

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

POLICY: 4.6 FIREARMS

REVISED DATE: 11.19.13

POLICY

The department's policy is to ensure that members are properly trained not only in the use of appropriate firearms and the circumstances of their use, but also in their safety and maintenance, regarding both on and off-duty weapons. Supervisors and the department armorer shall rigorously enforce departmental firearms standards. All personnel shall qualify at least annually with his or her sidearm and those used or carried both on and off-duty.

I. PURPOSE

To establish policy and procedures governing the care and maintenance of issued weapons and ammunition, the selection and use of holsters, off-duty weapons, firearms training, and qualification.

II. PROCEDURES

A. Authority

1. Sworn police officers who have the authority to make arrests and maintain the peace, are authorized to carry and use firearms as necessary in the performance of their duty, subject to the restrictions and guidelines of this order, the department's use of force policy, and state and federal law.
2. Off duty, sworn officers of this department are permitted to carry firearms, subject to the guidelines of this order, to protect themselves or another from imminent death or serious bodily injury in the event they must intervene in an incident off-duty before the arrival of on-duty officers.

B. On-Duty Weapons, Issuance and Use

Only weapons issued by the department or approved by the Director of Public Safety will be carried or used while on-duty. The department currently issues the FN 5.7, in 5.7x28 caliber as the standard duty firearm

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

for officers. If an officer chooses they may utilize a Sig Sauer 226 9mm as their on-duty firearm at their own expense.

1. The firearms instructor shall issue departmental weapons to authorized personnel.
2. Department firearms and ammunition are determined by the Director of Public Safety based on the needs of the agency.

C. Shotguns

Shotguns are assigned to specific events and individual officers as appropriate.

1. All shotguns shall be carried with the magazine fully loaded with approved ammunition, chamber empty, trigger released, and safety off.
2. A minimum of 5 extra rounds of approved ammunition shall be carried with each shotgun.
3. All shotguns left at the police department shall be left in an unloaded condition, with chamber open and stored in gun vault or other designated location.

D. Patrol Rifles

Patrol rifles carried by this department shall be of the AR-15 type. Rifles may be issued or used by officers and supervisors who have received appropriate training and have maintained their required qualifications. These will be assigned to each officer and must be stored in the patrol vehicle on-duty and in the evidence processing room when off-duty. Officers may add any equipment to their issued rifle but must first have written approval from the Director to do so.

E. Off-duty or secondary weapons

1. Off-duty or secondary weapons, either revolvers or semi-automatic pistols, and their ammunition, are purchased at the officer's expense. The range officer shall inspect and certify the off-duty or secondary

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

weapon before it may be carried. Only weapons manufactured by Colt, Smith and Wesson, Springfield, Sig Sauer, Beretta, H&K, and F&N are authorized.

- a. Officers shall qualify with the off-duty or secondary weapon at the annual qualification.
 - b. The Director shall approve any concealed holster for an off-duty or secondary weapon.
 - c. The range master shall maintain a record of all holsters and weapons for off duty used by each officer in their personnel file.
2. Officers may carry, while off duty, either an issued weapon or one purchased at officers' expense, subject to this policy.
 3. Officers should not carry weapons when socially inappropriate (e.g., at a sports event), or when consuming alcoholic beverages.
 4. Off-duty weapons shall be carried safely and must be concealed from public view.
 5. Officers shall carry the departmental badge and identification if carrying an off-duty weapon.

F. Departmental Ammunition

1. Only department issued ammunition will be used in departmental weapons for on or off-duty use. No reloaded ammunition will be used except for practice. The department will select and purchase on-duty ammunition for each qualification and old ammunition will be fired during qualification to ensure fresh ammunition is carried in on-duty firearms. Officers are responsible for the purchase of ammunition for their off-duty weapon.
2. Only Winchester or Federal factory 00 Buck and slug rounds will be used in departmental shotguns.

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

3. Only .223, 55gram or 62 gram soft point ammunition will be used in departmental patrol rifles unless otherwise authorized by the Director.

G. Security of weapons

1. Officers are responsible for the care, cleaning, and security of departmental weapons issued to them, whether on or off duty. Officers shall report any weapon malfunction to the Director.
2. Officers are responsible for the safe and secure storage of issued weapons when off-duty in a manner that prevents theft or unauthorized access or use. Officers are required to keep department issued firearms in a locked safe when not on their person when off duty. The keeping of weapons in vehicles or lockers when off-duty is strictly prohibited.
3. Patrol rifles will be stored in the evidence processing room at the end of each shift. They will be unloaded and cleared and locked into the rack provided for this purpose. Magazines will be stored in the area above the rack and unloaded at the end of each tour of duty to prevent spring fatigue.
4. No weapon shall be stored with a closed bolt.

