

COLUMBIA POLICE DEPARTMENT

Policy Manual

312 DUTY FIREARMS**312.1 PURPOSE AND SCOPE**

This policy establishes procedures for the acquisition, use and documentation of training in the use of duty firearms. The Chief of Police or the authorized designee shall approve all duty firearms before they are acquired and utilized by any member of this department.

312.1.1 AUTHORIZATION TO CARRY FIREARMS

Only licensed personnel who have met all state and Missouri Peace Officer Standards and Training (POST) requirements and have been commissioned by the Chief of Police shall have the peace officer privilege to carry a firearm both on and off duty (§ 571.030.2(1), RSMo).

312.2 AUTHORIZED FIREARMS

No duty firearms will be carried that have not been thoroughly inspected by the Rangemaster or appropriate armorer during a regularly scheduled range date. Except in an emergency or as directed by a supervisor, no duty firearm shall be carried by a member who has not qualified with that firearm at an authorized Department range.

All other weapons, including but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by personnel in the performance of their official duty without the express written authorization of the member's Bureau Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

312.2.1 DUTY FIREARMS

The authorized department-issued handgun is the Glock 17. Only issued or approved shotguns and rifles are authorized for on duty use. The following additional handguns are approved for on duty use:

1. MAKE
 - a. Beretta
 - b. Browning
 - c. Colt
 - d. FN
 - e. Glock
 - f. Heckler and Koch
 - g. Kahr
 - h. Kimber
 - i. Para-ordinance

- j. Sig Sauer
 - k. Smith and Wesson
 - l. Springfield
 - m. Sturm, Ruger and Company
 - n. Walther
 - o. Wilson Combat
2. MODEL
- a. Any approved by the Chief of Police or the authorized designee that has not been functionally modified from the manufacturer except slip-on grips and approved sights.
3. CALIBER
- a. 9mm
 - b. 10mm
 - c. .40 Smith and Wesson
 - d. .45 ACP
 - e. .38 Special
 - f. .380 (for secondary or off duty firearm only)
 - g. .357 Sig
 - h. .357 Magnum
 - i. 5.7x28
 - j. Or any other approved by the Chief of Police or authorized designee.

312.2.2 AUTHORIZED SECONDARY FIREARMS

Officers desiring to carry a secondary firearm are subject to the following restrictions:

1. The firearm shall be in good working order and on the department list of approved firearms. The Chief of Police or the authorized designee shall approve all secondary firearms.
2. Only one secondary firearm may be carried at a time.
3. The purchase of the firearm and ammunition shall be the responsibility of the officer.
4. The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
5. The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever deemed necessary.
6. Ammunition shall be the same as Department issue. If the caliber of the firearm is other than Department issue, the Chief of Police or the authorized designee shall approve the ammunition.
7. Prior to carrying the secondary firearm, personnel shall qualify under range supervision to demonstrate proficiency.
8. Personnel shall provide written notice of the make, model, color, serial number and caliber of a second firearm to the Rangemaster.

312.2.3 AUTHORIZED OFF DUTY FIREARMS

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The carrying of firearms by licensed officers while off duty is permitted by the Chief of Police, but may be rescinded should circumstances dictate. Licensed officers who choose to carry a firearm while off duty based on their authority as a peace officer will be required to meet the following guidelines:

1. The firearm shall be of good quality and approved by the department.
2. The purchase of the firearm and ammunition, if other than a department-issued duty firearm, shall be the responsibility of the officer.
3. The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
4. It will be the responsibility of the officer to submit the firearm, if other than a department-issued duty firearm, to the Rangemaster for inspection prior to being carried. Thereafter the weapon shall be subject to periodic inspection by the Rangemaster. Prior to carrying any weapon off duty, the officer shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm, and demonstrates that it will be carried in a safe manner.
5. The officer will successfully qualify with the weapon prior to it being carried to demonstrate proficiency. The range qualification date will be specified by the Rangemaster.
6. A complete description of the firearm shall be contained on the qualification record approved by the Rangemaster.
7. If any member desires to use more than one firearm while off duty, he/she may do so as long as the officer meets all the requirements set forth in this policy for each firearm used.
8. Officers shall only carry department-authorized ammunition.
9. When armed, whether on or off duty, officers shall carry their badge and Department identification card.

