

Asheville Police Department Policy Manual

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Policy: 401 - Firearms

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Introduction

The purpose of this policy is to provide officers with guidelines associated with the use, maintenance, and safety of authorized firearms and the qualification requirements related to them.

Policy Statement

It is the policy of the Asheville Police Department (APD) that officers will adhere to the requirements established herein to ensure the safe handling and use of firearms.

Definitions

Authorized Weapon: any make, model, or caliber firearm that meets the department's requirements and specifications as outlined in this policy and that has been formally approved by the chief of police or designee for use by officers.

Primary Service Weapon: the firearm authorized and issued by the department to be carried as part of the service uniform or by plainclothes officers.

Secondary Weapon: any authorized handgun other than the primary service handgun carried in addition to the primary service weapon while on duty in an approved concealed manner.

Rules and Procedures

401.1 Department-Issued Firearms

- A. Sworn officers are authorized by the chief of police to carry and/or utilize authorized weapons in the performance of their duties. [1.2.2] [5.06]
- B. Officers are required to carry their primary service weapon when operating a police vehicle, whether on or off duty.
- C. Each sworn officer will be issued a department handgun and rifle.
- D. The authorized department-issued primary service handguns are as follows: [4.3.1 a] [5.05]
 - 1. Glock Model 17 9mm semi-automatic pistol for all officers.
 - 2. Glock Model 45 9mm semi-automatic pistol with a department-issued modular optic system (MOS) for all officers.
 - 3. Glock Model 43X 9mm semi-automatic pistol for the Criminal Investigations Division, administrative staff, Honor Guard, and executive staff.
- E. The standard department-issued rifle is a semi-automatic carbine AR-15. [4.3.1 a] [5.05]
- F. The chief of police may authorize alternate department-issued firearms and/or ammunition for undercover operations, specialized units, or individual officers as necessary. [4.3.1 a,b] [5.05]
- G. Personal holsters for department-issued firearms (Glock 17, 43X, or 45) for plainclothes employees and executive staff members must be black or brown, approved by the Rangemaster, and equipped with a retention device.

401.2 Secondary Firearms

- A. Officers choosing to carry a secondary firearm must use, train, and qualify with the firearm(s) according to all standards outlined in this policy.

- B. A Firearm Authorization Request Form must be completed and approved before an officer may carry a secondary firearm.
- C. All secondary firearms must be inspected by a certified North Carolina law enforcement firearms instructor before qualification. The inspection must be documented on the [Firearm/Firearm Attachment Authorization Form](#). [4.3.1 c] [41.3.4]
- D. Secondary handguns must be a revolver or semi-automatic pistol of one of the following calibers and may be equipped with an approved aim assist optic or laser sighting system: .32 caliber, .380 caliber, .38 Special, 9mm, 10mm, .40 caliber, .357 caliber, or .45 caliber. [4.3.1 a] [5.05]
- E. The officer will provide holsters for authorized secondary handguns at their personal expense. Holsters must be black or brown and approved by the Rangemaster. The holster/approval must be documented on the [Firearm/Firearm Attachment Authorization Form](#) before use. Secondary handguns must be carried in a holster concealed on the person of the officer.

401.3 Off-Duty Handguns [5.06]

- A. Off-duty officers who do not hold a valid North Carolina concealed handgun permit and are carrying a concealed weapon under the law enforcement exception outlined in [N.C. Gen. Stat. § 14-415.25](#) will only carry a department-authorized firearm. Authorized off-duty firearms must meet all requirements outlined in this policy, including qualification requirements. [1.2.2]
- B. Officers carrying a concealed handgun not authorized by the department as a holder of a North Carolina concealed handgun permit will be acting as private citizens in any incidents occurring with regard to the use of the firearm.
- C. Officers requesting department authorization for an off-duty firearm must complete and obtain approval on a [Firearm/Firearm Attachment Authorization Form](#).
- D. Department-authorized off-duty handguns must be a revolver or semi-automatic pistol of one of the following calibers and may be equipped with an approved aim assist optic: .32 caliber, .380 caliber, .38 Special, 9mm, 10mm, .40 caliber, .357 caliber, or .45 caliber. [4.3.1 a] [5.05]

401.4 Ammunition [4.3.1 b] [5.05]

- A. Officers will only carry and use ammunition types authorized by the department unless the chief of police grants approval for an exception and the officer qualifies with that ammunition type. [4.3.1 b]
- B. The authorized ammunition for department-issued primary service weapons is as follows:
 - 1. Speer Gold Dot 124+P for 9mm.
 - 2. Ammunition carried in department duty rifles must be 55gr.
- C. The officer must provide ammunition for secondary handguns and authorized off-duty handguns at their own expense and meet all department specifications.
- D. Ammunition carried for authorized secondary and off-duty handguns must be of the same brand and type as department-issue or factory-manufactured ammunition with similar ballistic characteristics to the department issue.
- E. Alternate factory-manufactured rounds with similar ballistic characteristics to the department-authorized ammunition may be approved by a firearms instructor.
- F. All ammunition must be approved by the Rangemaster and documented on the [Firearm/Firearm Attachment Authorization Form](#).
- G. Officers will be issued fresh duty ammunition for department-issued firearms during the officer's first scheduled qualification each year. Firearms instructors will provide replacements for defective or depleted ammunition as needed.

