

	<b>NIAGARA FRONTIER TRANSPORTATION AUTHORITY POLICE DEPARTMENT</b>  <b>POLICY AND PROCEDURE GENERAL ORDER</b>	<b>Distribution</b>  <b>ALL PERSONNEL</b>	<b>General Order Number</b>  <b>3.01</b>
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Order Title:  <b>USE OF FORCE – GENERAL</b>		Accreditation Standard: NY 2.2; 2.7; 6.1; 6.2; 8.1; 4.1; 18.1; 20.1; 20.5; 20.6; 21.1; 21.2; 25.1; 9.3; 32.3; 32.4; 33.1; 35.1; 40.1; 40.2	Section  3
		Section Title <b>RULES OF CONDUCT</b>	
Rescinds:  <b>ALL PREVIOUS</b>		<b>Brian Patterson, Chief of Police</b>	

*This General Order is for departmental use only and does not apply in any criminal or civil proceeding. This General Order should not be construed as creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims. Violations of this General Order will only form the basis for departmental administrative sanctions. Violations of law will form the basis for civil and criminal sanctions in a recognized judicial setting.*

## **I. PURPOSE**

To establish Niagara Frontier Transportation Authority Police Department’s guidelines and limitations concerning the appropriate and acceptable use of deadly and non-deadly force.

## **II. POLICY**

It is the policy of the Niagara Frontier Transportation Authority Police Department (“NFTAPD” or “Department”) to provide clear directives to officers regarding the use of force in the performance of their duties. The safety of innocent persons and officers is of paramount importance.

The main responsibility of Department officers is to protect the life and property of civilians. In compliance with applicable law, officers shall use only the amount of force necessary and reasonable to accomplish lawful objectives and to control a situation, effect an arrest, overcome resistance to arrest, or defend themselves or others from harm. When force is necessary, the degree of force employed should be in direct relationship to the amount of resistance exerted or the immediate threat to the officers or others. There is a compelling public interest that officers authorized to exercise the use of force do so in an objectively reasonable manner and in a way that does not violate the civil rights guaranteed by the U.S. Constitution, New York State Penal Law Article 35, and any other applicable laws. Officers who use excessive or unjustified force degrade the confidence of the community that they serve, undermine the legitimacy of a police officer’s authority, and hinder the Department’s ability to provide effective law enforcement services to the community.

Officers who use excessive or unauthorized force shall be subject to discipline, possible criminal prosecution, and/or potential civil liability. The use of force is only authorized when it is objectively reasonable and for a lawful purpose. Accordingly, the Department will thoroughly review and/or investigate all uses of force by officers to assure compliance with applicable law and this General Order.

**Niagara Frontier Transportation Authority Transit Police Department does not authorize or teach chokeholds or similar restraints and forbids the use of them unless deadly physical force is authorized.**

- Chokehold is defined as any application of sustained pressure to the throat, windpipe, neck or blocking the mouth or nose of a person in a manner that may hinder breathing or reduce intake of air OR restricting the flow of blood to the brain by compressing the neck where the carotid arteries are located.
- A member may be found guilty of aggravated strangulation when he or she commits the crime of criminal obstruction of breathing or blood circulation, defined as: with the intent to impede the normal breathing or circulation of the blood of another person, he or she: a) applies pressure to the throat or neck of such person; or b) blocks the nose or mouth of such person, and causes serious physical injury or death to another (NY Penal Law 131.13-a); or uses a chokehold or similar restraint, as defined above (§ 837-T, Subdivision 1, Par. B), and thereby causes serious physical injury or death to another person.

### III. DEFINITIONS

Actively Resisting: When a subject makes physically evasive movements to interfere with an officer's attempt to control that subject including bracing, tensing, pulling away, actual or attempted flight, or pushing.

Authorized Weapons: Weapons that meet departmental specifications, officers are permitted to carry, and for which officers have successfully completed proficiency and safety training.

Critical Firearm Discharge: A discharge of a firearm by an officer to the extent such discharges are authorized under this General Order (See G. O. [3.07, Firearms](#)). Range and training discharges and discharges at animals are not included under this section.

Deadly Force: Any physical force that can reasonably be expected to cause death or serious physical injury. Officers must understand that deadly physical force is an extreme measure and should only be used in accordance with applicable law and as stated in this General Order and any other Department directives governing the use of force.

