



CRYSTAL POLICE DEPARTMENT

TITLE: FIREARMS POLICY

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This policy coincides with Crystal Police Department Policy 7.1 Use of Force

PURPOSE

The Crystal Police Department recognizes and respects the value of all human life with dignity and without prejudice to anyone. It is also understood that vesting officers with the authority to use lawful and reasonable force, including the possible use of deadly force, to protect safety and public welfare requires a careful balancing of all human interests.

When a firearm is used by a Police Officer, it must be with the realization that the death of some person may occur, not necessarily with the intent that such will be the result.

POLICY

It is the policy of this department that members make reasonable efforts/attempts to exhaust all other reasonable means of apprehension and control before resorting to the use of firearms whenever practical or possible. It is also the policy of this department that members shall not unnecessarily or unreasonably endanger themselves or others in the handling of firearms in all situations.

REMOVAL OF FIREARMS FROM HOLSTERS

Officers SHALL NOT remove a firearm from its holster in the police department or in public except for the following reasons:

- For repair, inspection, cleaning, training, or at an authorized range for firearms practice or qualification;
- For safekeeping in a "handgun lock box" (such as the jail), a locked locker, or a locked office;
- When necessary for the performance of official police duties, which may include the firearm being out of the holster and readied where it is reasonably anticipated a firearm may be required.

GENERAL FIREARMS GUIDELINES

Only sworn Minnesota Peace Officers currently licensed by the MN P.O.S.T., and approved by the Chief of Police, shall be authorized to carry a firearm while working in any capacity for the Crystal Police Department. Non-sworn and non-peace officer licensed personnel may not carry a firearm at any time during the performance of their duties with the Crystal Police Department.

Firearms and ammunition that meet agency authorized specifications, approved by The Chief of Police and issued by the department, shall be used by officers in their law enforcement responsibilities. Only firearms (handgun or rifle) approved and issued by the department are authorized for on-duty use unless otherwise noted within this policy.

Duty firearms shall be thoroughly inspected by a department authorized Firearms Instructor or Department Armorers prior to being issued or carried.

No duty firearm shall be carried by a member who has not qualified with that style of firearm at an authorized department shoot.

All department firearms shall be listed with the department by make, model and serial number

The authorized duty holster is the patrol/duty holster issued by the department. A minimum of one (1) belt keeper shall be placed on each side of the firearm when worn on a patrol officer duty belt. If an officer wishes to use a holster different than a department issued holster, this holster must be approved by the Firearms Coordinator. Officers using a holster different than a department issued holster, including concealable holsters due to their assignment, need to train with that holster during a regularly scheduled department firearm training session annually.

All officers are encouraged to carry at least one spare magazine in addition to the one in their handgun.

A secondary or backup handgun may be worn at the officer's discretion as outlined in this policy.

Officers on a training or special detail day are not required to carry a duty handgun, but may choose to do so. If officers are not in a visible uniform or don't have a police badge/ID near their handgun, they are encouraged to carry their handguns concealed in a manner to prevent causing anxiety or excitement to the public.

Officers shall not unnecessarily display or handle any firearm that may be alarming or offensive to others. Any and all unnecessary display or handling of any firearm must be reported to a supervisor immediately.

AMMUNITION

Officers carrying department issued firearms shall use only department issued ammunition. Officers shall be issued new duty ammunition in the specified quantity during the officer's scheduled qualification at minimum every three years, dependent on the duty weapon and ammunition supply. New duty ammunition will be supplied at a date and time set by the Firearms Coordinator.

Officers carrying personally owned authorized firearms shall be responsible for obtaining new ammunition at their own expense. This includes ammunition for any backup, secondary or off duty handgun. This ammunition must be of comparable grain and quality to any department issued ammunition.

Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by a Firearms Instructor or Armorer.

AUTHORIZED SECONDARY AND BACK-UP HANDGUNS

Officers may choose to carry a secondary or back-up handgun, but are not required to do so. A secondary handgun is defined as a firearm that is carried by an officer as their primary handgun during special circumstances (i.e. non-patrol assignments, training or special details, etc.). A back-up handgun is defined as a firearm that is carried by an officer in addition to their primary handgun while on duty in any assignment.