401.5 Firearm Attachments

- A. Issued tactical light attachments are allowed on issued firearms after successful qualification using the light and approval from the firearms instructor conducting the training.
- B. Magazine extensions are permitted if inspected and approved by the Rangemaster at the time of qualification.
- C. Only department-issued sights, aim-assist optics, and flashlights will be authorized.
- D. Only foregrips, slings, and rail covers approved and documented by a firearms instructor at the time of qualification are authorized on the rifle.

401.6 Firearms Qualifications

- A. At least once each calendar year, all sworn officers must qualify with each authorized firearm and be instructed in laws and department policy and procedures relating to the use of force. [4.3.3] [33.5.1] [2.01]
- B. Only sworn officers who have successfully passed firearms qualification and training on the department's use of force directives will be authorized to carry a firearm. [4.3.4]
- C. All firearms qualification courses must be approved by the North Carolina Criminal Justice Education Training and Standards Commission (CJETSC). [4.3.3]
- D. The chief of police or designee will designate an NC CJETSC-certified firearms instructor as the Rangemaster for each training session. [4.3.3 a] [4.3.5 c,f] [2.01]
- E. All officers must meet established proficiency standards with all authorized and issued firearms. The minimum successful qualifying score for day and night fire is 80%. [2.01]
- F. During each session, a maximum of three (3) successive attempts to qualify will be permitted. The first attempt that results in a qualifying score will satisfy the requirements, and the officer may not attempt any further qualifications for that course of fire.
- G. Failure to meet or exceed a minimum qualifying score of 80% in a session (a maximum of three attempts) will require the officer to surrender their firearm to the Rangemaster and attend the next firearms remedial training session scheduled by the Career Development Unit. [4.3.3 c] [33.1.5]
 - 1. The officer's chain of command will be notified so that the officer may be reassigned to administrative duties and scheduled for remedial training and corrective action.
 - 2. Remedial training will not exceed four (4) hours, nor will the officer fire more than five hundred (500) rounds of handgun ammunition per day during the remedial training. After remedial training is completed, the officer will receive three (3) attempts to qualify per day. The first attempt achieving a score of 80% or higher will satisfy the qualification requirements.
 - 3. If the officer does not achieve a qualification score of 80% after the first remedial session, the officer's chain of command will be notified. The

officer will remain on administrative duty and be scheduled for further remedial training as outlined above.

4. Any officer who does not achieve a score of 80% or higher after two (2) attempts at remedial training will be scheduled for a meeting with the chief of police.
 5. Remedial training will not exceed twelve (12) hours and 1,500 rounds of ammunition per year unless approved by the chief of police.
 6. Repeated remedial training sessions will be conducted with different firearms instructors whenever practical.
 7. Remedial training will be documented on the Firearms Remediation Form.
 8. Officers who fail to achieve a qualification score of 80% in a second successive year will be:
 - a. Scheduled for a BLET firearms program in addition to the required remedial training outlined in this policy.
 - b. Subject to progressive corrective action to be documented as a performance deficiency.
 9. Officers who fail to achieve a qualification score of 80% in their third successive year may be recommended for termination.
- H. Any officer who fails to qualify with a firearm not required for the officer's duty assignment will not be permitted to carry that firearm. The officer may remain on duty if qualified with the primary duty handgun.
- I. Per NC CJETSC requirements, if an officer's service handgun is replaced with another service handgun of the same make and model, the officer must complete the day accuracy qualification with the new service handgun within fifteen (15) days of issuance.
- J. The Training and Career Development Section will maintain qualification records as required by the North Carolina CJETSC. [4.3.3 b]

401.7 Firearm Maintenance

- A. Authorized firearms must be maintained in a clean and safe operating condition and will be inspected by the firearms instructor at the time of qualification. All firearms must be cleaned and maintained in accordance with the manufacturer's instructions and as instructed by department firearms instructors. [4.3.1 c]

- B. Each officer is responsible for the condition and care of the firearms assigned to them.
- C. The Logistics Unit will maintain an up-to-date inventory of all department-issued service weapons and document the issuance of weapons and any changes in assignment. [4.3.1 e]
- D. Supervisors or designees (weapon maintenance officers) will inspect all firearms issued to and carried by officers under their direct supervision at least once a month for cleanliness, proper lubrication, authorized attachments, and functionality.
- E. Defective, unsafe, or unauthorized firearms will be reported to a department armorer or firearms instructor immediately.
- F. If a department-issued firearm is deemed unsafe, it will be immediately turned in to logistics for repair by a department armorer. If the firearm cannot be repaired immediately, the Logistics Unit will arrange for another duty weapon to be issued to the officer until repairs are completed. [4.3.1 d]
- G. Repairs to department-owned firearms will be made only by an armorer employed or authorized by the department.
- H. Modifications will not be made to any department firearm without written approval from the chief of police or designee.

