I. POLICY

Serious administrative, legal, and emotional consequences may result should a member improperly use a duty firearm. It is therefore essential that specific standards be established for the possession and use of firearms by police members.

This policy establishes uniform standards for approved firearms, training, qualifications, ammunition and related equipment.

II. PROCEDURE

A. Definitions

1. Department Firearms Coordinator – A member that is charged with the overall responsibility for:
   a. Purchasing and inventory of ammunition and firearms;
   b. Firearms maintenance and repair; and
   c. Firearms instruction and qualification.

2. Department Firearms Instructor – A member who has received Peace Officer Standards and Training certified firearms instruction. Department Firearms Instructors fall under the supervision of the Department Firearms Coordinator.

3. Department Armorer – A member who assists the Firearms Coordinator with the purchasing, inventory, and issuance of ammunition and firearms; firearms maintenance and repair; sending firearms to qualified gunsmiths; maintaining Armorer’s certification for various firearms; and who can authorize certain repairs and modifications under this policy.

4. Member – for purposes of this policy, “member” means a sworn member of the Davis Police Department.

B. Authorized Firearms Carried On Duty

1. Handguns
   a. Revolver

   Double action revolver, .38, .357, 9mm, 40S&W, or 45acp caliber, barrel length between 1.5 and 6 inches. Uniformed members must have a minimum barrel length of 4
inches. Weapon must be capable of firing Department approved ammunition and equipped with a “transfer bar” type safety.

Authorized Brands: Colt, Ruger, Smith & Wesson, Taurus.

b. Semi-Automatic Pistol

9mm, 40 S&W, or .45 ACP caliber, single or double action semi-automatic pistol with barrel length of 3 to 6 inches (minimum 3.5 inches for uniformed members), which is capable of firing Department approved ammunition. Authorized members may carry a .380 caliber semi-automatic pistol with a barrel length of at least 1.5 inches.


Trigger weight on duty pistols shall be no less than 4.5 lbs as measured by the department armorer.

c. Backup Handguns

Backup handguns carried on duty must be at least 1.5” and meet all other requirements in this policy relating to revolvers and semi-automatic pistols.

d. Handguns for Special Assignments

Any other handgun approved for on duty use must have the safety features required of revolvers and semi-automatic pistols and be approved by the Police Chief. These weapons must be able to fire approved ammunition and the user must be formally qualified by a Department Firearms Instructor and demonstrate the ability to safely handle the handgun.

2. 12 Gauge Shotguns

The Department provides 12 Gauge shotguns for official use.

3. Rifles (regular use)

Authorized Brands (Department or personally owned)

1. Colt model AR-15, 5.56 mm in all commercial semi-automatic versions.
3. Ruger model mini-14, .223 caliber semi-automatic rifle, or AR-556 semi-automatic rifle.
5. Any .223 cal., semi-automatic rifle approved by the Police Chief.

4. Other Firearms

All other firearms used by Department personnel, including, rifles, carbines, sub-machine guns and any other specialized firearms shall require advanced approval by the Police Chief or their designee. Approval will be determined by the intended use of the firearm. The Department recognizes that the specialized nature of these weapons precludes broad policy statements regarding their use or specifications.
C. Modifications to Firearms/Rifles

Modifications to firearms carried on duty may only be made by licensed firearms repair persons or department armorer and must be approved in advance by a Department Firearms Armorer for reliability and safety. No other modifications are allowed. Routine maintenance shall not be considered modification as long as replacement parts meet original manufacturer’s specifications.

A partial list of approved modifications are as follows:

1. Revolvers
   a. Polish and adjust trigger assembly; also known as a “duty tune.”
   b. Installation of adjustable sights.
   c. Crowning of barrel.
   d. Replacement of grips.
   e. Laser sights

2. Semi-automatic pistols
   a. Throating the barrel.
   b. Polish and adjust trigger assembly.
   c. Installation of adjustable sights.
   d. Installation of holographic/reflex type pistol sight
   e. Enlarge magazine well.
   f. Accurize slide, barrel, bushings.
   g. Replacement of grips.
   h. Weapon lights and/or laser sights.
   i. Extended or wide trigger.

