

WATERTOWN POLICE DEPARTMENT

GENERAL ORDER



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CHIEF OF POLICE

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Subject: Weapons	Re-evaluationDate: December 2013	
Distribution: ALL PERSONNEL	Related CALEA Standards:	

This order consists of the following numbered sections:

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2. Policy
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4. Authorized Firearms and Accessories
5. Training / Qualification
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12. Inspection of Weapons
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1. PURPOSE

The purpose of this policy is to establish guidelines for the issuance, carrying, and usage of weapons by sworn law enforcement and reserve officers of the Watertown Police Department.

2. POLICY

Weapons may be authorized for sworn law enforcement and reserve officers only when the weapon to be carried meets the requirements set forth within this policy and the officer has successfully completed all applicable training and demonstrated proficiency in the use of a department authorized weapon.

3. DEFINITIONS:

- a. **DEADLY FORCE** – Force which is likely to cause death or great bodily harm. Use of deadly force must be based on the officer's reasonable belief that all other response to resistance options is not feasible or have been exhausted and his/her life, the life of a fellow officer or another person is in imminent danger of death or great bodily harm.
- b. **LESS LETHAL FORCE** – A concept of planning and force application, which meets objectives, with less potential for causing death or serious physical injury than conventional tactics.
- c. **LESS LETHAL IMPACT MUNITIONS** – Munitions which are fired, launched, or otherwise propelled with the purpose of compliance, overcoming resistance or preventing serious injury, without a significant likelihood of causing death. Examples of less lethal impact munitions include beanbags, launchable foam or rubber batons, rubber pellets, etc.
- d. **LESS LETHAL WEAPON** – A weapon used for the purpose of compliance, overcoming resistance or preventing serious injury without a significant likelihood of causing death.
- e. **SYMPATHETIC MUSCLE REFLEX** – An involuntary muscle contraction of the finger and hand. This may occur if the shooter is startled, loses his/her balance, or exerts gripping pressure in the opposite hand. This reflex action may cause an unintentional discharge, if the finger is not kept well above the trigger guard, against the frame, or under the trigger guard. The finger is to be placed on the trigger only when the weapon is to be intentionally discharged.

4. AUTHORIZED FIREARMS & ACCESSORIES

- a. **Handguns**
 - i. **Primary Use - Department Issue.** Law Enforcement and reserve officers shall only be issued handguns authorized for issuance by the Chief of Police or their designee.

- ii. Law enforcement and reserve officers are issued department handguns and are required to carry them as their primary use weapon, while on-duty.
 - 1. Personnel, if authorized by the Chief of Police, are permitted to carry - a secondary firearm as their primary firearm provided they have the following:
 - a. A copy of the approved "Personally Owned Firearm Authorization Form" to carry a personally owned firearm. Copies of the form will be retained by the officer, Chief Firearms Instructor, and the original form to the Administrative Captain.
 - b. Personnel will provide their own practice ammunition.
 - c. Personnel will only use department approved ammunition for qualification.
 - d. Personnel will only use department issued ammunition on duty.
 - e. An officer desiring to carry a secondary firearm must demonstrate his/her knowledge of the operation of the firearm and demonstrate qualification proficiency in the same course of fire as required for the similar department issued firearm to a department firearms instructor, prior to carrying on/off duty.
 - iii. The Administrative Division Captain will maintain records of all weapons issued to or carried by all sworn full-time and reserve personnel. No change in weapons issued or carried by sworn personnel will be permitted until first requested and thereafter permitted in writing by the Administrative Division Captain and the Chief Firearms Instructor.
- b. Secondary firearms – Officers on duty shall not carry secondary weapons on their person or in vehicles without the written approval of the Chief of Police, and provided they have the following:
 - 1. A copy of the approved "Personally Owned Firearm Authorization Form" to carry a personally owned firearm. Copies of the form will be retained by the officer, Chief Firearms Instructor, and the original form to the Administrative Captain.
 - 2. Personnel will provide their own practice ammunition.
 - 3. Personnel will only use department approved ammunition for qualification.
 - 4. Personnel will only use department issued ammunition on duty.
 - 5. An officer desiring to carry a secondary firearm must demonstrate his/her knowledge of the operation of the firearm and demonstrate qualification proficiency in the same course of fire as required for the similar department issued firearm to a department firearms instructor, prior to carrying on/off duty.
- c. Shotguns
 - i. Department approved shotguns of pump action design, with a barrel length of 18 to 20 inches, and chambered for 12 gauge ammunition, are authorized to be carried on duty.
 - ii. The following shotgun accessories are authorized:
 - 1. Sling and swivels
 - 2. Spare ammunition carrier (sidesaddle or elastic)
 - 3. Flashlight attachment.
 - iii. No other modifications may be made to a department shotgun except by an authorized armorer.
- d. Rifles
 - i. Department approved rifles are authorized for use while on duty under the following conditions:
 - 1. All personnel are required to complete the department approved firearms familiarization and orientation course with said firearm;
 - 2. All personnel must qualify with the firearm. The qualification is to be conducted by a department firearms instructor.
 - 3. The SWAT Team is authorized to carry other department issued shoulder-fired rifles as authorized by the Chief of Police or his/her designee.
 - ii. No modifications or repairs may be made to any department authorized rifle without prior written approval of the Administrative Captain of the armorer or manufacturer's authorized repair facility.
 - iii. The Chief of Police or his/her designee shall approve any variation in type of caliber of the patrol rifle/carbine.
- e. Ammunition
 - i. Only ammunition issued or approved by the department is authorized for use in firearms issued for use by the Chief of Police.
 - ii. Only department approved ammunition will be used for qualification.
 - iii. Only factory new ammunition will be used for duty purposes in any department issued or approved firearm. The new ammunition must be approved by the Chief of Police or their designee. Reloaded or remanufactured ammunition is authorized only for training purposes.
- f. Holsters

