



# Peoria Police Department

Policy Manual

## Firearms and Qualification

### 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 a 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 sworn personnel who have met all state standards and have been authorized by the Chief of Police shall have the peace officer privilege to carry a Department firearm both on and off-duty (ARS 38-1102).

The Chief of Police or a designee may deny the peace officer privilege to carry a Department firearm when:

- The officer is relieved of duty and is under a criminal or administrative investigation (ARS 38-1102).
- When, in the judgment of the Chief of Police or a designee, the peace officer exhibits any impairment, including any physical or mental impairment that would cause concern for the well-being of the employee, fellow employees, Department or the public, the affected employee may be prevented from carrying a firearm (ARS 38-1102).

### 312.2 SAFE HANDLING OF FIREARMS

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

#### 312.2.1 SAFETY CONSIDERATIONS

- Officers shall not unnecessarily display or handle any firearm.
- 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 or direction.
- Officers shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- Shotguns or rifles removed from vehicles or the equipment storage rooms shall be loaded and unloaded outside buildings and vehicles.
- 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 jail section 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 jail section with any firearm.
- Officers shall not use any automatic weapon, heavy caliber rifle, gas or other type of chemical weapons or firearm from the armory, except with approval of a supervisor or when an emergency or exigency reasonably requires immediate use of the weapon.

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- 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. It shall be promptly presented to the Department Rangemaster for inspection and repair. 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 rendered serviceable.

**312.3 AUTHORIZED WEAPONS**

No duty firearms will be carried that have not been thoroughly inspected by the Rangemaster 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 Police Chief. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

**312.3.1 DUTY FIREARMS**

The authorized Department-issued handguns are the Glock and 1911.

Only issued or approved shotguns and rifles are authorized for on-duty use.

**312.3.2 AUTHORIZED SECONDARY FIREARMS**

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

- (a) The firearm shall be in good working order and on the department's list of approved firearms.
- (b) Only one secondary firearm may be carried at a time.
- (c) The purchase of the firearm and ammunition shall be the responsibility of the officer.
- (d) 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.
- (e) It will be the responsibility of the officer to submit the firearm to the Rangemaster for inspection prior to being carried as a secondary firearm. The Rangemaster shall ensure that the officer is proficient in handling and firing the firearm and demonstrates that it will be carried in a safe manner. The firearm shall be subject to periodic inspection by the Rangemaster.
- (f) 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.
- (g) Prior to carrying the secondary firearm, personnel shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Officers must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (h) Personnel shall provide written notice of the make, model, color, serial number and caliber of a second firearm to the Rangemaster.

**312.3.3 AUTHORIZED OFF-DUTY FIREARMS**

The carrying of firearms by sworn officers while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Sworn officers who choose to carry a firearm while off-duty will be required to meet the following guidelines:

- (a) The firearm shall be of good quality and workmanship and approved by the department.
- (b) The purchase of the firearm and ammunition shall be the responsibility of the officer.
- (c) 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.
- (d) It will be the responsibility of the officer to submit the firearm to the Rangemaster for inspection prior to being carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.
- (e) Prior to carrying any off-duty firearm, the officer shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (f) The officer will successfully qualify with the firearm prior to it being carried and thereafter once every six months. The range qualification dates will be specified by the Rangemaster.
- (g) A complete description of the firearm shall be contained on the qualification record approved by the Rangemaster.
- (h) 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.
- (i) Officers shall only carry department-authorized ammunition.
- (j) When armed, whether on-or off-duty, officers shall carry their badge and department identification.

**312.3.4 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.

**312.3.5 ALCOHOL AND DRUGS**

Firearms shall not be carried by any officer who has consumed any alcoholic beverage or taken any drugs that would tend to adversely affect the officer's senses or judgment without the permission of the Chief of Police or designee (ARS 38-1102).

**312.4 DUTY FIREARMS PROFICIENCY**

Semi-annually, every officer shall demonstrate a minimum level of proficiency and qualify in the use of each duty firearm he/she is authorized to use.

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An officer failing to demonstrate a minimum level of proficiency or failing to qualify with any duty firearm he/she is authorized to use may not carry or use the duty firearm until he/she participates and passes the remedial firearm course provided by the Department (AAC § R13-4-111(C)).

At least annually, all personnel carrying a duty firearm will receive training on the Department Use of Force Policy and demonstrate their knowledge and understanding.

**312.4.1 SEMI-ANNUAL QUALIFICATION**

All sworn personnel are required to qualify semi-annually and show firearms proficiency with the duty firearm on an approved range course or as directed by the Training Sergeant. In addition to regular qualification schedules, the Rangemaster shall be responsible for providing all sworn personnel with regular practical training designed to simulate field situations, including shoot, no-shoot situations. One of these semi-annually qualifications may be concurrent with, and used to fulfill the requirements of the Duty Firearms Policy.

**312.4.2 NON-QUALIFICATION**

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 law, or who fail to qualify over a six-month period will be relieved from field assignment and appropriate disciplinary action may follow.

Sworn 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:

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

**312.5 WARNING AND OTHER SHOTS**

Not Authorized.

**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, TASER 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.

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With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires an end to further suffering and pain, and where other dispositions are impractical. Injured domestic animals or livestock should be euthanized after a reasonable search to locate the owner has been made.

**312.7 REPORT OF FIREARM DISCHARGE**

Except during training or recreational use, 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. 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 Manual. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy. In all other cases, written reports shall be made as follows:

- If on-duty at the time of the incident, the member shall file a written report with his/her Deputy Police Chief of Operations or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- If off-duty at the time of the incident, a written report shall be submitted or 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 range and will submit the roster to Training after each range date. Failure of any officer to sign in and out with the Rangemaster may result in non-qualification.

The range shall remain operational and accessible to Department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, 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 duty use service. The officer will be responsible for all repairs to his/her personal firearm; it will not be returned to service until inspected by the Rangemaster.

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

The Rangemaster shall complete and submit to Training 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.

**312.8.1 FIREARMS INSTRUCTOR PROFICIENCY**

Each firearms instructor shall meet the proficiency requirements in AAC § R13-6-701.

**312.9 MAINTENANCE AND REPAIR**

Firearms carried on-duty shall be maintained in a clean, serviceable condition.

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Personal and Department-owned duty firearms shall be inspected annually to determine the safety and functioning of the firearm.

**312.9.1 REPAIR OR MODIFICATIONS OF DUTY FIREARMS**

The Rangemaster shall be the only person authorized to repair or modify any Department-owned firearm for which the Rangemaster is certified as an armorer.

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 law enforcement officers flying armed on commercial aircraft. The following requirements apply to personnel who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR § 1544.219):

- Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure purposes.
- 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's license, passport).
- 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.
- 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 law enforcement officers flying while armed.
- Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- It is the officer's responsibility to notify the air carrier in advance. This notification can be accomplished by early check-in at the carrier's check-in counter.
- Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officers 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.
- 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.
- 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 full-time officers and qualified retired officers (see the Retired Officer Concealed Firearm Permit 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):

- (a) The officer shall carry his/her Department identification card whenever carrying such firearm.
- (b) Qualified retired officers shall also carry certification of having met firearms qualification within the past 12 months.
- (c) The officer is not the subject of any current disciplinary action.
- (d) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (e) The officer will remain subject to this and all other Department policies (including qualifying and training).
- (f) 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.

Visiting active and retired peace officers from other states are subject to all requirements set forth in 18 USC § 926B; 18 USC § 926C.