

EXPANDED COURSE OUTLINE  
REGULAR BASIC COURSE  
**LEARNING DOMAIN 40**  
WEAPONS VIOLATIONS

I. LEARNING NEED

Arrest and successful prosecution depend on the development of probable cause. Peace officers must know the elements required to arrest for crimes related to the possession of prohibited weapons and to correctly categorize these crimes as misdemeanors or felonies.

LEARNING OBJECTIVES

- A. Recognize the crime elements required to arrest for:
  - 1. Possession of a prohibited weapon
  - 2. Possession of an illegal knife
  - 3. Unlawful possession of tear gas weapon or chemical agent
- B. Recognize the crime classification as a misdemeanor or felony
  - 1. Prohibited weapons - felony
  - 2. Illegal knives (Switch blade) - misdemeanor
  - 3. Tear gas weapons - misdemeanor

63. LEARNING NEED

Arrest and successful prosecution depend on the development of probable cause. Peace officers must know the elements required to arrest for crimes related to the possession of firearms and to correctly categorize these crimes as misdemeanors or felonies.

LEARNING OBJECTIVES

- A. Recognize the crime elements required to arrest for:
  - 1. Carrying a firearm in a public place or within a vehicle
  - 2. Possession of a deadly weapon with intent to assault another person
  - 3. Possession of a loaded firearm with intent to commit a felony
  - 4. Alteration or removal of identifying marks from a firearm
- B. Recognize the crime classification as a misdemeanor or felony
  - 1. Carrying a loaded firearm in a public place – misdemeanor unless specific circumstances are present
  - 2. With intent to assault – misdemeanor
  - 3. With intent to commit a felony - felony
  - 4. Alteration or removal of serial number - felony

64. LEARNING NEED

Arrest and successful prosecution depend on the development of probable cause. Peace officers must know the elements required to arrest for crimes related to unlawful concealment of firearms and to correctly categorize these crimes as misdemeanors or felonies.

## LEARNING OBJECTIVES

- A. Recognize the statutory definition of a concealed firearm
  - 1. Any device designed to be used as a weapon
  - 2. Which expels a projectile by force of explosion or other form of combustion
  - 3. Has a barrel less than 16 inches in length?
- B. Recognize the exceptions to the license requirement for possession of a concealable firearm
  - 1. Place of residence
  - 2. Place of business
  - 3. On private property that is owned or lawfully possessed by that person
- C. Recognize the crime elements required to arrest for possession of a concealable firearm without a license
  - 1. Person carries concealed
  - 2. A firearm capable of being concealed (loaded or unloaded)
  - 3. Upon one's person, or within any vehicle under the person's control or direction
- D. Recognize the crime classification for possession of a concealable firearm without a license
  - 1. Misdemeanor unless specific conditions exist
  - 2. Felony based upon specific conditions
  - 3. Concealment in a vehicle
  - 4. Possession by a minor

### 65. LEARNING NEED

Arrest and successful prosecution depend on the development of probable cause. Peace officers must know the elements required to arrest for crimes related to possession of firearms by restricted persons or within restricted areas and to correctly categorize these crimes as misdemeanors or felonies.

## LEARNING OBJECTIVES

- A. Recognize the crime elements required to arrest for possession of:
  - 1. A firearm by a convicted felon, narcotic addict, or other restricted persons
  - 2. A firearm by a person convicted of a specified misdemeanor
  - 3. An unauthorized weapon in a prohibited location
- B. Recognize the crime classification as a misdemeanor or felony
  - 1. Convicted felon, narcotic addict, or restricted person - felony
  - 2. Conviction of specific misdemeanors - felony
  - 3. Prohibited location (schools, public/state building) - felony

### 66. LEARNING NEED

Arrest and successful prosecution depend on the development of probable cause. Peace officers must know the elements required to arrest for crimes related to the drawing, exhibiting, or unlawful use of weapons and to correctly categorize these crimes as misdemeanors or felonies.

## LEARNING OBJECTIVES

- A. Recognize the crime elements required to arrest for, drawing, exhibiting, or unlawful use of a(n):

1. Deadly weapon (other than a firearm)
  2. Firearm
  3. Firearm in the presence of a motor vehicle occupant
  4. Imitation firearm
  5. Loaded firearm on the grounds of any daycare facility
  6. Firearm in the presence of a peace officer
- B. Recognize the crime elements required to arrest for, and classification of unlawful discharging of a firearm
1. 246.3 PC classification, definition and elements
  2. 247 PC classification, definition and elements
  3. 26100(b) PC classification, definition and elements
  4. 26100(c) PC classification, definition and elements
  5. 26100(d) PC classification, definition and elements
- C. Recognize the classification of crimes related to unlawful use of weapons as misdemeanors or felonies.
1. Gross negligible manner – felony
  2. Inhabited or occupied dwelling, vehicle or aircraft – felony
  3. Unoccupied space – felony
  4. Exception building/dwelling/vehicle, abandoned, vehicle uninhabited

67. REQUIRED TESTS

- A. The POST-Constructed Comprehensive RBC Test 3.

Description	Hours
POST Minimum Required Hours	<u>4</u>
Agency Specific Hours	<u>0</u>
Total Instructional Hours	<u>4</u>