De-escalation: A decrease in the severity of force used in an incident in direct response to a decrease in the level of resistance.

Electronic Control Weapon: An incapacitating weapon used for subduing a person by administering an electric shock. This is an intermediate-range weapon and is classified as non-deadly. The weapon should only be used when an officer is met with a certain degree of resistance or aggression through either actions or words.

Exigent Circumstances: Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to a person(s), the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly impeding legitimate law enforcement efforts.

Force: Any physical strike or instrumental contact with a person, any intentional attempted physical strike or instrumental contact that does not take effect, or any significant physical contact that restricts the movement of a person. The term includes the discharge of a firearm or pointing a firearm at or in the direction of a person(s), the use of chemical spray, the use of impact weapons, the use of electronic control weapons (ECW), chokeholds or hard hands, the taking of a subject to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with minimal or no resistance. Use of force is lawful if it is **objectively reasonable** under the circumstances to effectuate an arrest or protect the officer or other person(s).

Great Bodily Harm/Serious Physical Injury: Serious bodily injury that creates a substantial risk of death, causes serious or permanent disfigurement, or results in long-term loss or impairment of the functioning of any bodily member or organ.

Hard Hand Control: Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and include strikes to pressure points such as: the common peroneal (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of neck).

- Defensive strikes are used by officers to protect themselves from attack and may include strikes to other areas of the body, including the abdomen or head. Techniques in this category include pressure point controls, stunning or striking actions delivered to a subject's body with the hand, fist, forearm, legs, or feet. These techniques target the major muscle groups and are delivered to create muscle cramping, thereby inhibiting muscle action and allowing the officer to subdue the subject. In extreme cases of self-defense, the officer may need to strike more fragile areas of the body where the potential for injury is greater. The use of neck restraints, chokeholds, or other similar weaponless control techniques, however, are prohibited unless the use of deadly force is authorized.

Harm: Injury inflicted upon a person, whether visible or not.

Imminent Threat: An officer's reasonable perception of impending danger, death, or serious injury from any action or outcome that may occur during an encounter. A subject may pose an imminent or impending threat even if he or she is not pointing a weapon at the officer but has a

weapon within reach, is running for cover carrying a weapon, or running to a place where the officer has reason to believe a weapon is available.

Impact Weapons: Department-approved tools that provide a method for gaining control of a subject when lethal force is not justified, but when empty-hand control techniques are not sufficient to effect control.

Level of Control: The amount of force that an officer uses to gain control over a subject.

Level of Resistance: The amount of force used by a subject to resist compliance with the lawful order or action of an officer.

Non-lethally: Any force used by an officer that would not reasonably be expected to cause death.

Non-Verbal and Verbal Non-Compliance: When a subject expresses his/her intentions not to comply with an officer's directive through verbal and/or non-verbal means. An officer may encounter statements ranging from pleading to physical threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.

Objectively Reasonable Force: The degree of force used in effecting an arrest, investigatory stop, or other seizure is evaluated by using the objective, reasonable police officer standard. The reasonableness of each particular use of force will be judged from the perspective of a reasonable officer on the scene, based on the facts and circumstances known to and confronting the officer at the time. (See, [Graham v. Connor, 490 US 388 \(1989\)](#).) In determining the appropriate level of force to be used, officers shall evaluate each situation in light of the unique facts and circumstances of each case. Those factors include, but are not limited to, the seriousness of the crime or suspected offense, the level of threat or resistance presented by the subject, the risk or apparent attempt by the subject to escape, and whether the subject was posing an imminent threat to officers or others.

Oleoresin Capsicum (OC) Spray: An inflammatory agent. It is an intermediate range weapon that is classified as non-lethally. It should only be used when an officer is met with a certain degree of resistance or aggression through either actions or words.

Passive Resistance: When a subject does not cooperate with an officer's commands but does not take action to prevent being taken into custody. For example, a protestor who lies down in front of a doorway and must be carried away upon arrest.

Reasonable Belief: Facts or circumstances that would cause a reasonable, similarly trained police officer to act or think in a similar manner, under similar circumstances.

Soft Hand Control: The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.

Verbal Commands: The use of advice, persuasion, warnings, and or clear directions prior to resorting to actual physical force. In an arrest situation, officers shall, when feasible, give the arrestee simple directions with which the arrestee is encouraged to comply. Verbal commands are the best method of dealing with an arrest situation.