H. Department Firearms Proficiency Officer

The Director shall appoint at least one sworn member of the department to be the departmental Firearms Proficiency Officer.

1. The duties are as follows:
 - a. Schedule, supervise and maintain records on all firearms qualifications required by the department.
 - b. Maintain non-issued departmental weapons and associated equipment.
 - c. Inspect all weapons being returned to ensure they are clean and serviceable.

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

- d. Maintain records of issuance, care, and maintenance of departmental and personally owned weapons and associated items used on-duty.
 - e. Issue departmental ammunition.
 - f. Annually inspect and certify as serviceable both departmental and personally-owned firearms that are authorized for on and off-duty use.
 - g. Inspect for use holsters for on-duty use if the officer prefers to use a holster other than one issued by the department.
 2. The range master shall maintain a record of all firearms which have been certified as safe and with which officers have qualified. This record shall include the following:
 - a. Officer's name and identification number.
 - b. Make and model of weapon.
 - c. Serial number of weapon.
 - d. Date of certification
 3. The range master shall be a firearms instructor certified by the Texas Commission on Law Enforcement.
- I. Modification of weapons
 1. Departmental weapons shall not be modified or altered without written approval of the Director of Public Safety.
 2. Substitution of grips
 - a. Grips shall be of high quality wood, rubber, or polyurethane.
 - b. Grips shall be the color of the natural wood, or plain black or brown.

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

- c. Any type of grips which interfere with the operation of the weapon are not authorized.
 3. Modification of privately-owned weapons designated by officers as off-duty weapons is the officers preference but must comply with all federal and state laws.
- J. Firearms inspections
 1. Annually, range master shall thoroughly inspect each weapon during qualification on the range. Documentation of this inspection will be maintained in the officer's personnel file.
 2. The range master shall inspect subordinate officers' issued firearms monthly to ensure that they are maintained in a clean and serviceable condition.
 - a. Firearms inspections shall include side arms, issued rifles, ammunition pouches, and holsters.
 - b. Ammunition shall be inspected to ensure that it is of departmental issue, of correct quantity, and in serviceable condition.
 - c. Upon completion of monthly inspections, the supervisor shall forward a memorandum to the Director that documents the following information:
 - i. The date the inspection was held.
 - ii. The name of each officer inspected.
 - iii. The findings of the inspection.

III. PROCEDURES - QUALIFICATION

- A. Qualification rules

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

1. Officers must qualify with any weapon they carry or use on-duty at least annually or when they change weapons.
2. The firearms instructor or armorer shall be in charge at all times when officers are on the firing range for qualification.
3. Only weapons and ammunition issued by the department shall be used during qualifications, except for officers who use their own weapons while on duty (which fire issued ammunition) or if qualifying with off-duty weapons.
4. Every officer shall fire the regular firearms course approved by the Texas Commission on Law Enforcement.
5. Officers who fail to qualify on their first attempt shall immediately attempt qualification a second time. Officers who fail to qualify on the second attempt shall be placed in remedial training as soon as practicable and shall be removed from patrol or investigative duties until the standards expressed herein are met. Officers who cannot qualify within fifteen days of the original qualification shall be subject to termination.
6. The range master will maintain records of each officer's firearms qualifications including:
 - a. The officer's name and Identification Number
 - b. The date of qualification
 - c. The weapons(s) used during qualification
 - d. A description of the course of fire and pass/fail.
7. The range master shall inspect all weapons before firing to (1) ascertain that weapons are safe and (2) to ensure that weapons are properly maintained.

B. Shotgun

1. Every officer must pass the shotgun qualification course before carrying a department-issued shotgun.

CITY OF OAK POINT

DEPARTMENT OF PUBLIC SAFETY POLICE OPERATIONAL POLICIES and PROCEDURES

2. The qualification course shall include:
 - a. Knowing how to load and unload the shotgun.
 - b. Firing at least 10 shots, some from different positions.
3. Officers shall qualify with the shotgun at least annually if one is assigned.

C. Patrol Rifle

Officers who are trained and authorized to use the patrol rifles must qualify at least annually with the rifle on a TCLEOSE approved course of fire.

D. Firearms and Use of Force Instruction

1. All department personnel shall, if duties require carrying firearms, receive familiarization instruction on their firearms before range qualification.
2. At least annually, personnel shall, if duties require carrying of a firearm, receive training in the mechanics of the weapon (stripping, lubricating, nomenclature, and misfires), sound safety practices, and departmental use of force policy.
3. Use of force and use of deadly force training will be conducted at least annually and if possible be held in conjunction with firearms use and firearms qualification.

Approved: *M. Shackelford*
M. Shackelford