



ERIE POLICE DEPARTMENT



Written Directives

Number: **020.001**

Title: Firearms		Pages: 8
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POLICY:

This policy establishes rules and procedures governing the issuing to and carrying of firearms by members of the Erie Police Department. The primary weapon used by the Erie Police Department is the handgun. Rifles may be purchased by an officer or issued by the department. Only those authorized and/or issued may be used by personnel in the performance of their duty.

CACP STANDARD 20.4

All members of the Erie Police Department will be issued a copy of the Erie Police Department “Use of Force” (Directive 020.000) and the “Firearms” directives (Directive 020.001). All officers will be instructed on those directives prior to being authorized to carry or use firearms in the performance of their duty.

DEFINITIONS:

FIREARMS: Any approved handgun or any rifle, which is either personal or issued, which is used in the performance of duty by a member of the Erie Police Department, whether the member is on or off duty.

BACK-UP WEAPON: An approved handgun, other than the normal duty weapon, carried concealed by an on-duty officer.

LESS-LETHAL SHOTGUN: A shotgun which has been designated only to be loaded with approved kinetic energy impact projectiles. (Refer to Directive 020.002)

OFF-DUTY WEAPON: An approved handgun, other than the normal duty weapon, carried concealed by an off-duty officer.

RIFLE: A shoulder-mounted firearm with spiral grooves in the bore to be used by officers in their normal duty assignment. A duty rifle is typically .223 / 5.56 cal.

WEAPON-MOUNTED LIGHT: A flashlight which mounts directly to a firearm to aid in low light target identification, allowing the marksman to simultaneously aim and illuminate the target. Weapon-mounted lights are mounted to the weapon with the light beam parallel to the bore.

PROCEDURES:

I. HANDGUNS

- A. Only commissioned personnel who have met all state and Colorado Peace Officer Standards and Training (POST) requirements and have been authorized by the Chief of Police shall have the peace officer privilege to carry a firearm both on and off-duty.

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- B. Commissioned members carry, in either an on-duty or off-duty capacity, only those handguns which are authorized by the department, inspected by the Firearms Sergeant or designee and with which they have qualified. (See attached Appendix A for a list of authorized caliber and models.)
- C. Officers will be allowed to carry a concealed weapon off-duty after successfully completing the department firearms qualification course.
- D. The carrying of firearms by members while off-duty is permitted by the Chief of Police, but may be rescinded should circumstances dictate (e.g. administrative leave).

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- E. Officers will be required to qualify every fourteen (14) months or less with their primary handgun, back-up handgun (if applicable), and off-duty handgun (if applicable). For officers placed on Modified Duty status, other firearms-related training may be sufficient to allow the officer to continue to carry their firearm.
- F. Officers failing to meet minimum standards of proficiency are subject to additional training and/or performance-related action.
- G. No modifications or repairs may be made to any department authorized handgun without prior written approval of the Firearms Sergeant or through the Chain of Command.
- H. Approved modifications or repairs will be made by an authorized armorer or gunsmith.
- I. When on-duty and in public, non-uniformed commissioned members may carry an approved handgun, normally concealed and in an approved holster. When handguns are worn visibly, non-uniformed commissioned members must clearly display their police badge and have department-issued identification on their person.
- J. On-duty officers must also carry a pair of handcuffs when handguns are worn. When armed, off-duty officers should carry a pair of handcuffs or have them readily accessible.
- K. A record to include the serial number, make, model and caliber of all handguns approved for duty, back-up, or off-duty will be kept by the Firearms Sergeant.
- L. The Firearms Sergeant has the authority to deem any department-issued or personally owned firearm unfit for service.
- M. Primary weapons must meet the following specifications:
 - 1. Must be a magazine fed, semi-automatic handgun with a barrel length no less than 4 inches and no more than 6 inches.
 - 2. No laser sighting devices are permitted.
 - 3. Must be a minimum of 9mm.

4. Primary weapons must be secured in a suitable holster or carrier made for the specific firearm to ensure safety and retention.
5. No personalization of the handgun is authorized which could be viewed as offensive or reflect negatively on the Erie Police Department or its officers.

N. Off-duty/Back-up weapons must meet the following specifications:

1. Revolvers must be a minimum of .38 caliber with at least a two inch barrel and double action.
2. Semi-automatics must be a minimum of .380 caliber.

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3. Off-duty/Back-up weapons must be secured in a suitable holster or carrier made for the specific firearm to ensure safety and retention.

O. Officers are authorized to carry one back-up weapon while on duty.

P. Firearms shall not be in the possession of any officer off-duty who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof which would tend to adversely affect the officer's senses of judgment.

Q. Officers may utilize a weapon-mounted light at their discretion.

II. RIFLES

A. Erie Police Department authorizes a rifle for use in special situations. Only authorized and/or department-issued rifles may be used for duty purposes. All rifles must be inspected by the Firearms Sergeant or designee annually.