3. Rifles
   a. Rifles may be equipped with holographic/reflex type sight, or an optical sight, not to exceed four-power (4X) in magnification.
   b. Weapon Lights may be attached

D. Carrying and Handling of Firearms on Duty

1. Members assigned to Patrol shall carry an approved handgun and holster in the following manner:

2. Members assigned to Investigations or specialty assignments shall carry an approved handgun and holster in the following manner:

3. Administrators should carry an approved fully loaded handgun.

4. Exceptions to the above are recognized in the following circumstances:

5. Concealment of Handguns by Plain Clothes Personnel
a. Plain clothed members are not required to keep handguns concealed when in public, but must meet all the requirements of this policy. A badge must be worn either adjacent to the handgun or worn on the chest of a member, and must be clearly visible.
b. Handguns carried by off-duty members shall be concealed.

6. Handling of Firearms
a. Firearms shall never be displayed, brandished, used, or fired in an unsafe or careless manner.
b. Except in the lawful use of deadly force, laser sights shall not be intentionally aimed at a person’s eyes.
c. Loading or unloading of firearms in the police building shall be conducted over a “clearing barrel” provided for that purpose.

7. Authorized Holsters
a. All holsters must be approved by a Department Firearms Instructor for functional safety prior to being carried on duty. Holster specifications are contained in the Sworn Uniform Policy. Holsters for single action semi-automatic pistols have the additional requirement of a protective strap between the cocked hammer and firing pin.
b. Special assignments occasionally require an unconventional means of carrying a weapon, such as carrying the handgun in an inside-the-waistband holster or pocket holster during an assignment where weapon concealment is a primary consideration.
c. Backup holsters must be functionally safe and secure, equipped with a retention system, and must be approved by a Department Firearms Instructor prior to being carried on-duty.

8. Rifles (regular use)
a. Members may deploy a rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the rifle may include, but are not limited to:

1. Situations where the member reasonably anticipates an armed encounter.
2. When a member is faced with a situation that may require accurate and effective fire at long range.
3. Situations where a member reasonably expects the need to meet or exceed a suspect’s firepower.
4. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
5. When a member reasonably believes that a suspect may be wearing body armor.
6. When authorized or requested by a supervisor.
7. When needed to euthanize an animal.
b. Rifles stored in Department vehicles will [REDACTED].
c. When not in use, Department owned rifles shall be stored [REDACTED]. Members may take their personally owned rifles home at the end of their shift or keep them in the designated location.
d. [REDACTED].
9. Shotguns (regular use)

Shotguns will be deployed in appropriate patrol and investigation vehicles.

E. Storage and Control of Firearms

1. Storage and Issuance

   a. All firearms not being carried shall be safely secured by lock.

   b. When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container which is placed out of view, or in a locked container that is permanently affixed to the vehicle’s interior and not in plain view (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452). Officers are exempt from this requirement during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

   c. Department owned firearms shall be issued by the Firearms Coordinator or a Department Armorer. The Watch Commander may issue department firearms in an emergency. The person authorizing removal shall be responsible for logging it in the department weapons inventory database.

   d. Department owned firearms may be issued under the following circumstances;

      1. A Department owned weapon and three magazines may be issued pursuant to the following terms:

         a. There is no obligation by the Department to acquire, purchase, issue, or maintain firearms.
         b. Department issued firearms are subject to recall without advanced notice.
         c. The MOU requires that members shall own and maintain their own firearm that is approved for duty use.
         d. The Department will not provide holsters, magazine pouches, or similar items.
         e. The cost of any damage to the firearm due to operator error or negligence, or upgrades will be borne by the member issued the firearm. Wear or breakage deemed normal by a Department Armorer will be repaired by the agency.
         f. Any issued firearm shall not be carried until such time as the officer has qualified with the weapon.

      2. Special Assignments

         A Department owned firearm may be issued to a member who requires the use of a specialty firearm. The member will submit a memo to the Department Armorer stating the reason the handgun is needed and the Armorer will be responsible for logging it out. The member will qualify with the issued firearm before carrying it on duty.

