AURORA POLICE DEPARTMENT
DIRECTIVES MANUAL

05.04 AUTHORIZED FIREARMS, WEAPONS, AND AMMUNITION

Approved By: Todd Chamberlain, Chief of Police

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Associated Policy: DM 05.01, 05.03, 05.04, 05.05, 05.06, *Authorized Firearms, Accessories, and Ammunition Master List*

References: C.R.S. § 16-2.5-101(2), 18-1-704, 18-1-707, 18-1-901(3)(d), 18-18-102(5), 24-31-901

Review Authority: Professional Standards and Training Division Chief and APD Legal Advisor(s)

5.4.01 PURPOSE

The purpose of this directive is to provide all sworn and non-members with directions on which firearms, weapons, and ammunition are authorized to carry and when they are required to carry and/or allowed to carry a firearm.

5.4.02 SCOPE

This directive applies to all members of APD.

5.4.03 DEFINITIONS

Authorized Firearms, Accessories, and Ammunition Master List:

The Range Unit Sergeant is required to maintain the *Authorized Firearms, Accessories, and Ammunition Master List*. This list will include authorized-duty firearms, secondary weapons, and less-lethal weapon systems. In addition, it will include department-authorized sighting systems for the above firearms and authorized ammunition.

Due to the large number of manufacturers and after-market parts that may be approved, this list will not include each potentially authorized part or modification. Members who would like to alter any firearm should first contact the Training Section Armorer for approval and advice. The Training Section has the authority to add and remove firearms, weapons, accessories, and ammunition from this list at any time circumstances warrant.

Any time a change is made to the *Authorized Firearms, Accessories, and Ammunition Master List*, Range Unit staff will forward an updated copy to the Professional Standards Section.

Aurora Police Department Armorer or Gunsmith:

The Aurora Police Department Armorer performs inspections, maintenance, routine services, repairs, and testing of firearms and less-lethal weapons carried by department members. The Armorer ensures that department members have functional, reliable, and safe weapons and have the knowledge to provide guidance as to what firearms and equipment are authorized. The Armorer ensures that firearms are in compliance with departmental and manufacturer specifications. The Armorer also ensures firearms, weapons, accessories, and ammunition comply with the "Master List." The Armorer shall document all completed inspections and repairs in the electronic records management system and promptly notify the Range Unit Sergeant of any failed inspections

Aurora Police Department Auxiliary Armorers:

Only sworn members who are department-authorized Colorado POST Certified Firearms Instructors may be Auxiliary Armorers if they meet the following requirements:

a. After 07/27/2022, sworn applicants must send a training request for a department-authorized armorer course for a specific type of firearm (e.g., Glock Armorer's Course, AR-15 Armorer Course, etc.) through their chain-of-command and include the Range Unit Sergeant and Training Section Lieutenant on the training request. The Range Unit Sergeant will review the training request and determine if the department authorizes the requested armorer course.

b. Upon successfully completing the department-authorized armorer course, the member must notify and provide a certificate to the Training Section Lieutenant and the Range Unit Sergeant. The Range Unit Sergeant will keep a list of authorized Auxiliary Armorers who have completed a department-approved armorer course in the electronic records management system.

c. Any armorer course completed prior to 07/27/2022 will be reviewed by the Range Unit Sergeant on a case-by-case basis for retroactive authorization.

The Range Unit Sergeant will maintain a list of all department-certified Auxiliary Armorers. The list will be available for review upon request.

Auxiliary Armorers must comply with recertification requirements for department-authorized armorer courses they attend. Auxiliary Armorers are responsible for keeping track of their certifications and expirations. The Range Unit Sergeant will keep certificates on file, and they will be checked once a year. If an Auxiliary Armorer has not provided a current certification/recertification document, they will be removed from the Authorized Auxiliary Armorer list.

Authorized department Auxiliary Armorers can complete routine firearm inspections on firearms they are certified to work on (e.g., primary duty firearms, secondary firearms). Auxiliary Armorers must complete an official Aurora Police Department Inspection Form whenever they inspect a firearm. The Auxiliary Armorer must submit the inspection form(s) to the Training Section for official documentation and record keeping.

5.4.04 POLICY

Sworn members of the Aurora Police Department shall carry an authorized firearm and ammunition at all times while on duty when exercising their authority to enforce laws of the State of Colorado and/or ordinances of the City of Aurora while acting within the scope of their authority and performing their duties.

5.4.05 AUTHORIZATION TO CARRY FIREARMS

Pursuant to C.R.S. § 16-2.5-101(2), *a peace officer certified by the peace officers standards and training board shall have the authority to carry firearms at all times, concealed or otherwise, subject to the written firearms policy created by the agency employing the peace officer. All other peace officers shall have the authority to carry firearms, concealed or otherwise, while engaged in the performance of their duties or as otherwise authorized by the written policy of the agency employing the officer*.

It is the member's responsibility to qualify with the department-issued duty handgun, and if they choose to carry a secondary weapon, they're also required to qualify with the secondary firearm as specified in this directive and *DM 07.03 - Firearms Training and Qualifications*. In addition, certain special assignments may require members to train and qualify with additional firearm systems.