- i. All department authorized duty handguns must be carried securely in a holster that incorporates a minimum of one retention device and has been approved for use by the Chief Firearms Instructor.

5. TRAINING/QUALIFICATION

- a. All law enforcement and reserve officers, prior to being authorized to carry a firearm, and before use on duty, will successfully complete a department approved familiarization and orientation course with the firearm, as well as department use of force policies (G.O. C-100, Response to Resistance). As a part of the familiarization/orientation course, the officer must demonstrate proficiency with the firearm. All proficiency exams must be in accordance with the current department qualification course and any firearms related training will be documented and conducted by a certified, department firearms instructor.
- b. The Administrative Captain/Training Unit will schedule no less than four handgun qualifications per year. Officers will be required to attend no less than two handgun sessions per year.
 - i. In addition to department qualification courses all Officers will be required to pass the 50 round "State Handgun Qualification" course once a year with a minimum passing score of 38 hits (76%).
- c. The Administrative Captain/Training Unit will schedule no less than one Rifle, Shotgun, and Less Lethal qualifications per year. Officers will be required to attend the annual qualification.
- d. All personnel must qualify during each firearms qualification session and will be evaluated on a pass/fail basis, with a passing score consisting numerically of 75% or higher. Shooters failing to meet the minimum qualifying score on their first attempt are required to pass in two consecutive courses of fire, in a maximum of three consecutive attempts. Personnel failing to qualify upon their first attempt will be granted another attempt at qualification. Personnel who fire a qualifying score on their second attempt will be granted a third attempt to meet the two consecutive requirements. No shooter will be granted more than three attempts in a single day. Personnel failing in their second attempt will be dismissed from the range and notice of the failure will be made directly to the officer's commanding officer. All personnel failing to qualify as prescribed herein will be temporarily relieved from duty for remedial training. Any personnel discipline imposed as a result of any failure to qualify, as provided in subsection 6(f) will be consistent with the collective bargaining agreement; civil service ordinance and personnel policy.
- e. "Alibi" rounds will be approved only in the event of a malfunction of the weapon or ammunition, which was not within the control of the qualifying officer. Improper position, insufficient number of rounds available, magazine not seated, no round in the firing chamber, difficulty drawing the weapon, less than the allowed number of rounds fired and other causes within the control of the officer are not sufficient justification for approval of additional rounds for purposes of qualifying.
- f. Any officer who has suffered an illness or injury, which could affect his/her ability to use a weapon, will be required to re-qualify with their firearm prior to returning to duty.
- g. Any officer, out on any type of extended leave that missed a department qualification will be required to re-qualify with their firearm prior to returning to duty.
- h. All department approved firearms training will be documented to reflect attendance, proficiency, model of firearm used, as well as any other information deemed appropriate by the Chief of Police or his/her designee.
- i. Personnel firing the qualification course shall wear the same clothing, holster and magazines as worn on duty.
- j. Personnel firing the qualification course must wear a cap with a brim and eye and ear protection.
- k. All law enforcement and reserve officers will be trained annually in department use of force policies (G.O. C-100, Response to Resistance).
- l. All Firearms and Range Safety rules will be observed. (WPD 173.1)
- m. Original qualification rosters will be maintained by the Chief Firearms Instructor.