312.2.4 AMMUNITION

Officers shall carry only department-authorized ammunition. Officers shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the officer's first scheduled qualification each year. Officers carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed, in accordance with established procedure.

312.2.5 ALCOHOL AND DRUGS

Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the officer's senses or judgment.

312.3 SAFE HANDLING OF FIREARMS

The intent of this policy is to promote proper firearm safety on and off duty. Members shall maintain the highest level of safety when handling firearms and shall consider the following:

312.3.1 SAFETY CONSIDERATIONS

1. Officers shall not unnecessarily display or handle any firearm.
2. Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Officers shall not dry fire or practice "quick" draws except under Rangemaster supervision.
3. Officers shall not clean, repair, load or unload a firearm anywhere in the Department, except where there are clearing barrels or chambers, or in other agency-designated locations.
4. Shotguns or rifles removed from vehicles or equipment storage rooms shall be loaded and unloaded outside of buildings and vehicles.
5. Officers shall not place or store any firearm or other weapon on Department premises, except where the place of storage is locked. No one shall carry firearms into the temporary holding facility or any part thereof when securing or processing a prisoner, but shall place all firearms in a secured location. It shall be the responsibility of the releasing officer to make sure that persons from outside agencies do not enter the temporary holding facility with any firearm.
6. Officers shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon from the armory, except with approval of a supervisor or when an emergency or exigency reasonably requires immediate use of the weapon.
7. Any firearm authorized by the Department to be carried on or off duty that is found by the officer to be malfunctioning or needing service shall not be carried and shall be promptly presented to the Department Rangemaster for inspection. Any firearm determined to be in need of service or repair during an inspection by the Department Rangemaster will be immediately removed from service. If the firearm is the officer's primary duty firearm, a replacement firearm will be issued to the officer until the duty firearm is serviceable.

312.3.2 STORAGE OR TRANSPORTATION OF FIREARMS OFF DUTY

Officers shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control in a manner that will keep the firearm inaccessible to children and irresponsible adults.

312.4 DUTY FIREARMS QUALIFICATION

All licensed personnel are required to qualify semiannually with their duty firearm on an approved range course. The Rangemaster shall keep accurate records of semiannual qualifications, repairs, maintenance, training or as directed by the Training and Recruitment Sergeant. In addition to regular qualification

schedules, the Rangemaster shall be responsible for providing all licensed personnel with regular practical training designed to simulate field situations.

At least annually, all personnel carrying a duty firearm will receive training on the Response to Resistance Policy and demonstrate their knowledge and understanding.

All licensed personnel that choose to carry an off duty or secondary firearm are required to qualify with their off duty or secondary firearm on an approved range course to demonstrate proficiency. Off duty and Secondary firearms do not require a semiannual qualification.

312.4.1 NON-QUALIFICATION DUTY FIREARMS

If an officer is unable to qualify for any reason, including injury, illness, duty status or scheduling conflict, that officer shall submit a memorandum to his/her immediate supervisor prior to the end of the required shooting period.

Members who fail to demonstrate duty firearms proficiency as required by policy, or who fail to qualify over a six-month period will be relieved from field assignment and appropriate action may follow.

Licensed members who fail to qualify on their first shooting attempt shall be provided remedial training until proficiency is demonstrated, and will be subject to the following requirements:

1. Additional range assignments may be required until consistent firearm proficiency is demonstrated.
2. Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained.
3. No range credit will be given for the following:
 - a. Unauthorized range make up
 - b. Failure to qualify after remedial training

A failure to qualify for reasons other than proficiency, including any malfunction of firearms, ammunition or otherwise, is not considered a failed attempt at qualification.

312.5 WARNING AND OTHER SHOTS

Warning shots are prohibited.

312.6 DESTRUCTION OF ANIMALS

Officers are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances in which officers have sufficient advance notice that a potentially dangerous animal may be encountered, officers should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, CED device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any officer from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

312.6.1 INJURED ANIMALS

With the notification of a supervisor, an officer may euthanize injured wildlife when no other action is practicable, humane or effective for the rehabilitation of the animal.