5.4.06 PRIMARY DUTY FIREARM

Primary Duty Firearm:

Every sworn member is required to carry the issued primary duty firearm by the APD, unless authorized by the Chief of Police or designee.

Sworn members shall refer to the *Authorized Firearms, Accessories, and Ammunition Master List* for direction regarding permitted weapons while on duty.

Specialty units may be authorized to carry a smaller concealed weapon.

Sworn members in a uniform capacity shall carry a minimum of three fully loaded magazines for their primary duty firearm. One of three magazines shall be in the primary duty firearm: a fully loaded magazine with one round in the chamber of the primary duty firearm. Detectives will carry two fully loaded magazines and one set of handcuffs.

Axon Signal Sidearm Device:

All members in uniform shall use the issued duty holster and attached signal sidearm device on their duty belt for their primary duty firearm.

Members shall not remove the Axon Signal Sidearm device under any circumstances.

Axon Signal Sidearm devices are not required to be worn by sworn members who are not identifiable as peace officers and are carrying a concealed firearm.

5.4.07 SECONDARY FIREARM

Sworn members may have a secondary weapon available. This firearm may be a handgun or patrol rifle complying with the specifications listed in this directive and the APD *Authorized Firearms, Accessories, and Ammunition Master List*.

Secondary Handgun:

Secondary handguns shall be concealed when carried on duty.

Sworn members are permitted to carry a maximum of two (2) handguns on their person at any one time while on duty, which would generally be referred to as a "*primary duty handgun*" and a "*secondary handgun*."

The maximum of two (2) handguns does not include the use of a duty rifle or specialty weapon that is deployed specifically to a particular incident in a temporary capacity. This also excludes firearms temporarily secured by a member during an investigation, subject detention, or collected as evidence.

Patrol Rifle:

Sworn members shall only carry and deploy department-authorized semi-automatic rifles. Sworn members electing to carry a patrol rifle must carry a minimum of two magazines with a minimum capacity of 20 rounds, or 30 rounds. Magazines carried with the patrol rifle will be "light-loaded" by two rounds (20-round magazines loaded only to 18 rounds, 30-round magazines loaded only to 28 rounds). Members shall only attach authorized optics to their patrol rifles.

Sworn members who complete the APD Rifle Course are responsible for continued qualifications and maintaining proficiency with their patrol rifle if they choose to carry it as part of their duty assignment.

Members may deploy patrol rifles when they reasonably believe that the tactical situation and articulable circumstances warrant their use.

Patrol rifles should not be deployed in routine circumstances where there is no indication a party is armed (e.g., pedestrian contacts or simple traffic stops).

If practical, sworn members should attempt to notify Aurora911, on a primary channel, that they are deploying a patrol rifle.

5.4.08 NATIONAL FIREARMS ACT (NFA) REGULATED ITEMS

Sworn members of the Aurora Police Department are authorized to carry legally owned, i.e., tax-stamped, short-barreled rifles and sound suppressors regulated by the National Firearms Act (NFA). All NFA items carried on duty shall have a valid ATF Federal Tax Stamp with no exceptions. There is no federal exemption for individual law enforcement personnel.

Prior to carrying the NFA item on duty, the sworn member shall have the APD Range Unit review the *ATF* Federal Tax Stamp. If approved, the APD Range Unit shall make copies of the paperwork and keep the documents on file for each individual item. The sworn member shall carry a copy of the tax stamp with the NFA item in the rifle case or patrol bag.

In situations where there may be delays in the ATF NFA Division processing times, sworn members may request an NFA Expedite Request Letter from the Chief of Police or designee. This letter is intended to expedite the review process for NFA items that will be used for legitimate law enforcement duties.

5.4.09 OFF-DUTY FIREARMS

Pursuant to C.R.S. § 16-2.5-101(2), APD sworn members are authorized to and have the authority to carry a firearm, concealed or otherwise, on their person at all times when they are off duty. If a sworn member chooses to carry a firearm off duty, they shall carry the firearm in accordance with federal regulations, state law, and APD policy. When carrying firearms while off-duty, sworn members shall also carry their department-issued APD identification card.

Sworn members may carry any firearm they own legally off-duty. It is incumbent upon the sworn member to maintain proficiency with any firearm they choose to carry off duty. Sworn members shall maintain all firearms they carry off-duty to ensure they function in a safe and reliable manner.

Pursuant to C.R.S. § 18-18-102(5), it is *unlawful for any person to have in his or her possession any firearm while the person is under the influence of a controlled substance, as defined in, or of intoxicating liquor*. Sworn members who have consumed an amount of an alcoholic beverage or taken any controlled substances that would adversely affect their judgment or their ability to safely carry and/or use a firearm shall not carry a firearm while off-duty. Sworn members shall not carry a firearm while off-duty if alcohol or controlled substances have impaired their judgment or ability to handle the weapon safely.

5.4.10 AMMUNITION

Only department-issued or approved ammunition will be carried in a member's primary duty firearm, secondary firearm, rifle, and ammunition carriers. No member will alter in any way department-issued or approved ammunition.