6. REMEDIAL TRAINING

- a. Personnel assigned to remedial firearms training are not permitted to return to their normal duty assignment, except by order of the Chief of Police, until they satisfactorily complete the requirements set forth by this policy.
- b. Personnel required to attend remedial firearms training, after failing initial qualification, will be given a maximum of three remedial firearms training opportunities. At the conclusion of each, the shooter will be required to fire for qualification.
- c. Remedial shooters are required to fire two consecutive passing scores in a maximum of three attempts.
- d. Personnel failing to qualify after first remedial will have their department issued firearm removed from their possession. A second remedial training will be scheduled.
- e. Personnel failing to qualify after second remedial will be afforded a third and final remedial training and qualification attempt.
- f. Personnel who fail to qualify at the conclusion of the third remedial firearms training will be placed on administrative suspension and may be terminated from their employment with the Watertown Police

Department. Any disciplinary action taken pursuant to this policy will be in accordance with existing collective bargaining agreement.

7. REMEDIAL SHOOTER MANDATORY QUALIFICATION

- a. Personnel, who fail to qualify during a department-wide qualification and receive remedial firearms training, may be required to qualify each month after remedial qualification.
- b. The course of fire will be the same as the one he/she originally failed. This may be repeated for a period of 12 months or until the course of fire originally failed is re-scheduled department-wide. (Example: employee failed night qualification, the shooter may qualify at night for 12 months or until the next night time qualification)
- c. The Chief of Police reserves the right to allow the involved personnel to remain in an on duty status based on the operational needs of the department.

8. APPROVED WEAPON HANDLING

- a. The following are department approved weapon handling situations:
 - i. Whenever a weapon is handled at the Police Department it shall be loaded and unloaded with muzzle pointed into the clearing barrel. Whenever a weapon is loaded or unloaded while at a range training exercise the muzzle shall be pointed down range.
 - ii. Law enforcement purposes
 - iii. Official supervisory inspections, to include maintenance and/or cleaning during inspection
 - iv. Pre-shift inspection of approved duty long guns
 - v. Firearms that are evidence associated with a case
 - vi. Firearms qualification
 - vii. Approved firearms training
 - viii. Supervisory monitored in-service training
 - ix. Handling associated with approved repair of the firearm
 - x. All safe weapons handling will conform to established department directives and training.

9. ACCIDENTAL DISCHARGE OF A FIREARM

- a. Upon any accidental discharge of any firearm, the following will occur:
 - i. A report will be written by the involved department personnel
 - ii. The immediate supervisor of involved personnel will conduct a preliminary investigation into the incident and provide a written overview through their chain of command to the Chief of Police. The preliminary investigation will include:
 1. Written and photographic documentation of the scene
 2. Written and/or recorded statements from all witnesses and personnel involved
 3. The immediate supervisor, based on his/her assessment of the scene may request additional department personnel to assist in the investigation
 - iii. The immediate supervisor will notify the division commander of the incident as soon as practical.
 - iv. The division commander will notify the Chief of Police, Assistant Chief of Police, and the Administrative Captain of the incident.
 - v. The involved firearm may be confiscated during the course of the investigation.
- b. Follow-up investigation – The responsibility for the follow up investigation into an accidental discharge incident will be determined by the Chief of Police or his/her designee.
- c. In the event of any negligent or unintentional discharge of a firearm, the involved personnel will be required to attend remedial training and re-qualify prior to returning to duty.
- d. The Chief of Police reserves the right to allow the involved personnel to remain in an on duty status based on the operational needs of the department.
- e. Based on the results of the investigation, involved personnel may be subject to further administrative investigation and/or disciplinary action as deemed appropriate by the Chief of Police, and in accordance with established personnel policy and the collective bargaining agreement

10. FIREARM MAINTENANCE

- a. All firearms will be kept clean, lubricated and in proper working order as recommended by the manufacturer.
- b. Only the armorer or a manufacturer's authorized repair facility may disassemble beyond the four basic parts any issued or approved firearm.
- c. In the absence or unavailability of the armorer, authorization of emergency gunsmith repairs may be made by the officer's commanding officer.
- d. Authorized repairs will be specified in writing on a repair order submitted to the gunsmith.
- e. No modifications or alterations may be made to any issued or approved firearm or ammunition without prior written approval from the armorer.

- f. The date and description of all repairs, modifications or alterations of issued or approved firearms and ammunition will be recorded in the respective firearm record maintained by the Administrative Captain.

