
Firearms

312.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

312.2 POLICY

The Chico Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

312.2.1 SAFE HANDLING AND STORAGE OF FIREARMS

Officers shall not unnecessarily display or handle any firearm.

Officers shall not, except in the case of an emergency, load or unload a firearm anywhere inside the police building.

Firearms removed from vehicles or the equipment storage room shall be loaded and unloaded outside of the police building and outside of the vehicle. These firearms shall be handled in an appropriate manner and in accordance with all range safety protocols, to include directing firearms in a safe direction at all times.

Officers shall not place or store any firearm or other weapon on Department premises except where the place of storage is locked and secure.

312.2.2 DUTY HANDGUNS

The authorized Duty Handguns to be issued by the department shall be the Glock model 21, .45 caliber handgun and the Glock model 17, 9mm handgun.

312.2.3 DUTY HANDGUN MAINTENANCE

Primary responsibility for the general maintenance and cleaning of Duty Handguns, to include Alternate Duty Handguns, shall fall on the officer to whom the handgun is issued or owned, Range Armorer shall be responsible for the inspection and service of each Duty Handgun at least once every year, and whenever repairs are necessary.

Each officer shall be responsible for promptly reporting any damage or malfunction of a Duty Handgun to their immediate supervisor, who shall then notify the Range Staff Supervisor.

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No modification or accessory shall be added to any duty handgun, personally owned or Department owned, without prior written authorization from the Range Captain and subsequent inspection by range staff.

312.2.4 ALTERNATE (OFFICER PURCHASED) DUTY HANDGUNS

The Alternate Duty Handguns listed below may be carried by individual officers in an on-duty capacity with Range Captain authorization, and final approval by the Chief of Police. All firearms considered for Alternate Duty Handgun status shall be modern, semi-automatic handguns in good working order with a magazine capacity of not less than seven (7) rounds. Trigger "pull" for the handgun shall not be less than 4 pounds for "single action only" firearms.

Alternate Duty Handguns, as well as required holsters and magazine pouches, shall be provided by the individual member at his or her own expense. Holster and magazine make and model require approval from the Range Captain and the Chief of Police or his/her designee prior to deployment. Alternate Duty Handguns shall not be carried on duty until they have passed an inspection by a Range Armorer and received final approval for carry by the Chief of Police.

Authorized Alternate Duty Handguns:

- (a) 9mm,.40 and .45 caliber pistols manufactured by Glock, Beretta, Sig Sauer, Springfield Armory, Smith and Wesson, and Hechler and Koch.
- (b) Other handguns by manufacturers not listed in this section may be submitted for consideration as an Alternate Duty handgun. Such requests need to be submitted in writing to the Range Lieutenant for initial authorization and to the Chief of Police for final approval.

312.2.5 ALTERNATE ILLUMINATED REFLEX SIGHT FOR PRIMARY HANDGUN OR OFFICER PURCHASED LONG GUN

Officers who desire to use Illuminated Reflex Sights for their primary or alternate primary handgun or officer purchased duty rifle or shotgun are subject to the following:

- (a) Reflex sights will be of good quality and in good working order (e.g., Trijicon RMR, Shield RMS, etc.; subject to approval by the Range Captain, via the Range Supervisor with recommendation from Range Staff). Reticle size should range from 4 to 9 MOA. The use of reflex sights will require the use of co-witnessed iron sights in the event of a failure or malfunction when installed on handguns.
- (b) Authorization from the Range Captain is required before reflex sights can be utilized. Members must submit a memo to the Range Lieutenant, via the Range Supervisor. The memo must contain the following:
 - 1. A description of the reflex sight to include the make, model, reticle type, color and size.
 - 2. A description of any modification needed for the mounting of the reflex sight to an officer owned, alternate duty, or non-MOS handgun.
- (c) Purchase of the reflex sight, duty holster, mounting plate (if applicable), and replacement iron sights (if applicable) shall be the responsibility of the officer.

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- (d) The reflex sights will be subject to inspection by any member or the Range Staff whenever deemed necessary.
- (e) Officers must participate in a department approved transition course followed by a standard department approved handgun qualification course under the supervision of the department Range Staff for final approval from the Range Captain.
- (f) Any failures or malfunctions shall be reported to the officers's supervisor as soon as practical followed by notification to the Range Supervisor who will schedule the appropriate repairs.

312.2.6 AMMUNITION

Ammunition for duty firearms will be issued by the Department. Ammunition for secondary (back-up) and off duty weapons, other than calibers issued by the department, must be authorized factory ammunition. Ammunition should be replaced yearly.

312.2.7 BACK-UP WEAPONS

Officers desiring to carry a secondary (back-up) handgun are subject to the following restrictions:

- (a) The weapon shall be of good quality and working order, and of a reputable manufacturer (e.g., Glock, Colt, Smith & Wesson, Browning, Sig Sauer, etc.).
- (b) The purchase of the weapon shall be the responsibility of the officer.
- (c) The weapon 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 weapon shall be subject to inspection whenever deemed necessary.
- (e) Members shall qualify (backup/off duty course) with the Secondary Handgun under Range Staff supervision prior to deployment in the field. Officers must be able to demonstrate their proficiency, safe handling and serviceability of the weapon.
- (f) Members shall provide written notice of the make, model, color, serial number, and caliber of each secondary weapon to the Range Captain.

312.2.8 OFF-DUTY HANDGUNS

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 may carry their Department issued Duty Handgun in an off duty capacity. Sworn officers who choose to carry a firearm while off duty will be required to meet the following guidelines:

- (a) The weapon shall be of good quality and working order, and of a reputable manufacturer (e.g., Glock, Colt, Smith & Wesson, Browning, Sig Sauer, etc.).
- (b) The purchase of the weapon and ammunition (other than Department issued) shall be the responsibility of the officer.

