

Firearms

312.1 PURPOSE AND SCOPE

This policy establishes procedures for firearms authorized to be used by sworn members of the Barstow Police Department, both on and off-duty, as well as the training and documentation of all Department authorized firearms. Any firearm acquired, used, or maintained by the Barstow Police Department shall be approved by the Chief of Police, or his/her designee, before they are issued and/or carried, whether on or off-duty by any member of this Department.

312.2 AUTHORIZED WEAPONS

No firearm will be carried or authorized for use until it has been thoroughly inspected by the Department Rangemaster or authorized Firearms Instructor. Except in an emergency situation or as directed by a supervisor, no firearm shall be carried by a member of this Department until that member has qualified with the firearm through a Department approved qualification course conducted by the Department Rangemaster or authorized Firearms Instructor.

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 Chief of Police or his/her designee. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

312.2.1 DUTY WEAPONS

Authorized Department issued firearms are listed below:

Handguns:

Sig-Sauer, Model 229, .40 caliber, blue steel or stainless steel finish

Sig-Sauer, Model 220 Elite, .45 caliber, blue steel or stainless steel finish

Rifle:

Colt, AR-15A3, .223 caliber

Bushmaster, AR-15, .223 caliber

H&K MP5, 9mm, sub-machine gun

Remington, Model 700, .308 caliber

Sig-Sauer, Model 556, .223 caliber

Shotgun:

Remington, Model 870, 12-gauge

Benelli, 12-gauge

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Personally Owned Handguns:

Officers of the Barstow Police Department may carry personally owned handguns only with the prior written approval of the Chief of Police and subject to the following conditions:

- (a) The request for approval shall be in the form of a memorandum and include the manufacturer, model, color, serial number, barrel length, and caliber.
- (b) The approved memorandum shall be forwarded to the Department Rangemaster.
- (c) An officer approved to carry a personally owned handgun shall surrender the Barstow Police Department's issued handgun to the department Rangemaster or authorized Firearms Instructor within 10 days of qualifying with the personally owned handgun.

Officers are prohibited from modifying Department issued firearms or personally owned firearms carried on duty, without the authorization of the Chief of Police. The internal components of the firearm shall not be modified, machined, or polished from the original factory condition. Replacement of original internal parts and components with parts and equipment produced by the handgun manufacturer due to normal usage wear, is not considered a modification.

Magazines carried on duty for department issued or personally owned handguns shall be original equipment of the handgun manufacturer or their designated manufacturer and may not be modified from the original factory condition. Under certain circumstances, such as officers electing to carry 1911 model handguns, magazines produced by another manufacturer may be authorized by the Chief of Police or his/her designee.

The Chief of Police or his/her designee, may authorize officers to attach external equipment such as a lighting device, enhanced grips, or tritium night sights, to department issued or personally owned handguns, however, this will be at the officers expense, including the purchase of the holster.

The following handgun calibers and manufacturers are approved for use:

APPROVED CALIBERS

- .38 special (back-up or off-duty only)
- .380 (back-up or off-duty only)
- .357 Magnum (back-up or off-duty only)
- 9mm (back-up or off-duty only)
- .40 S&W
- .45 ACP

APPROVED MANUFACTURERS

- Beretta
- Browning

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- Colt
- Ed Brown
- Glock
- Heckler & Koch
- Kimber
- Nighthawk
- Para Ordinance
- Springfield
- Sig Sauer
- Smith & Wesson
- Sturm Ruger
- Walther (back-up or off-duty only)
- Wilson

Any additional manufacturer approved by the Chief of Police or his/her designee.

Approved surface finishes include black, gray, blue steel, stainless steel, and brushed nickel. No chrome or polished finishes are allowed.

All duty weapons shall have a barrel length of 4 to 6 inches only.

312.2.2 AUTHORIZED OFF-DUTY/BACK-UP FIREARMS

Officers who desire to carry an off-duty or back-up firearm are subject to the following restrictions:

- (a) The firearm shall be a handgun, of reputable make and manufacturer, and in good working order.
- (b) The purchase of any off-duty/back-up firearm and ammunition shall be the responsibility of the officer.
- (c) The firearm shall be carried out of sight at all times and in such a manner as to prevent accidental cocking, discharge, or loss of physical control.
- (d) The firearm shall be inspected by the Department Rangemaster or qualified Department Firearms Instructor prior to being carried. All off-duty/back-up firearms approved for use by Department personnel are subject to inspection by the Chief of Police or his/her designee at any time.
- (e) Ammunition used for all off-duty/back-up firearms shall be new and from a reputable manufacturer and may be similar to that issued by the Department for duty use.
- (f) Prior to deploying the off-duty/back-up firearm, personnel shall qualify under range supervision and thereafter shall qualify in accordance with the Department

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qualification schedule. Officers must demonstrate proficiency and safe handling, and that the firearm functions properly.