401.8 Firearm Safety

- A. All authorized weapons must be carried in a safe and secure manner as approved by the department.
- B. Rifles must be carried in a secure rack as provided in patrol vehicles, with the magazine loaded, one round in the chamber, and the safety engaged. [4.3.1 f]
- C. Officers must report, in writing, to their immediate supervisor any use of prescription drugs or other medication or any physical ailment or injury that they reasonably believe could impair their ability or judgment to use a firearm.
- D. Officers will be responsible for the secure storage of their duty weapons and any other personally owned firearms when not in their personal (immediate) possession. Officers should be cognizant of safe weapon storage at all times. Safe storage may include trigger locks, safes, gun lock boxes, or other methods. [4.3.1 f]

- E. Firearms will not be stored in patrol vehicles after duty hours or in personally owned vehicles, except for temporary storage when other safekeeping options are unavailable or authorized by the department. [4.3.1 f]
- F. At no time is any firearm to be carried, displayed, handled, or otherwise used in a careless or reckless manner - any such use of a firearm will constitute grounds for discipline.

401.9 Firearms Range Use

- A. All officers using a firearms range for department training and/or qualification must wear the designated uniform, eye protection, ear protection, and a brimmed hat while on the firing line when live fire is occurring or at any time as directed by the Rangemaster. [4.3.5 e]
- B. Department members will use firearms ranges in accordance with the regulations and procedures established by the operating agency, including, but not limited to, the types of weapons, ammunition, targets, and equipment permitted for use on the range. [4.3.5 d]
- C. Firearms ranges reserved on behalf of the department will be used only for approved training sessions. [4.3.5 a]
- D. An NC CJETSC-certified firearms instructor will be designated Rangemaster at all times while a firearms range is in use. [4.3.5 c,f]
- E. Department firearms instructors must review safety procedures and firearms range rules prior to every training event held at a firearms range. [4.3.5 b]

401.10 Service Weapon Awards

- A. Pursuant to [N.C. Gen. Stat. § 17F-20](#), a retiring officer in good standing may be awarded the issued service handgun and official credentials consisting of a “retired” wallet badge, case, and identification card indicative of rank. The receiving officer must be eligible to own, possess, or receive a firearm to receive their service handgun.
- B. The retiring officer must have completed twenty (20) years of service with the City of Asheville and meet the requirements under the North Carolina Retirement System for Local Law Enforcement Officers.
 - 1. If an officer retires on a service-related disability with less than twenty (20) years of service with the City of Asheville, the officer may be awarded the service handgun and official credentials at no cost.

2. Officers retiring with ten (10) to twenty (20) years of creditable service with the City of Asheville may request the award of the service handgun at the cost of \$200 or fair market value, whichever is less.
 3. Any retirements, other than service-related disability, under ten (10) years may request the award of the service handgun at a fair market value cost.
 4. Non-physical service-related disability retirements will be evaluated based on individual circumstances, with a determination to be made by the chief of police.
 5. The chief of police may award service weapons upon an officer's retirement outside the guidelines listed above, based on individual circumstances.
- C. The chief of police may award the service handgun and official credentials to the surviving family of a deceased officer upon a determination that the person receiving the weapon is not ineligible to own, possess, or receive a firearm under State or federal law, or if the weapon has been rendered incapable of being fired. If the surviving family member is a resident of a state other than North Carolina, the transaction will be processed by the City of Asheville Legal Department according to Federal law regarding the transfer of firearms.

By order of:



Jackie Stepp
Interim Chief of Police

Appendix

Authorized Weapons and Ammunition Chart

Department-Issued Handguns		
Make/Model/Cal	Authorized to Carry	Ammunition
Glock 17 or 45 9mm	All Sworn Officers	Speer Gold Dot 124+P 9mm
Glock 43X 9mm	Criminal Investigations Division/Administrative Staff/Honor Guard/Executive Staff	Speer Gold Dot 124+P 9mm
Department-Issued Rifle		
Semi-Auto carbine AR-15		55gr

Off-Duty & Secondary Handguns	
Authorized Calibers	Ammunition
.32, .380, .357, .38 special, 9mm, 10mm, .40 or .45 (revolver or semi-automatic)	Same brand and type as the department issue or factory-manufactured ammunition with similar ballistic characteristics to the department issue.