will be provided a copy of the ACR report that will be completed during the review prior to the actual visit.

The information and records that will be required and reviewed by the Missouri LESO Program staff at the time the ACR visit is conducted include, but is not limited to, the following:

1. Eligibility of the law enforcement agency to participate in the LESO Program.
2. Understanding and compliance of program guidelines.
3. A review of the current, signed LESO Program Application.
4. A review of program files to include, but not limited to, a DD Form 1348-1A for each item currently on inventory, small arms (weapons) documentation, aircraft documentation, transfer documents, turn-in documents, inventory adjustment documents, exception to policy letters (if any), approved cannibalization requests (if any), and other pertinent documentation as required.
5. A review of the storage and inventory system utilized for LESO Program property.
6. A physical inventory of LESO Program property and/or review of the custody cards for LESO Program property.

NOTE: Similar to LESO, the Missouri LESO Program staff discourages law enforcement agencies from relying on custody cards during the physical inventory of LESO Program property portion of the ACR. Only in the most extenuating circumstances should custody cards be presented in place of the physical item. Law enforcement agencies should discuss with the Missouri LESO Program staff prior to the ACR visit in the event

any LESO Program property is unable to be present at a given time during the ACR visit.

If corrective action is determined to be necessary as a result of the ACR visit, the Missouri LESO Program staff will communicate such to the point(s) of contact from the ACR visit. The law enforcement agency will have thirty (30) days from the date the ACR report is sent to the law enforcement agency from the Missouri LESO Program staff to complete the necessary corrective action. Law enforcement agencies that fail to complete the necessary corrective action within thirty (30) days will be suspended from the LESO Program for a minimum of sixty (60) days. Law enforcement agencies that fail to complete the necessary corrective action within the sixty (60) day suspension period will be terminated from the LESO Program. Upon notice of termination, the law enforcement agency will have a period of no more than thirty (30) days to return all property on record with LESO, unless circumstances out of the control of the law enforcement agency prevent such transfer or turn-in within the stated thirty (30) days. The law enforcement agency will be responsible for returning such property to the appropriate Disposition Services (DS) site within the stated time period and/or cooperating with Missouri LESO Program staff to facilitate the transfer of such property to another LESO authorized participating agency.

In the event LESO property is discovered to be lost, stolen, or destroyed during the ACR (or LESO's PCR) visit, the law enforcement agency will be required to submit the necessary documents as outlined in the "Reporting Requirements for Lost, Stolen, and Destroyed Property" section of this manual. Furthermore, the law enforcement agency will be suspended from the LESO Program for a minimum of sixty (60) days or until LESO and/or the OIG's review is complete, whichever lasts longer. The law enforcement agency will be unable to obtain additional property from the LESO Program until the suspension is lifted.

Once all necessary corrective action is completed, if such was necessary, the Missouri LESO Program staff will forward a copy of the completed ACR report to the Chief Law Enforcement Official, the Local Governing Executive Official, and the ACR point(s) of contact upon completion of the writing of the report.

XXX. RECORDS MANAGEMENT

Records of the LESO Program, including application files and property records shall be retained pursuant to the Missouri Secretary of State, *Agency Records Disposition Schedule*, which can be found at <https://www.sos.mo.gov/records/recmgmt/retention/agency>. From this webpage, expand the selection for the Department of Public Safety and then also expand the selection for the Office of the Director and select the hyperlink for Criminal Justice/Law Enforcement.

NOTE: The "Agency Records Disposition Schedule" posted online reflects the current, approved disposition schedule for public records. In the event there are updates, such will be reflective in the posted document. Therefore, law enforcement agencies are encouraged to re-check the posted "Agency Records Disposition Schedule" prior to disposition of any records to ensure the retention period has not been extended.

If the law enforcement agency's local record retention policy is longer than that stated herein, the law enforcement agency must adhere to its local policy.

Law enforcement agencies are obligated to protect the records adequately against fire or other damages. Records may be stored away from the principal office; however, a list of the documents must be available if needed. Records may be retained in an electronic format.

The Department of Defense (DoD), Defense Logistics Agency (DLA), Office of Inspector General (OIG), the Missouri Department of Public Safety (DPS), the Office of Missouri State Auditor, or any of their authorized representatives must have access to any documents, papers, or other records of the law enforcement agency which are pertinent to participation in the LESO Program, in order to make audits, examinations, excerpts, and transcripts. The right to access is not limited to the required retention period; it will last as long as the records are retained.

XXXI. PROGRAM TRAINING

The Missouri LESO Program staff began hosting in-person training starting in June 2018. Once the training dates/locations were determined, information was shared via email with the law enforcement agencies participating in the LESO Program and was posted on the DPS – LESO webpage at <https://dps.mo.gov/dir/programs/cjle/dod.php>.

All law enforcement agencies approved to participate in the LESO Program were highly encouraged to attend one of the training sessions in 2018. For subsequent years, only newly enrolled law enforcement agencies will be encouraged to attend, but any law enforcement agency participating in the LESO Program can opt to re-attend as a refresher or for reasons such as, but not limited to, new personnel or new points of contact overseeing the LESO activities.

The purpose of training is to provide an overview of the LESO Program to include, but not limited to, purpose, authority, eligibility, change in enrollment status, change in contact information, screening of property, distribution of property, receipting of property, transfer of property, turn-in/disposal of property, use of the FEPMIS system, annual inventory certification requirements, agency compliance reviews, reporting requirements for lost/ stolen/destroyed property, cannibalization, storage/maintenance, and/or record retention.

Due to the content of the training, personnel attending such training should ideally be limited to those that are designated as points of contact or property screeners for the LESO Program, as well as authorizing officials of either the law enforcement agency and/or the unit of government.

Future training dates/locations will be shared via email with the law enforcement agencies participating in the LESO Program and will be posted on the DPS – LESO webpage at <https://dps.mo.gov/dir/programs/cjle/dod.php>.

¹ DLA does not define "compensated", but the Missouri Department of Public Safety has defined "compensated" as being paid an hourly or annual salary, at a rate no less than the current hourly state minimum wage. This definition applies anywhere the word "compensated" is used in this manual.