Officers who desire to carry a secondary or back-up handgun are subject to the following guidelines and restrictions prior to carrying while on duty:

- Only one back-up handgun may be carried in addition to the officer's primary handgun. The back-up handgun shall be worn out of sight at all times;
- The handgun will be from a major gun manufacturing company as defined by the department Firearms Coordinator;
- Officers must have completed a department handgun qualification with the specific style (semiautomatic or revolver) of firearm they wish to carry as a secondary or back-up handgun;
- Each handgun used by an officer while on duty as a secondary or back-up handgun must be reported to and approved by the Chief of Police or their designee with information about the handgun (make, model, caliber, serial #), and kept on file with the department. The department will maintain an active list of all secondary and back-up handguns for all officers;
- The purchase, upkeep, maintenance, and any repairs of the handgun and ammunition shall be the responsibility of the officer;
- The handgun shall be subject to inspection whenever deemed necessary by a supervisor or the Firearms Coordinator. The supervisor or Firearms Coordinator shall have the authority to deem a secondary or back-up handgun as unusable for on duty use.

CARRYING FIREARMS WHILE ON LIGHT DUTY STATUS

Officers who are working in a “Light Duty” status, as determined by the Chief of Police, are not required to carry a duty firearm, but may choose to do so. If the officer’s injury may affect their ability to safely and effectively draw, holster, or discharge their weapon, as determined by the Chief of Police, they will not be allowed to carry while on duty. Officers who choose to carry either their duty or secondary handgun will be subject to all applicable sections of this policy.

AUTHORIZED OFF-DUTY FIREARMS

Officers may carry, but are not required to carry, a handgun while off duty. However, if an officer elects to carry the handgun off duty by authority vested to police officers in State Statute 624.714, the handgun shall be used in compliance with this section. Licensed officers who choose to carry a firearm while off-duty, based upon their authority as a peace officer, will be required to meet the following guidelines:

- Officers may carry their department issued handgun while off duty;
- The purchase, maintenance, and upkeep of any personally-owned firearm and ammunition shall be the responsibility of the officer;
- Officers are encouraged to carry the firearm concealed at all times and in such a manner as to not be alarming in nature to the public and in a way that prevents the unintentional cocking, discharge or loss of physical control of the firearm;
- Officers carrying firearms while off duty shall also carry proper identification with them denoting that they are a licensed Peace Officer with the City of Crystal;
- Newly hired officers with the Crystal Police Department must have successfully completed and passed their Field Training Orientation Phase prior to being authorized to carry a department issued firearm while off duty.

FIREARMS STORAGE

Issued duty handguns will be assigned to individual officers. Handguns are stored in the assigned officer's holster with the duty holster attached and placed on the officer's belt.

No firearms shall be left unattended, out in the open, or in a common area by any officer. Officers are required to keep firearms with them at all times, locked in their locker, in an authorized lock box, in a locked office, or in the department armory.

Rifles will be stored in the locked rifle rack or case of the respective squad it belongs to, in a locked office, or in the department armory.

FIREARMS MAINTENANCE AND REPAIR

Primary responsibility for maintenance and cleaning of department issued handguns shall fall on the officer the department handgun is issued to. Officers shall clean a firearm only where clearing barrels and cleaning equipment are present within the department.

Officers may be required to field strip and clean department rifles as needed and as directed by a Supervisor, Firearms Instructor, or a Department Armorer.

Primary responsibility for maintenance and cleaning of rifles shall fall on the Firearms Instructors and Department Armorer's.

Department-owned firearms and personally owned firearms used for official purposes shall be inspected regularly to determine the safety and functioning of the firearm. This inspection will be made by the Department Firearms Instructors or Department Armorer's who are certified by a recognized outside entity in the proper maintenance of each specific type of firearm.

All firearms carried on duty shall be maintained in a clean, serviceable condition. Since the use of personally owned firearm, in the form of a secondary or back-up firearm, is at the option of the individual officer, that officer will be responsible for the furnishing, maintenance and repair of such personally owned firearm at the same standards as a department issued firearm.

Officers shall be responsible to show any assigned handgun or rifle upon request for inspection by a Supervisor, Firearms Instructor, or Department Armorer at any time.

Officers shall be responsible for promptly reporting any damage or malfunction of an assigned duty firearm to a Supervisor, Firearms Instructor or Armorer as soon as practical.

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 and immediately removed from service. It shall be promptly presented to a Supervisor, Firearms Instructor, or Department Armorer. The firearm will be clearly identified as unserviceable and placed in the department armory and brought to the attention of a Department Armorer for inspection and/or repair. If the firearm is the officer's primary duty firearm, a replacement firearm will be issued to the officer at the earliest convenient time until the duty firearm is serviced.