#### **IV. PROCEDURES**

##### **A. General**

1. Officers shall use advisements, warnings, verbal persuasion, and verbal instructions when possible before resorting to force.
2. Force shall be de-escalated immediately as resistance decreases.
3. When feasible based on the circumstances, officers will use disengagements, area containment, surveillance, waiting on a suspect, summoning reinforcements, and/or calling in specialized units in order to reduce the need for force and thereby increase officer, suspect, and civilian safety.
4. Officers shall allow a suspect(s) time to submit to arrest before force is used, wherever possible.

##### **B. Use of Force Authorization and Limitations**

Officers are authorized to use only the amount of force necessary to accomplish lawful objectives. Force may be used:

1. To effect an arrest or prevent the custodial escape of a suspect whom the officer reasonably believes has committed an offense;
2. To defend the officer or others from the use, or imminent use, of physical force;
3. To take persons into protective custody when authorized by law, such as persons who are a danger to themselves or others, persons incapacitated by alcohol, and/or runaway children;
4. To prevent someone from committing suicide or inflicting serious physical injury upon themselves;
5. To assist a licensed physician or psychologist in providing necessary medical treatment;
6. To control a situation, and to overcome passive or active resistance to a lawful order;
7. To neutralize an unlawful assault and defend themselves or others from harm.

The authorized use of physical force ends when resistance ceases and/or the officer has accomplished the purpose necessitating the use of force. Justification for the use of force is limited to the facts known or perceived by the officer at the time such force

is used including levels of resistance, a suspect's behavioral cues, the number of officers and/or offenders present, and the availability of other options.

**Force shall never be used to subject a person to torture and/or other cruel or inhumane or degrading treatment or punishment.**

All officers shall receive regular in-service training on all Department use of force directives, including this General Order.

C. Verbal Warning

When tactically feasible, an officer will identify him/herself as a police officer and issue verbal commands and warnings prior to the use of force. When feasible, an officer will allow the subject the opportunity to comply with the officer's verbal commands. A verbal warning is not required in circumstances where the officer must make a split-second decision or if the officer reasonably believes that issuing the warning would place the safety of himself/herself or others in jeopardy.

D. Use of Deadly Force in Defense of Human Life

An officer is justified in using deadly physical force only when he or she reasonably believes such force is necessary to:

1. Defend the officer, or another person(s), from the imminent threat of death or serious bodily injury;
2. Effectuate an arrest or prevent the custodial escape of a suspect whom he/she reasonably believe has committed or attempted to commit a felony involving the infliction or threatened infliction of serious physical injury AND the officer reasonably believes this person still poses a significant threat of death or serious physical injury to him/her or another person(s). Where feasible, the officer should give warning of his/her intent to use deadly physical force.

*See, [Tennessee v. Garner, 471 U.S.1, 85 \(1985\)](#): The United States Supreme Court ruled that the use of deadly force to prevent the escape of a suspected felon violates the Fourth Amendment prohibition against unreasonable seizure if used against an apparently unarmed, non-violent suspect (the case involved a burglary suspect). The Supreme Court further stated that deadly force may be used against an offender who has attempted or committed an offense involving the infliction or threatened infliction of great bodily harm. Deadly force may not be used against an unarmed, non-violent, property crime offender. The United States Supreme Court decision further stated that when an officer is justified in the use of deadly force he/she must, if feasible, first give a verbal warning (Example: "Police Officer, Halt").*

## E. Deadly Force Restrictions

### 1. Warning Shots Prohibited

Officers are prohibited from discharging their firearms as a means of warning or frightening a person.

### 2. Shooting at or from Moving Vehicles

Officers are prohibited from discharging their firearms at or from a moving vehicle, motorcycle, or bicycle (collectively, "moving vehicle") unless officers reasonably believe deadly force is necessary to defend the officer or another person(s) from the use or imminent use, of deadly force. For purposes of this General Order, officers will not discharge their firearms at moving vehicles except under extreme circumstances. Such discharges will be rigorously scrutinized. Officers shall avoid tactics that could place them in a position where a vehicle could be used against them. When confronted with an oncoming, moving vehicle, officers must attempt to move out of its path and should generally avoid placing themselves in situations where the use of deadly force is more likely.