      3. Firearm Taken as Evidence

         In the event a member’s firearm is taken as evidence, a Department owned firearm may be issued to them. A memo will be submitted to the Department Armorer stating that the firearm has been issued. The member shall qualify with the Department issued firearm before carrying it on duty.
4. Broken Duty Weapons and maintenance

A member who has a broken firearm or a firearm needing repairs or maintenance may be issued a Department firearm for the period of time in which it takes to make repairs. A memo will be submitted to the Department Armorer stating that the firearm was issued. The member shall qualify with the Department issued firearm before carrying it on duty.

d. Department firearms which are not issued shall be stored in the Armory.

e. The firearms inventory database shall include the following information:

1. A complete description of the firearm, including serial number.
2. Destination or to whom the firearm is checked out.
3. Checkout date.
4. Return date.
5. Initials of the person authorizing removal or return of the firearm.

2. Storage of Firearms for Private Persons

Storage of firearms for private persons is discouraged; however, a supervisor may authorize the storage on a case-by-case basis. The person shall be told they must meet legal requirements to get their firearm back.

If a firearm is stored the following procedure shall be used.

a. The officer shall write a M.S.R. describing in detail the circumstances of the storage.

b. Attached to the firearm shall be an evidence tag that indicates the firearm is held for “Safekeeping”. The owner’s name, phone number, and the case number should be on the tag.

c. An evidence sheet shall be filled out describing the firearm in detail and listing the owner’s name a notation of whom the firearm can be released shall also be placed on the firearm.

d. The firearm shall be placed in evidence with the copies of the evidence sheet.

e. The case should be assigned a 30-day follow up to determine when the firearm could be released.

f. Evidence personnel shall release the firearm in accordance to legal requirements for returning firearms.

3. Control and Care of Department Owned Firearms

City owned firearms shall not be loaned or given to private persons, with the exception of licensed firearms repair persons or their agents. If a firearm is loaned to an outside agency, the Watch Commander will ensure that proper entry is made in the inventory log. In addition, a written receipt will be obtained from a representative of the receiving agency.

a. Department firearms shall be clean and oiled by the possessor prior to being returned to the weapons room.
b. Weapons used by S.W.A.T may be assigned to team members on an indefinite basis as determined by the Team Commander.

4. Loss or Theft of Firearm
   a. The loss or theft of a City or privately owned firearm must be immediately reported to the appropriate supervisor and division commander.
   b. The Department Firearms Coordinator is responsible for ensuring proper reporting to the Department of Justice has been made.

5. Acquisition or Disposal of Duty Firearm
   a. All newly acquired firearms to be carried on duty must be inspected for obvious defects and standard requirements prior to being carried on-duty.
   b. The purchase or disposal of a duty firearm shall be reported, by memo, to the Department Firearms Coordinator. The Department Firearms Coordinator will note the appropriate change in the inventory log.
   c. Sworn personnel wishing to purchase a duty firearm may obtain a letter from the Police Chief seeking waiver of the required fifteen-day waiting period.

6. Inventory of Firearms
   a. All firearms carried on-duty shall be recorded according to type, make, model, and serial number. The information will be maintained by the Department Firearms Armorer.
   b. The Department Armorer shall ensure a complete yearly inventory of all City-owned firearms.
   c. The Department Firearms Coordinator is responsible for providing the necessary inventory forms, and will maintain a record of the inventory.

7. Registration of Firearms Carried on Duty
   All privately owned firearms carried on duty shall be registered with the Department of Justice in the name of the owner.

8. Maintenance of Firearms
   a. Duty firearms must be kept clean and serviceable at all times.
   b. At the conclusion of all range qualification shoots the weapon must be cleaned prior to the next scheduled tour of duty.
   c. All rifles shall be inspected by a Department Armorer annually to ensure it is in proper working order. Written results of the inspection shall be given to the Department Firearms Coordinator.

9. Firearms Inspection
   Firearms Instructors will conduct periodic inspections of handguns ammunition, and related equipment carried on-duty by personnel under their command.
F. Firearms Qualifications

1. Members required to carry a firearm shall meet the Department’s minimum requirements for demonstrated proficiency.

2. All qualifications must be witnessed by a firearms instructor.

3. Qualification courses will be scored either complete or incomplete depending on the performance of the member.

4. Department use of force training will be scheduled at least four times yearly. Members are to qualify in a minimum of two shoots per year with their handgun, shotgun, and rifle, if they carry one.

5. If a member fails to qualify within the required period, the Department Firearms Coordinator shall notify the Deputy Police Chief of the failure to qualify. The member will be notified of the failure to qualify through the appropriate chain-of-command.