REPAIR OR MODIFICATIONS OF DUTY WEAPONS

No modification shall be made to any issued duty firearm, without prior authorization from the Firearms Coordinator.

Officers requesting any modifications shall request permission for such modifications through a written request in the form of a memorandum. This request should be forwarded to the Firearms Coordinator through the officer's direct supervisor. The Firearms Coordinator shall determine if modification is justified and may request feedback from Firearms Instructors in determining the justification. The officer requesting modification shall wait for written permission before

implementing or making modification to any weapon.

The Firearms Instructor and/or Firearms Armorers are the only individuals authorized within the Police Department to complete any repair or modification to any department owned firearm. All other repairs and/or modifications of department-issued firearms not performed by the Firearms Instructor or Department Armorers will be accomplished by a department approved gunsmith and/or manufacturer who are certified to repair such firearm.

Repairs or modifications to the officer's personally owned weapon, such as a back-up, secondary, or off-duty firearm, shall be done at the officer's expense.

FIREARMS TRAINING AND QUALIFICATION

Officers shall not carry or utilize any duty firearms - department issued handgun, back-up, secondary or off duty handgun, or any rifle unless they have successfully completed department training on that style of weapon system. Officers shall thereafter be required to successfully complete yearly firearms training showing proficiency on all firearms, including a firearm qualification approved by the Firearms Coordinator at least once per calendar year.

All firearms training will be conducted by a Department Firearms Instructor. Officers shall demonstrate the ability to use all firearms in a safe and proficient manner during regular firearms training and/or qualification sessions.

Minimum qualification requirements for on duty firearms qualifications will be set by the Chief of Police or designee.

Minimum firearms training/qualifications target size and style will be set by the Firearms Coordinator or designee.

Officers failing to meet minimum qualification requirements shall be scheduled for additional training in order for the officer to be qualified on said weapon system each required type(s) of firearm.

Officers failing to report or participate in a scheduled department firearms training session may be subject to disciplinary action.

FIREARMS INSTRUCTOR DUTIES

Firearms Instructors are appointed by the Chief of Police and must have successfully completed an approved Firearms Instructor course.

All members attending training shall follow the directions of the instructor.

Submission of lesson plans shall be submitted to the Firearms Coordinator for approval prior to training being conducted.

Instructors have the responsibility to ensure each officer on a yearly basis can demonstrate proficiency criteria set forth by the Minnesota POST Board and the Crystal Police Department. The Firearms Coordinator will be responsible for ensuring all firearms training meets POST Board requirements.

Instructors shall obtain a roster of all members attending each training and shall submit the roster to the Firearms Coordinator at the completion of the training, which are then forwarded to the Deputy Chief for training records to be kept and filed accordingly.

NOTIFICATION OF FIREARM DISCHARGE

When any member of the Crystal Police Department discharges a firearm, that member shall notify a supervisor or acting supervisor as soon as it is practical to do so.

The discharge of a firearm for any of the following reasons does not require notification to a supervisor:

- Department approved training;
- Department approved ballistics purposes;
- Department approved maintenance purposes;
- Private hunting or target shooting;

An officer discharging a firearm on a seriously wounded or injured animal shall notify the shift supervisor or acting shift supervisor in addition to the Hennepin County Dispatch, prior to the discharge of the firearm. Officers shall also complete a report documenting the situation.

The discharge of a firearm in the course of duty (except for the exceptions noted above) must be reported by the Chief Law Enforcement Officer (CLEO) the circumstances of the discharge to the BCA within 30 days (MN STAT 626.553, subd 2).

UNINTENTIONAL/NEGLIGENT DISCHARGE OF A FIREARM

The unintentional discharge of a firearm by any member of the Crystal Police Department shall be deemed to be unintentional or negligent. An investigation may be conducted into the circumstances surrounding the incident to attempt to determine the cause of the firearm's discharge at the direction of the Chief of Police.

Carelessness or negligence on the part of any department member which results in the discharge of a weapon while on duty may result in disciplinary action.

LOSS OR THEFT OF FIREARM

The loss or theft of an officer's department issued firearm, or any personally owned firearm, shall immediately be reported to the Chief of Police through the proper chain of command. A report shall be written documenting the circumstances, a complete description of the weapon (to include make, model, serial number and caliber) and the police jurisdiction where it is believed to be lost or stolen. A report shall also be made with the local law enforcement agency where the loss or theft is believed to have occurred.