- (g) All off-duty/back-up firearms shall be approved, in writing, by the Chief of Police or his/her designee prior to any use or deployment of those weapons.
- (h) All sworn personnel authorized to carry an off-duty/back-up firearm shall always maintain in their possession, when armed, a Department issued badge, identification card, and drivers license.

312.2.3 AMMUNITION

Officers shall only use/deploy department issued ammunition for on-duty use. Officers shall be issued new duty ammunition in the necessary quantity for on-duty deployment for all department issued firearms at least once annually or when necessary. Officers carrying personally owned and authorized off-duty/back-up firearms of a caliber differing from department issued firearms shall be responsible for obtaining new ammunition in accordance with the above provisions, at their own expense. All replacement or initial ammunition shall be issued by the Department Rangemaster or other firearms personnel.

All ammunition deployed by sworn officers of this Department shall be new and of a size and weight authorized by the Chief of Police or his/her designee.

312.2.4 ALCOHOL AND DRUGS

Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drug that may 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. Employees shall maintain the highest level of safety when handling firearms and shall consider the following:

312.3.1 SAFETY CONSIDERATIONS

- (a) Officers shall not display or handle any firearm while on-duty except in the course of their assigned duties.
- (b) Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Department Rangemaster or any Department Firearms Instructor.
- (c) Any member who discharges his/her weapon accidentally or intentionally, on or off-duty, except during training or recreational use, shall make a verbal report to his/her supervisor as soon as circumstances permit. If off-duty, notification shall be made, verbally, to the on-duty Watch-Commander.
- (d) Clearing barrels shall be used for the loading or unloading of all firearms while at the police department, as well as any additional location where clearing barrels are available.

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- (e) Shotguns or rifles removed from vehicles or equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, while pointed in a safe direction.
- (f) 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 Department holding/detention cells 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 Department holding/detention cells with any firearm.
- (g) Officers shall not use any automatic weapon, heavy caliber rifles, gas or other types of chemical weapon (from the armory), except members of the Special Response Team when authorized or with approval of a supervisor.
- (h) Any weapon 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 Chief of Police or Department firearms personnel for inspection. Any weapon determined to be in need of service or repair during an inspection, will be immediately removed from service. If the weapon is the officer's primary duty weapon, a replacement weapon will be issued to the officer until the duty weapon is again rendered serviceable.

312.3.2 STORAGE OF FIREARMS AT HOME

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 them inaccessible to children and irresponsible adults.

312.4 FIREARMS QUALIFICATIONS

All sworn personnel are required to qualify quarterly with their duty weapon and annually with their off-duty or back-up firearm through a Department approved firearms qualification course. All sworn personnel are also required to qualify semi-annually with the Department shotgun and rifle through a Department approved firearms qualification course. The Department Rangemaster shall keep accurate records of quarterly qualifications, repairs, maintenance, and training, which shall be forwarded to the Administrative/Training Sergeant. In addition to regular qualification schedules, the Department Rangemaster shall be responsible for providing all sworn personnel with annual practical training designed to simulate field situations. At least annually, all sworn personnel carrying firearms as part of their regularly assigned duties will receive training on the department Firearms and Use of Force policies.

312.4.1 NON QUALIFICATION

When any officer is unable to attend firearms qualification training for any reason, including injury, illness, duty status, or scheduling conflict, that officer shall submit a memorandum to his

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or her immediate supervisor prior to the scheduled firearms qualification training, or immediately following such training as may be practical.

All sworn members of the Department are required to qualify during the specified time schedules and those who fail to qualify on their first attempt shall be provided remedial training. All sworn personnel must qualify after remedial training. Failure to qualify, within a reasonable period of time during the same qualification course, by any sworn officer during firearms qualification training may result in the officer being placed on administrative leave by that officers Division Commander and the officer may be subject to disciplinary action.

312.5 RANGEMASTER DUTIES

The Barstow Police Department Firearms Range will be under the exclusive control of the Rangemaster, or other Department authorized firearms personnel. All personnel attending firearms training will follow the directions of the firearms training staff. The Department Rangemaster, or other firearms personnel, will maintain a roster of all members attending the range.

The Rangemaster, or other Department authorized firearms personnel, shall make periodic inspections of all duty and off-duty/back-up firearms carried by officers of this Department to verify proper operation. The Rangemaster, or other Department authorized firearms personnel, have the authority to remove any duty firearm from service or revoke the authorization to carry any personal owned firearm for safety reasons. Any officer possessing a firearm deemed unsafe or inoperable for police service will be responsible for all repairs to his or her personal weapon and it will not be authorized for a return to service until inspected by the Rangemaster, or other Department authorized firearms personnel, and approved by the Chief of Police or his/her designee.

312.5.1 FIREARMS/WEAPONS TRAINING FACILITY (RANGE) USE

Sworn and Reserve Police Officers of the Barstow Police Department may use the firearms/weapons training facility (Range) at any time for training or practice purposes when those facilities are not being used by other authorized individuals or outside agencies.

Non-Sworn and Department volunteer personnel may periodically participate in firearms training or special events at the firearms/weapons training facility (Range) as authorized by the Rangemaster, or other Department authorized firearms personnel. These special events or training programs must be approved by the Chief of Police or Division Commander.