### 3. Risk to Innocent Bystanders

When officers are about to discharge their firearms they should be aware of their field of fire, including the backdrop, so as to avoid creating an unnecessary, substantial risk of harm to innocent persons. Officers are prohibited from discharging their firearms when, based on the totality of the circumstances, discharging a firearm would constitute a greater risk to innocent human life than the severity of the suspect's actions. (*i.e. discharging a firearm into a crowd, or shooting into a building or through a wall, where the suspect is not clearly identified and it is unknown if there are other occupants present.*)

### 4. Pointing Weapons

Officers are prohibited from drawing and pointing their firearms at or in the direction of a person, absent an objectively reasonable determination that the situation may escalate to the point where deadly force would be authorized under this General Order. When it is determined that the use of deadly force is not necessary, officers shall, as soon as practicable, secure or holster their firearms. It is the rule of this Department that drawing a firearm and pointing it at a person is considered a use of force and must be documented as such.

5. Use of Firearm to Destroy Animals

Officers may use deadly force against an animal that represents a threat to the officer or to public safety. Whenever possible, officers should seek the permission of their supervisor prior to using deadly force against a dangerous animal.

Deadly force may also be used as a humane measure, where an animal is seriously injured, and humaneness demands its immediate removal from further suffering. Officers should seek the authorization of their supervisor and whenever practical, authorization from the animal's owner.

6. Use of Department Weapons for Training and Other Purposes

Officers may discharge their firearms for the purpose of practice, firearms training, when on the police range or other established shooting ranges, or when authorized by the Chief of Police to participate in law enforcement competition events.

7. Use of Firearms While Under the Influence of Alcohol and/or Drugs

Officers shall not carry or use any firearms or weapons while impaired by alcohol, drugs, or any other medical condition that might interfere with their judgment or proficiency.

8. Security, Storage, and Safe Handling of Firearms

Officers shall be trained in accordance with Department General Orders and shall obey all safety rules when handling any firearm or any other weapon. No person other than Department Officers shall be permitted access to any Department-owned firearm, with the exception of police officers from other jurisdictions in the official performance of their duty, for repair or maintenance as approved by the Department, or other circumstances with the express permission of the Chief of Police or the Deputy Chief of Police.

Officers will secure and store firearms, both on and off duty, in such a way as to ensure that no unauthorized person will have access to or gain control over the firearm(s). All Department firearms kept at home must be secured in a safe place inaccessible to family members, especially children.

Whenever an officer is in the Department and removes his/her firearm or other weapon, the firearm/weapon must not be left in the open and must be secured so that it is not readily accessible to civilians, suspects, victims, or witnesses.

F. Use of Non-deadly Force

The use of non-deadly force shall conform to applicable Department General Orders, other directives, and training. Officers shall only use weapons that have been approved and control techniques that are justifiable for use in a given situation. The

use of non-deadly force shall be limited to defensive and control purposes. Officers shall use only the reasonable amount of force necessary to overcome resistance or accomplish the police task. Officers shall not carry any non-deadly weapons, or employ any non-deadly techniques, prior to successfully completing the relevant Department-approved training for each weapon or technique.

1. Authorization to Use Non-deadly Force

Officers are authorized to use Department approved, non-deadly force techniques and authorized weapons to:

- a. Prevent the escape from custody, or to effect a lawful arrest, of a suspect whom the officer reasonably believes has committed an offense; or
- b. Protect or defend the officer or others from what he/she reasonably believes to be active resistance while effecting or attempting to effect an arrest, or while preventing or attempting to prevent an escape.

*NOTE: Nothing in this policy is intended to discourage officers from using a higher level of force whenever such force is necessary and objectively reasonable under the circumstances.*

2. Non-deadly Force Restrictions

The following tactics of non-deadly force may be permitted in circumstances only when deadly force is authorized by this General Order:

- a. Any chokeholds or neck restraints, with or without a device, that restricts a person's airway;
- b. Any strike with an impact weapon or object to a person's head or neck; and/or
- c. The use of flashlights, radios, or any other items not issued or trained specifically as defensive weapons.

In limited circumstances when a confrontation escalates suddenly and unpredictably, however, an officer may use any means or device at hand such as a flashlight, radio, and other issued equipment, to defend themselves, another person, or to bring a situation under control. This decision should be based on the circumstances surrounding the officer at the time, if the officer determines it was reasonably necessary to do so, as long as the level of defensive action is objectively reasonable given the existing circumstances.

d. Force shall not be used against persons in handcuffs, except as objectively reasonable to prevent imminent bodily harm to the officer or another person or persons, to prevent attempted escape, or, as objectively reasonable, where physical removal is necessary to overcome passive resistance.