11. LESS LETHAL WEAPONS

- a. Authorized less lethal weapons:
 - i. OC spray
 - ii. Expandable ASP baton
 - iii. 12 gauge shotgun, used with less lethal impact munitions
- b. Authorized munitions – munitions approved for use in less lethal force delivery systems and approved by this department.
- c. The carrying of and utilization of department issued less-lethal weapons when in an off-duty status is prohibited.
- d. Training
 - i. All law enforcement and reserve officers, before being authorized to carry a less lethal weapon, and prior to use on duty, will successfully complete a department approved familiarization and orientation course with said weapon as well as department use of force policies (G.O. C-130, Response to Resistance). As a part of the familiarization/orientation course, the officer must demonstrate proficiency with the less lethal weapon. All proficiency exams must be in accordance with the current department training programs. All less lethal weapon related training will be conducted by department authorized weapons instructors.
 - ii. All law enforcement and reserve officers will be trained annually in the use of less lethal weapons.
 - iii. Training and proficiency must be documented and will be maintained by the Administrative Captain.
- e. Deployment will be consistent with GO C-100, Response to Resistance.

12. INSPECTION OF WEAPONS

- a. Firearm instructors will inspect all weapons and verify weapon serial numbers prior to qualifications.
- b. Any weapon determined to be unsafe during an inspection conducted by a supervisor, firearm instructor, armorer, range master or the officer to whom it is issued, will be immediately removed from service for repair or replacement.
- c. The armorer will be contacted as soon as practicable to schedule a date and time for official inspection, repair or replacement.
- d. Any weapon removed from service will be replaced with a similar weapon with which the officer may be required to qualify with or be trained prior to resuming official duties.
- e. Only issued or approved weapons will be replaced by the armorer or Administrative Captain.

13. SECURITY OF WEAPONS

- a. Sworn personnel will safely secure all weapons to prevent access by unauthorized persons and to ensure compliance with all applicable state laws.
- b. All weapons will be secured in provided lockers or within a vehicle trunk area before an employee enters the controlled interior of the Codrington County Detention Center.
- c. Exceptions to the above provisions may be made during an emergency situation involving hostages, barricaded suspects, or riot. Officers should enter a secured facility under the above emergency circumstances only upon the express approval of the commanding officer in charge of the incident.
- d. When a vehicle is to be serviced at any repair facility and will be left unattended, all weapons will be secured in locked trunk gun safe or removed and secured at the Police Department.
- e. While utilizing the Firing Ranges, no weapon will be left unattended. This includes officers going forward to check their targets.

14. WEAPON READINESS RESPONSIBILITIES

- a. On duty weapon readiness responsibility of law enforcement and reserve officers:
 - i. Weapon readiness – on duty: officers are to carry weapons in applicable manner to include:
 - 1. Cruiser Safe shotguns and rifles, meaning the chamber is empty, safety on, magazine fully loaded, and action closed.
 - 2. Fully loaded and holstered firearms, batons if issued, and OC spray
 - ii. Weapon readiness – potential threat
 - 1. When encountering a situation that may require the immediate use of force, a officer may, draw his/her weapon (firearm, shotgun, rifle, baton, OC spray, other approved weapon) in accordance with the “Response to Resistance” guidelines established in General Order C-100, Response to Resistance Policy.
 - 2. An officer may draw his/her firearm when encountering a situation that may require the immediate use of deadly force in situations to include, but not limited to:
 - a. felony stops

- b. building searches
 - c. open doors
 - d. challenging an armed suspect
 - e. search of an area for a felony suspect
 - f. other life threatening situations
 - g. To kill a seriously wounded, nuisance, or dangerous animal according to (G.O. C-100).
 3. An officer may use deadly force based on the officer's firm belief that all other response to resistance options are not feasible or have been exhausted and his/her life, the life of a fellow officer or other innocent person is in imminent danger of death or great bodily harm.
- iii. Deployment of shotguns and rifles (long guns):
 1. When deployed outside the vehicle, all long guns will be carried in the low ready position. Upon exiting the vehicle a round may be chambered only with the safety in the "on" position. The safety should remain in the "on" position and all fingers will be kept outside of the trigger guard until the weapon is to be intentionally discharged.
 2. Officers will maintain control of the firearm at all times or ensure that the weapon is secured by another police officer.
 3. Any potential dangerous/deadly force type situation where the officer has reason to believe that deployment of a long gun will contribute to the safe resolution of the incident or diminish risk to the officer or the public.
 4. The officer is assigned as a cover officer on perimeter security or a containment team member intervening barrier.
 5. The officer has cause to believe that an offender may be engaged at an extended distance.
 6. The destruction of an injured or sick animal per departmental policy.
 7. Administrative loading and unloading while at the Police Department shall be done at the clearing barrel.
 8. All long guns carried in an agency vehicle, equipped with an approved carrying/storage device, will be carried in said device. This device must be approved by the armorer or Chief firearm's instructor.
 9. While engaged in authorized S.W.A.T. operations, members of S.W.A.T. team may be exempt from these deployment provisions.
- iv. Weapon readiness does not include finger on the trigger of the firearm, shotgun, rifle, or less lethal weapon, until the weapon is to be intentionally discharged.

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