Any person not a member of the Barstow Police Department must have prior approval of the on-duty Watch-Commander, Division Commander, or Chief of Police, prior to any activity at the firearms/weapons training facility (Range).

A minimum of two (2) persons shall be present at all times when the firearms/weapons training facility (Range) is in use. Safety is always a top priority when using the firearms/weapons training facility (Range) and all safety procedures shall be observed and practiced.

Any person(s) using the firearms/weapons training facility (Range) shall notify the on-duty Watch-Commander prior to using the facility and also upon completion of that event.

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Any person(s) using the firearms/weapons training facility (Range) shall use the appropriate safety equipment, including, but not limited to hearing protection, eye protection, bullet proof vest (when using metal targets), and proper clothing to afford protection from the elements and surroundings.

Any injuries sustained while at the firearms/weapons training facility (Range) shall be immediately reported to the on-duty Watch-Commander, or as soon as practical after the injury is sustained.

312.6 MAINTENANCE AND REPAIR

All sworn personnel shall not, nor shall they allow or direct anyone else to, alter, change, file, or grind any Department owned firearm or part of Department issued firearms, without the approval of the Chief of Police or his/her designee.

The care, storage, and maintenance of all Department issued firearms shall be the responsibility of each assigned officer. Each officer shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor. Any malfunctioning or inoperable Department firearms shall be immediately submitted to the Rangemaster, or other Department authorized firearms personnel, for repair or replacement. Firearms that are the property of the Barstow Police Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is a department approved armorer or gunsmith in the repair of the specific firearm. Such repairs must be authorized in advance, by the Rangemaster, and any modifications shall be approved by the Chief of Police or his/her designee.

No Department firearm shall be disassembled any further than is necessary for regular cleaning or maintenance, except by qualified Department Armorer. All Department issued firearms must be kept clean and in good working order.

All personnel must provide maximum security for all firearms in their custody and control.

312.7 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):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure purposes.
- (b) 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).
- (c) The Barstow Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Barstow Police Department an NLETS message

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containing a unique alphanumeric identifier. The officer must present the message to airport personnel as authorization to travel while armed on the day of travel.

- (d) 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 officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) 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.
- (g) 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.
- (h) 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.
- (i) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

312.8 CARRYING FIREARMS OUT OF STATE

Qualified active full-time officers and qualified retired officers (see Policy Manual § 220) of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 United States Code 926 B and C):

- (a) The officer shall carry his/her Department identification card whenever carrying such weapon.
- (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).

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,

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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 United States Code 926 B and C.

312.9 ADDITIONAL EQUIPMENT

The below listed subsections shall apply to equipment used in conjunction with department issued firearms, as well as off-duty/back-up firearms:

312.9.1 TACTICAL LIGHTS / LASERS

The tactical lights/lasers authorized to be carried by members of the Barstow Police Department are those manufactured by Streamlight® and Surefire. Additional lights/lasers by additional manufacturers may be authorized for carry with approval of the Chief of Police or his/her designee. Once the approved tactical lights/lasers have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

312.10 HOLSTERS

Only Department approved holsters shall be used and worn by members of this Department for on-duty use. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun. Any firearm equipped with a safety function shall be activated while in the holster.

The approved patrol duty holster for the Sig-Sauer, Model 229, and the Model 220 Elite, is the Safariland Duty Holster, minimum of a level II retention, in black leather or STX basketweave finish.

The approved patrol duty holster for the Sig-Sauer, Model 229, and the Model 220 Elite, with an approved weapon light/laser attachment is the Safariland Duty Holster, Level II minimum retention level, in black leather or STX basketweave.

Holsters for approved personally owned handguns by additional manufacturers shall be the Safariland duty holsters, level II minimum retention level, in black basketweave or STX basketweave finish. The Safariland holsters may be constructed to accommodate a department approved weapon light/laser attachment.

APPROVED DROPPED DOWN AND SWIVEL HOLSTERS:

Officers of the Barstow Police Department are authorized to use and wear dropped down holsters, to include mid-ride and low-ride belt drop versions. The approved patrol duty dropped down holster for all Department approved firearms is the Safariland Drop-Rig or Tactical Series holsters, minimum of a level II retention, in STX plain black or STX tactical finish. Leg shrouds and accessories are prohibited without authorization of the Chief of Police or his/her designee.

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Officers are only authorized to wear the Safariland Drop-Rig or Tactical Series holsters with the Class C uniform and Department approved Bianchi AccuMold nylon duty belt and gear.

The approved patrol duty dropped down swivel holster for all Department approved firearms is the Tex Shoemaker & Sons Incorporated, WUS forward swivel holster, minimum of a Level II retention, in black leather basketweave finish. Officers are authorized to have the holster dropped down 1, 2, 3, or 4 inches and manufactured to accommodate a Department approved tactical light. This holster is authorized to be worn with the Department approved leather duty belt and gear.