SIDE LETTER AGREEMENT
BETWEEN
THE CITY OF SAN JOSE
AND
THE SAN JOSE POLICE OFFICERS' ASSOCIATION

Weapons – Single Action Pistol

The City of San Jose (City) and the San Jose Police Officers' Association (SJPOA) hereby agree to the following changes to Article 28 of the Memorandum of Agreement (MOA) between the City and the SJPOA:

ARTICLE 28 WEAPONS

28.2 Officers who elect not to carry the City issued weapon may carry as their primary weapon while on duty, at their own expense, the following weapons:

a) A semi-automatic pistol manufactured by Beretta, Glock, Sig Sauer, or Smith & Wesson, in caliber 9mm, .40 caliber or .45 caliber, or a revolver manufactured by Colt or Smith & Wesson in .38 caliber or .357 magnum with a 4-6 inch barrel.

b) Those officers assigned to the MERGE unit, and ~~those~~ officers who have completed the requirements of Section 28.2.3 ~~(1) carry it as their primary weapon as of December 6, 2005 or (2) are on the Range supervisor's official list for training to carry the 1911 O-Frame style .45 caliber pistol thirty (30) calendar days after ratification of this MOA,~~ may choose to carry a 1911 O-Frame S~~s~~tyle Pistol in 9mm, .40 Smith & Wesson or .45 ~~caliber pistol~~Automatic Colt Pistol.

28.2.1 All officers who participate in either option must also purchase, at their own expense, the holster and ammunition case for the selected weapon and are responsible for all costs, including repairs and maintenance costs of the pistol.

28.2.3 All officers who participate in option (b) must either attend and successfully complete the San Jose Police Department Range ~~10-hour~~20-hour training course specifically designed for that weapon, or must have satisfactorily completed the MERGE or Training Unit handgun school. Officers ~~, and~~ must qualify with that weapon on a semi-annual basis. No single action, semi-automatic pistol shall be used unless approved by the Department's Range Unit.

The terms of this Agreement shall become effective when signed by all parties below and shall be incorporated into the current or successor MOA between the City and the SJPOA.

FOR THE CITY:

2/28/2023

Jennifer Schembri — Date
Director of Employee Relations
Director of Human Resources

#3148

2/28/2023

Paul Joseph — Date
Assistant Chief of Police

FOR THE UNION:

02/28/2023

Sean Pritchard — Date
President, SJPOA