A gunshot to the head is an accepted method of euthanasia by the American Veterinary Medical Association, taking into consideration people and nearby animals. The procedure should be performed outdoors and away from public access or visibility.

If disease such as rabies or chronic wasting disease is suspected, euthanasia by gunshot to the head should not be performed.

312.7 REPORT OF FIREARM DISCHARGE

Any member who discharges a firearm intentionally or unintentionally, on or off duty, shall make a verbal report to his/her supervisor as soon as circumstances permit, unless during training or for recreational use. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shooting Policy. If a firearm was discharged as a response to resistance, the involved member shall adhere to the additional reporting requirements set forth in the Response to Resistance Policy.

In all other cases, written reports shall be made as follows:

1. If on duty at the time of the incident, the member shall file a written report with his/her Bureau Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
2. If off duty at the time of the incident, a written report shall be submitted or a recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

312.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the

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range and will submit the roster to the Training and Recruitment Sergeant after each range date. Failure of any officer to sign in and out with the Rangemaster may result in non-qualification.

The Rangemaster has the responsibility of making periodic inspections, at least once a year, of all duty firearms carried by officers of this department to verify proper operation. The Rangemaster has the authority to deem any privately owned firearm unfit for service. The officer will be responsible for all repairs to his/her personal firearm. The personal firearm will not be returned to service until inspected by the Rangemaster.

The Rangemaster has the responsibility to ensure each officer can demonstrate proficiency in the care and cleaning of the duty firearm on a yearly basis.

The Rangemaster shall complete and submit to the Training and Recruitment Sergeant documentation of the courses provided, including the qualifications of each instructor who provides training, a description of the training provided and a list on a form that has been approved by the Department of each officer who completes the training.

312.9 MAINTENANCE AND REPAIR

Firearms carried on duty shall be maintained in a clean, serviceable condition. Since the use of personally owned firearms is at the option of the individual officer, that officer will be responsible for the furnishing, maintenance and repair of such firearm.

312.9.1 REPAIR OR MODIFICATIONS OF DUTY FIREARMS

Firearms that are the property of the Department may be repaired or modified only by a person certified as an armorer or gunsmith in the repair of the specific firearm.

All repairs and/or modifications of department-issued firearms not performed by the Rangemaster must be authorized in advance by the Rangemaster and accomplished by a department-approved gunsmith, who is certified to repair such firearm.

Any repairs or modifications to the officer's personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

312.10 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing peace officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR § 1544.219):

1. Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure purposes.
2. Officers must carry their department identification card, which must contain a full-face picture, the officer's signature and the signature of the Chief of Police or the official seal of the Department, and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).
3. In accordance with TSA procedures, the Department will obtain a message containing a unique alphanumeric identifier from TSA through the National Law Enforcement Telecommunications System (NLETS) prior to the officer's travel. The officer must present the message to airport personnel as authorization to travel while armed on the day of travel.
4. An official letter signed by the Chief of Police authorizing armed travel must accompany the officer. The letter must outline the officer's need to fly armed, must detail his/her itinerary and should include that the officer has completed the mandatory TSA training for peace officers flying while armed.
5. Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
6. It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification can be accomplished by early check-in at the carrier's check-in counter.
7. Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.
8. Officers should not surrender their firearm but should try to resolve any problems through the flight captain, ground security manager or other management representative of the air carrier.
9. Officers shall not consume alcoholic beverages while aboard an aircraft or within eight hours prior to boarding an aircraft.

312.11 CARRYING FIREARMS OUT OF STATE

Qualified active officers and qualified retired officers (see the Retired Officer Carrying Concealed Weapons Policy) of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B, 18 USC § 926C):

1. The officer shall carry his/her Department identification card whenever carrying such firearm.
2. Qualified retired officers shall also carry certification of having met firearms qualification within the past 12 months.
3. The officer is not the subject of any current disciplinary action.
4. The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
5. The officer will remain subject to this and all other Department policies (including qualifying and training).
6. Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

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Active and retired peace officers who are visiting from other states are subject to all requirements set forth in 18 USC § 926B, 18 USC § 926C.