   The member will have 15 days to arrange for a firearms instructor to accompany them to the range and complete a Department approved firearms qualification. It shall be the responsibility of the member, not the firearms staff, to coordinate the date and time of the shoot.

   Should the member fail to qualify within the 15 day period, the member shall be prohibited from carrying a firearm until such time that the member obtains a passing score on a qualifying shoot.

6. Failure to complete a firearms qualification may be cause for the temporary removal of the member from duties requiring firearms possession.

7. Failure to qualify with a rifle will result in the temporary suspension of that member’s ability to carry a rifle. A member must receive two consecutive qualifying scores prior to carrying a rifle again.

8. Should a member not be able to achieve the necessary firearms proficiency after a reasonable period of training effort, the member is subject to termination.

9. In addition to completing a qualification course, a member must demonstrate adequate proficiency and competency with their firearm/s prior to authorization to carry it.

G. Firearms Used for Qualification

1. Duty weapon and associated equipment must be used by a member to meet firearms qualifications requirements.

2. Members using a duty handgun and/or rifle equipped with an approved holographic/reflex type sight or scope, or laser must first sight in that device.

3. Members must also qualify with a backup handgun if they carry one.

H. Types and Format of Qualification Courses

1. Qualification and skills courses shall be predetermined by the firearms staff.
2. The Department Firearms Coordinator or their representative shall maintain a Qualification Shoot Log.

This Log shall include at least the following:

a. Name of the officer.
b. Course number and description.
c. Description of firearm.
d. Complete/incomplete of course

I. Firearms Safety Procedures

1. Firearms training and qualifications are to be conducted on a hot range (e.g. all handguns are carried fully loaded at all times). While on the range, personnel must obey all safety rules.

2. On all matters involving the administering of training or qualification with firearms, the Firearms Instructor is in command. Department supervisors and administrators are expected to support and assist the Firearms Instructor in his/her duties.

3. Failure to obey instructions or commands of the Firearms Instructor during a range shoot is cause for expulsion from the range and will result in disciplinary action.

J. Approved On-duty Ammunition

1. Handgun
2. Shotgun
3. Rifle
4. Other Firearms

Due to the varied nature of this category, specifications on ammunition cannot be detailed. Approval shall be specifically approved by the Police Chief.

K. Replacement of Ammunition

1. All handgun ammunition carried on duty will be replaced at least yearly by a Department Firearms Instructor. All other ammunition will be replaced on a case-by-case basis as its exterior deteriorates, or as it is expended.

2. The Department Firearms Coordinator will be responsible for the purchase and control of approved ammunition.

L. Disposal of Ammunition

Ammunition turned in to the Department or otherwise deemed unsafe shall be assigned to a Department Firearms Instructor for proper disposal.
M. Authorized off-duty firearms

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

1. The member may use their duty firearm or may use a personally owned firearm that is carried and inspected in accordance with this policy.

2. 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.

3. It will be the responsibility of the member to submit the firearm to a Department Firearms Instructor for a safety inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by a Department Firearms Instructor.

4. Prior to carrying any off-duty firearm, the member shall demonstrate to a Department Firearms Instructor that they are proficient in handling and firing the firearm and that it will be carried in a safe manner.

5. The member will successfully qualify with the firearm prior to it being carried.

6. Members shall provide written notice of the make, model, serial number and caliber of the firearm to the Department Armorer, who will maintain a list of the information.

7. If a member desires to use more than one firearm while off-duty, they may do so, as long as all requirements set forth in this policy for each firearm are met.

8. [Redacted]

9. When armed, members shall carry their Davis Police Department identification cards.

Darren Pytel
Police Chief
4/00

Rev. 6/00
7/00
9/00
2/01 III E 2 a modified to allow for carrying magazine in weapon.
6/02 rifle magazine modified for 20 round mags. Take home policy added.
9/02 additional ammunition added
1/03 section added on when dept firearms can be issued
9/03 section on issuance of firearms amended
02/10 use of force training added in II, F, 4
02/11 modifications to holsters, ammo and weapons allowed
09/11 modifications to use of term “Department Armorer” and database instead of log
08/15 changes to ammo and approved firearms
09/17 changes to policy, ammo and approved firearms, off-duty requirements
12/17 slight changes to authorized weapons and ammo
05/19
Reviewed 1/01, 1/02, 09/08, 05/10, 9/11, 12/17