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- (c) The weapon 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) It will be the responsibility of the officer to submit the weapon to a Range Armorer for inspection prior to being carried off duty. Range Staff shall assure that the officer is proficient in the handling and firing of that weapon, and that it will be carried in a safe manner. The weapon shall be subject to inspection whenever deemed necessary. The officer will successfully qualify with the weapon prior to it being carried, and thereafter once every year. The range qualification dates will be specified by Range Staff.
- (e) A complete description of the weapon(s) shall be contained on the qualification record approved by Range Staff.
- (f) All firearms carried by any officer while off duty must meet all the requirements set forth in this policy.
- (g) When off duty and armed, officers shall carry their badge and Department Identification.

312.2.9 DUTY LONG GUNS

The authorized Duty Patrol Rifle issued by the Department is the Colt AR-15 type platform in 5.56mm or .223 caliber.

The authorized Duty Shotgun is the Remington 870 pump action .12 gauge shotgun with rifle sights.

All additional Duty Long Guns, such as those issued for special assignment use, must be authorized by the Department.

312.2.10 DUTY PATROL RIFLE AND SHOTGUN MAINTENANCE

- (a) Primary responsibility for the maintenance and cleaning of Duty Patrol Rifles and Duty Shotguns shall fall on the Range Staff. A Range Armorer shall inspect and service each duty long gun on no less than an annual basis.
- (b) Each patrol officer carrying a patrol rifle or shotgun may be required to field strip and clean an assigned long gun as needed.
- (c) Each patrol officer shall be responsible for promptly reporting any damage or malfunction of an assigned patrol rifle or shotgun to their immediate supervisor, who shall notify the Range Staff Supervisor.
- (d) Each patrol rifle or shotgun shall be subject to inspection by a supervisor or Range Staff at any time.
- (e) No modification shall be made to any patrol rifle or shotgun, personally owned or Department owned, without prior written authorization from the Range Captain and subsequent inspection by range staff.

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312.2.11 ALTERNATE (OFFICER PURCHASED) DUTY PATROL RIFLES

Individual Chico Police Officers are provided an option to purchase patrol rifles for the purpose of deploying their Alternate Duty Patrol Rifle while engaged in on duty activities. Generally, Officers will be authorized to purchase an AR type rifle with specifications consistent with the Department's currently issued firearm, with only specified minor modifications allowed.

Primary functions of the patrol rifle such as platform, caliber, magazine interchangeability etc., shall not be modified in any form.

312.2.12 PROCEDURES FOR PURCHASING AN ALTERNATE DUTY PATROL RIFLE

Officers interested in purchasing or carrying an Alternate Duty Patrol Rifle shall submit a memorandum directed to the Range Lieutenant via the chain of command. Once the Range Lieutenant confirms that compliance standards have been met, the memorandum shall be forwarded to the Chief of Police for final approval. Range Staff shall then notify the involved Officer in writing of the administrative approval.

Officers shall then be provided an authorization letter from the Chief of Police or his/her designee, identifying him/her as a sworn police officer in good standing, and authorized to purchase a patrol rifle with high capacity magazines

312.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Department Armorer and approved by the Range Captain. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, 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 members in the performance of their official duties without the express written authorization of the member's Captain. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

312.4 ALCOHOL AND DRUGS

Weapons shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drug that would tend to adversely affect the officer's senses or judgment.

312.5 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty should complete training quarterly with their duty firearms. In addition to quarterly training, all members shall qualify at least twice a year with their duty handgun and at least annually with duty long guns. Members will qualify with off-duty and secondary firearms at least annually. Training and qualifications must be on an approved range course.

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At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

312.5.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 - 1. Unauthorized range make-up
 - 2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

312.6 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 Shootings and Deaths Policy. 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:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Captain or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

312.6.1 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

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Stray or abandoned injured animals that may be moved or taken to an available veterinarian should not be euthanized. With supervisor approval, abandoned injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made. Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed (Penal Code § 597.1).

312.7 RANGE DIVISION COMMANDER DUTIES

The Range Captain has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Range Captain shall complete and submit to the Training Sergeant documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Range Captain should keep accurate records of all training shoots, qualifications or other records as directed by the Training Sergeant.

312.7.1 RANGE STAFF DUTIES

The range will be under the exclusive control of the Range Staff. All members attending will follow the directions of the Range Staff. The Range Staff will maintain a roster of all members attending the range and will submit the roster to the Training Sergeant after each range date. Failure of any member to sign in and out with the Range staff may result in non-qualification.

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

312.8 RANGE ARMORER DUTIES

A Range Armorer has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. A Range Armorer has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm and it will not be returned to service until inspected by a Range Armorer.

A Range Armorer shall keep accurate records of all repairs and maintenance performed for each firearm.

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312.9 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 training, vacation, or pleasure purposes.
- (b) Officers must carry their Badge, Department Identification Card and California Driver's License. Additionally, officer(s) must present their Identification to airline officials when requested.
- (c) All required notifications must be transmitted in accordance with TSA regulations, and is accomplished through Dispatch personnel.
- (d) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by a department appointed instructor.
- (e) 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.
- (f) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. 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.
- (g) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

312.10 CARRYING FIREARMS OUT OF STATE

Qualified active fulltime 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 926B and C):

- (a) The officer shall carry his/her Department identification card and Badge whenever carrying such weapon.
- (b) Qualified retired officers shall also carry certification of having met a department firearms course qualification within the past 12 months.
- (c) The officer is not the subject of any current disciplinary action suspending police powers.
- (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).

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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 United States Code 926B and C.