3. Impact Weapons

Authorized impact weapons may be used only when an officer is confronted with actual or imminent active aggression against him/herself or another person. (Refer to G. O. [3.04, Use of Impact Weapons](#) for specifics regarding the authorized use of an Impact Weapon.)

The use of a baton or similar instrument to strike a blow to a subject's arms or legs will be considered use of non-deadly force. The use of any such items to intentionally strike a subject's head or neck is prohibited except where deadly force is authorized by this General Order.

4. Oleoresin Capsicum (OC Spray)

Authorized OC spray is an alternative to physical control techniques and the use of other intermediate weapons. As with any other use of force, OC spray must not be used indiscriminately or without justification. Officers must be able to articulate the reason(s) the subject was sprayed with OC spray.

OC spray shall be utilized as issued and authorized to prevent injury to the subject(s), officers, and another person(s). (Refer to G.O. [3.03, Chemical Agents](#) for specifics regarding the authorized use of an OC spray.)

5. Electronic Control Weapon

An Electronic Control Weapon (i.e., TASER®) is authorized for use when other non-deadly options have been ineffective, or when it reasonably appears that such options will be ineffective in subduing the subject. Electronic Control Weapons shall only be used in situations where the subject is actively resisting or attempting to avoid arrest by escape and poses an imminent threat to the safety of him/herself, another person, or the officer. (Refer to G. O. [3.02, Use of Electronic Control Weapons](#) for specifics regarding the authorized use of an electronic control device.)

## G. Training and Qualifications

In addition to training required for firearms qualification (Refer to G. O. [3.07, Firearms](#)), officers shall receive Department authorized training designed to simulate actual situations and conditions and to enhance the officers' discretion and judgment in using deadly and non-deadly force in accordance with this General Order.

1. All training, including remedial training, will be documented.
2. At least annually, all officers shall receive in-service training for all lethal weapons and training in the Department's Use of Force General Orders and related case law updates. All officers qualified in the use of impact weapons, OC spray, electronic control weapons, and control techniques shall, at least every two years, re-qualify on such weapons or techniques under the instruction of a certified instructor.
3. Training and proficiency results for any authorized weapon will be documented in the training files. Officers must demonstrate proficiency with weapons in compliance with NYS DCJS & MPTC requirements.
4. All officers who fail to demonstrate the required proficiency with Department issued weapons shall receive remedial training. Remedial instruction for Department issued firearms shall follow the Department's Firearms General Order. (See G. O. [3.07, Firearms](#)).
5. An officer failing to demonstrate proficiency with a weapon shall not return to duty with that weapon until such time as proficiency is demonstrated and documented.
6. Only officers demonstrating proficiency in the use of Department authorized weapons shall be approved to carry such weapons. (See G. O. [3.07, Firearms](#)).

## H. Provide Medical Aid

1. Any time a person has visible injuries or complains of being injured as a result of force used against him/her by an officer, the officer must take appropriate actions to provide medical care for the injured person. This includes providing first aid, requesting emergency medical services, and/or arranging for other transportation to a hospital or emergency medical facility.
2. Officers shall be trained in proper treatment procedures for persons exposed to chemical sprays and the effects of other less-lethal force. If the person is offered and/or refuses treatment, this refusal shall be recorded in the police report, along with all relevant information. In addition, the officer will also notify their supervisor as soon as practical. If warranted, the supervisor will arrange to have photographs taken of the person's injuries and those photographs will be attached to the police report.

## I. Use of Force Reporting

The Department shall establish a use of force reporting system that allows for the effective review and analysis of all Department use of force incidents in addition to complying with Executive Law 837-T, which requires each police department to report occurrences in the specified use of force. State required reporting includes: displaying a chemical agent; use or deploying of a chemical agent; brandishing, using or discharging a firearm; brandishing, using or deploying an impact weapon or electronic control weapon, using a chokehold or other similar restraint; any conduct that results in death and/or serious bodily injury. The reporting system shall be designed to help identify trends, improve training, enhance officer safety, and provide timely and accurate information to the Department. Officers shall complete the appropriate authorized Departmental *Use of Force Report* whenever they use force against a subject as described above. This includes the discharge of a firearm or any action that results in, or is alleged to have resulted in, injury to or the death of another person. This requirement shall not apply when an officer simply draws or transports any weapon while on scene.