B. Officers may only carry rifles which are authorized by the department, listed in Appendix A of this directive, and approved by the Firearms Sergeant.

C. Officers will be required to qualify with the rifle every fourteen (14) months or less.

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D. Only officers who have successfully completed a basic patrol rifle course and qualified with the rifle will be allowed to carry an approved rifle on duty.

E. Officers may deploy the patrol rifle in any circumstance where the officer can articulate a reasonable expectation the rifle may be needed, or when directed by a supervisor.

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F. No modifications or repairs may be made to any department authorized rifle without prior written approval of the Firearms Sergeant or through the Chain of Command.

- G. Approved modifications or repairs will be made by an authorized armorer or gunsmith.
- H. A record to include the serial number, make, model and caliber of all rifles approved for duty, will be kept by the Firearms Sergeant.
- I. Duty rifles must meet the following specifications:
 - 1. Must be a magazine fed, semi-automatic, modern sporting rifle.
 - 2. Must be chambered in .223 caliber or 5.56mm.
 - 3. No laser sighting devices are authorized (Exception: Boulder County S.W.A.T. issued rifle).
 - 4. No personalization of the rifle is authorized which could be viewed as offensive or negatively reflect on the Erie Police Department or its officers.

III. LESS LETHAL SHOTGUN

- A. The type of less lethal impact device authorized by the Erie Police Department is the flexible sock 12-gauge round.
- B. Less Lethal Shotguns will be marked as less lethal as depicted by their orange stock or markings.
 - 1. Less Lethal Shotguns should be carried for duty in a patrol vehicle rifle rack, loaded, without a round in the firing chamber.
 - 2. If a vehicle is not equipped with a rifle rack, the weapon may be carried in a case in the cargo area of the vehicle.
 - 3. Less Lethal Shotguns will be stored in all Patrol vehicles.
 - 4. Members must qualify annually with the Less Lethal Shotgun. The qualification is conducted by a certified Less Lethal Shotgun instructor.
 - 5. Ammunition for the Less Lethal Shotgun will be inspected annually by the Firearms Sergeant or designee to ensure reliability.
 - 6. No modifications or repairs may be made to any department authorized Less Lethal Shotgun without prior written approval of the Firearms Sergeant or through the Chain of Command.
 - 7. Approved modifications or repairs will be made by an authorized armorer or gunsmith.
 - 8. A record to include the serial number, make, model and caliber of all Less Lethal Shotguns approved for duty, will be kept by the Firearms Sergeant.

IV. AMMUNITION

CACP STANDARD 20.5 and 20.12

- A. All ammunition used on duty will be issued and approved by the Firearms Sergeant as approved by the Chief of Police.
- B. The Erie Police Department will furnish 38 Special, .380, 9MM, .40 S&W caliber or .45 ACP authorized duty-ammunition for one duty weapon and one back-up/off-duty weapon only.
- C. The Erie Police Department will furnish 38 Special, .380, 9MM, .40 S&W or 45 ACP training ammunition necessary to qualify or participate in approved firearms trainings.
- D. The Erie Police Department will furnish .223 caliber duty and training ammunition necessary for duty use, qualifications and to participate in approved firearms trainings.
- E. Only department-issued or approved duty ammunition may be used in department-issued weapons or personal weapons used for duty, off-duty, or back-up.
- F. While on duty, uniformed commissioned members must carry two (2) additional handgun magazines in a pouch on their duty belt. This ammunition will be provided by the department.
- G. Plainclothes commissioned members must carry, or have in their immediate possession, a minimum of one (1) additional magazine. This ammunition will be provided by the department.

V. QUALIFICATION

CACP STANDARD 20.11 & 60.14

- A. Handgun qualifications will consist of a minimum of Colorado P.O.S.T. standards. Rifle qualifications may be extended to 100 yards distance and will include moving and shooting from different stages. Officers will be instructed to fire all rounds into the body mass scoring area of the silhouette target or into the head of the silhouette target. Officers failing to qualify at any particular stage will be offered any needed remedial instruction or training but must repeat and qualify at the failed stage.
- B. All qualification courses are mandatory for officers to attend unless prior arrangements have been made with the Firearms Sergeant. Other firearms training will be scheduled throughout the year and mandatory attendance will be determined by the Firearms Sergeant. Make-up sessions will be scheduled should the need arise.
- C. All firearm training courses will be approved by the Firearms Sergeant.
- D. Records for each course will include the course of fire, purpose, officer, make, model and serial number of each firearm qualified with and a rating. The Firearms Sergeant will keep the records on file.