### 1. Officer's Responsibilities:

- a. When an officer finds it necessary to use force to effectuate an arrest, or for any other law enforcement purpose, whether on duty or off-duty, that officer shall:
  - 1) Notify a supervisor of the incident as soon as circumstances allow;
  - 2) Complete a *Use of Force Report*, which shall list all other officers involved in or witnessing the incident.

All Use of Force Reports must be completed and forwarded to the Shift Supervisor, or designee, as soon as practical after the incident. Lieutenants (or Shift Commander) will be held responsible to see that this form is completed prior to the officer leaving his/her tour of duty. However, when special circumstances exist, such as those incidents resulting in the death or serious injury of a person, the Chief of Police or his/her designee may grant an extension, on a case-by-case basis, and assign an alternate date and time for use of force reports to be completed and submitted.

### 2. Shift Supervisor's Responsibilities

- a. When a use of force incident occurs, the Shift Supervisor or designee has the primary responsibility to make certain that all necessary Use of Force Report forms are properly completed, reviewed for accuracy, and submitted via the Chain of Command. The Shift Supervisor shall sign the report and forward through the Chain of Command.
- b. If the use of force involves an officer who did not report to a Shift

Supervisor at that time, the officer's Unit Supervisor shall review and sign the supervisory portion of the report. Supervisors involved in a use of force incident will forward the *Use of Force Report* via the Chain of Command.

- c. When an on-duty or off-duty employee has been involved in a use of force incident which has resulted in death or serious injury to any person, the Shift Supervisor will immediately report the incident to the Chief of Police, via the Chain of Command. This also includes those cases where any firearm is accidentally or purposefully discharged which results in injury or death to any person.
  - o In conjunction with [New York State Executive Order 147](#), the Attorney General is required to investigate, and if warranted, prosecute certain matters involving the death of an unarmed civilian, whether or not in custody, caused by a law enforcement officer. The Attorney General may also investigate and prosecute in such instances where there is significant question as to whether the civilian was armed and dangerous at the time of his or her death. The Chief of Police, or designee, shall be responsible for notification to the District Attorney and the Attorney General's Office.

### 3. Office of the Chief

- a. The Shift Supervisor and the Division Captain will review the *Use of Force Report* to determine:
  - 1) Whether the action was consistent with this General Order and any other Department directive;
  - 2) Whether the action warrants further administrative review/investigation; and
  - 3) Make recommendations on equipment upgrades, training, and/or policy issues, if applicable.
- b. The Chief may confer with Department instructors/trainers who specialize in the field of force used, as needed. The Chief of Police will be informed about any incident that is not be consistent with this General Order or other applicable Department directive.
- c. In all cases where an officer's action is determined to be a violation of this General Order but *not* a violation of state law, this distinction shall be made clear in all public discussion of such incidents and in any disciplinary action which may result.
- d. The Chief of Police designee will conduct an annual analysis of all "Use of Force" incidents and provide a comprehensive report to the

Chief of Police.

J. Maintenance and Accountability for Weapons:

1. The Lead Firearms Instructor will maintain a list of all approved firearms and ammunition that will be made available to all officers. The Lead Firearms Instructor will also maintain inventory reports for all weapons authorized by the Department and update inventories annually.
2. All firearms will be inspected by a qualified armorer or firearms instructor for proper functionality prior to issuance to an officer. Only weapons and ammunition authorized by the Department by officers in the performance of their law enforcement duties.
3. At each training session for lethal or less lethal weapons, the armorer or firearms instructor will conduct an inspection of all firearms assigned to each officer present and confirm that:
  - a. The firearm(s) are properly assigned to the officer carrying the firearms(s);
  - b. That the firearm(s) is/are in working order; and
  - c. That inventory records accurately reflect the firearms assigned to individual officers.
4. The procedures listed above will also apply to any firearms authorized by the Department for off-duty carry.
5. Whenever a departmental weapon is found to be unsafe or not functioning properly, it will be immediately turned in by the officer and the officer will be issued a replacement. The Lead Firearms Instructor will maintain an inventory of replacement firearms and assure such firearms are available for issuance when needed.

K. The Office of the Chief of Police shall ensure that the Use of Force Policy is posted on the TAPD website.



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Brian K. Patterson