VI. USE OF FIREARMS

CACP STANDARD 20.9

- A. Use of firearms is governed by Written Directive 020.000, USE OF FORCE.
- B. When an officer fires his/her primary duty weapon, off-duty weapon, backup weapon, Less Lethal Shotgun or rifle at any time other than during training, qualification or for recreation, the officer will follow the reporting procedure as outlined in Written Directive 020.000 USE OF FORCE.

C. All members are responsible for safety.

1. All firearms must be treated as if they are always loaded;
2. Keep your finger off the trigger and out of the trigger guard until the sights are on target and you are prepared to shoot;
3. Never let the muzzle of a weapon point at anything you are not willing to destroy; and
4. Always be certain of the target and beyond.

D. Members are responsible for the security, safe carry and transport of all firearms.

VII. UNINTENTIONAL DISCHARGE

A. Whether on or off-duty, if a firearm is unintentionally discharged, the officer must immediately notify an on-duty supervisor and submit a written memorandum setting forth all circumstances surrounding the incident.

1. The on-duty supervisor completes an initial inquiry and notifies a Command Level Officer.
2. The Chief of Police may direct further investigation, remedial firearms training, and/or other appropriate action.

B. If the accidental discharge was not in the Town of Erie, the officer must also notify the local law enforcement agency which has jurisdiction for the location of the unintended discharge.

VIII. FIRING RANGE AND FIREARMS SAFETY PROCEDURES

A. When officers arrive at the range, the following procedures will be followed:

1. Officers will not charge a live round or clear a live round from a firearm's chamber in vehicles.
2. Officers will go to the dedicated clearing barrel, tube or berm, remove the magazine from the firearm, manipulate the firearm's action (ejecting the live round if it is loaded), place the safety on (if equipped), holster, sling, or put the firearm in a case (keeping the slide locked back or cylinder open) and collect the round ejected or removed if it was loaded.
3. All firearms will be unloaded and remain in a locked back/cylinder open position while behind the firing line unless instructed differently by a firearms instructor.
4. All firearms will be inspected by a firearms instructor and the serial number will be logged prior to shooting.

B. When officers are on the firing line, the following procedures will be followed:

1. All firearms will remain secure in a holster or slung in the locked back position with the safety on (if equipped) until on the firing line and instructed further.
 2. When instructed (by a firearms instructor) to load and make ready, the officer will then draw their firearm or raise it (if slung) and point it down range to carry out the instruction.
 3. At the end of the course, officers will be instructed to show a firearms instructor an empty weapon. The firearms instructor will then visually and physically inspect the firearm to ensure it is unloaded.
 4. Officers will then be instructed to holster or sling their firearm, keeping it in the locked back position.
- C. When officers leave the range, officers may load their weapons at the clearing barrel, clearing tube or berm. Firearms should not be loaded and charged while sitting in a vehicle.
- D. The following procedures will be used for cleaning firearms:
1. All firearms used at the range will need to be cleaned as soon as possible but no later than the end of the employee's work week. Officers are responsible for ensuring their firearms are cleaned for duty and off-duty use.
 2. Firearms may be cleaned at the range after coordinating with a firearms instructor.
 3. Firearms may be cleaned at the police department in the armory, or a designated area when coordinated with a firearms instructor. A clearing barrel and or clearing tube will be utilized to clear the weapon prior to cleaning and under the direction of a range instructor.
 4. Firearms may be cleaned at home following all firearms safety rules and clearing the weapon in a safe manner. Overtime pay will not be authorized for an officer who cleans their weapon(s) at home.
 5. Firearms Instructors may perform random weapon inspections. The firearm will only be inspected after the firearm has been unloaded using a clearing barrel or clearing tube. The firearm will be placed in a locked back position and handed to the instructor. The instructor will then inspect the firearm and hand it back to the officer in the locked back position.
 6. After cleaning the firearm or having it inspected, the officer may then go to the clearing barrel or clearing tube and charge their firearm. The firearm shall then be holstered/stored.

E. The following safety rules will apply at all times:

1. Loaded firearms will be unloaded prior to handling in the police department and on the range. This does not include on-duty officers placing their firearm in a gun locker to enter the holding cell area or when stowing weapons at the end of shift.
2. Guns should not be handled in the police department under normal circumstances unless under the direct supervision of a firearms instructor.
3. Guns shall not be placed on desks unattended even if in a holster or gun case.

RULES:

CACP STANDARD 20.5

OFFICERS WILL NOT FIRE WARNING SHOTS OR DISCHARGE THEIR FIREARMS WHILE TRAVELING IN A MOVING VEHICLE.

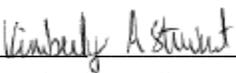
REFERENCES:

Previous Erie Police Department Use of Force Policies section 6-009

Lamar Police Department Written Directive #525

Boulder Police Department General Order 226, May 8, 2009

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Kimberly A. Stewart
Chief of Police