5.4.11 FIREARM STORAGE AND TRANSPORT

When not in use, sworn members are responsible for adequately securing all firearms, whether owned by the department or personally, in a manner that protects the firearm from damage, theft, or misuse. Examples of secure storage include, but are not limited to, district station lockers secured with a lock, home gun safes secured with a locking mechanism, or trunks of properly secured vehicles. Patrol rifles will be unloaded and cleared each time they are stored for extended periods.

Firearms should be transported in a manner that prevents damage to vehicles, equipment, and firearms.

When administratively transporting a patrol rifle, it should be stored in the firearms carrying case with an empty chamber and closed bolt.

Sworn members who are on duty and transporting a patrol rifle as part of that assignment should carry the firearms in their assigned vehicle in a firearm rack or, if not available, in the trunk of the vehicle in the firearms carrying case. When being used on duty, patrol rifles will be in a "cruiser safe" condition, with a loaded magazine, empty chamber, and closed bolt.

Department-owned weapons assigned to sworn members may be kept in the possession of the sworn member and stored at the member's residence while off-duty. If department-owned weapons are taken home off-duty, the weapons shall be secured in the member's home or inside a locked vehicle, if the vehicle is inside a locked garage. At no time shall a weapon be left inside a vehicle when it is parked outside for an extended period of time. If a weapon is temporarily left in a vehicle parked outside, the sworn member shall make reasonable efforts to conceal and protect the firearm from theft.

5.4.12 FIREARMS TRAINING

All members are required to successfully complete a department-approved firearms training course for the firearm they wish to carry before carrying that firearm, as specified in APD Directive *DM 07.03 - Firearms Training and Qualifications*.

5.4.13 FIREARMS INSPECTIONS

All department-authorized firearms are subject to random inspections and are required to be functional, reliable, and safe. The Training Section will maintain all firearms information, including inspection records, maintenance, and repair records. All firearms carried, including primary duty firearms, patrol rifles, and secondary firearms, must meet or exceed the manufacturer's minimum standards for safety and performance. Firearms will be inspected and approved by a department armorer or gunsmith before being carried, and once each calendar year, in order to certify the firearm is in good working order and conforms to departmental standards.

The Chief's Office must approve any firearm modifications that could adversely impact the reliability or functionality of the firearm. The firearm will be inspected and test-fired by the department armorer for accuracy after the modification(s) and prior to being carried on duty.

5.4.14 UNSAFE FIREARMS

Any firearm found to be unsafe by design or by its condition will immediately be removed from service and not placed back into service until inspected by a department armorer or gunsmith and found to be safe.

If a firearm is found to be unsafe by design, the armorer will advise the Training Section commanding officer, who will make a recommendation to the Chief of Police on whether or not the firearm should be removed from the *Authorized Firearms, Accessories, and Ammunition Master List* or if the design flaw can be mitigated.

5.4.15 FIREARM MODIFICATIONS AND REPAIR

All firearms utilized by members must adhere to manufacturer and department specifications.

Modifications are considered any removal, addition, alteration, or change of to the firearm that could adversely impact the reliability or functionality of the firearm. Repairs are considered any replacement of any damaged or broken part of a firearm.

Sworn members shall not make modifications or repairs to a duty firearm or secondary firearm that members carry while on duty. The department armorer/gunsmith or auxiliary armorer will make all modifications and repairs authorized by departmental and manufacturer specifications. If an Auxiliary Armorer completes the modification or repair, they must complete a weapon inspection after the modification or repair is completed, including an official APD Inspection Form, and submit the inspection form to the Training Section for documentation.

Members are authorized to perform general maintenance as specified by the manufacturer or department training.

5.4.16 SPECIAL WEAPONS

Sworn members in certain special assignments, such as Special Weapons and Tactics (SWAT), Emergency Response Team (ERT), Fugitive Apprehension and Surveillance Team (FAST), Motorcycle Enforcement Team (MET), etc., may carry special weapons or less-lethal weapons, which they are trained on and have qualified on. A department armorer will inspect these weapons annually to ensure functionality, reliability, and safety standards.

The commanding officer in charge of the special assignment is responsible for submitting requests for special or less-lethal weapons through the approval process (i.e., chain-of-command to the Chief's office) before the weapon is authorized for use.

5.4.17 SPECIAL WEAPONS AND TACTICS (SWAT)

The APD authorizes SWAT to utilize certified SWAT armorers in addition to the APD armorer/gunsmith or auxiliary armorers for inspections, authorized modifications, maintenance, and repairs. Firearms and special weapons used by SWAT will be detail stripped, cleaned, and inspected annually by a certified SWAT armorer to ensure they are functional, reliable, and safe. The SWAT commanding officer will maintain a list of certified SWAT armorers. The SWAT commanding officer will forward the list and changes to the list to the Range Unit Sergeant, who will add authorized members to the Authorized Auxiliary Armorer list. The list will be available for review upon request.

SWAT is authorized to test and evaluate firearms (not on the *Authorized Firearms, Accessories, and Ammunition Master List*), firearm modifications, specialized or less-lethal weapons, and ammunition unique

to its mission and function. After testing, evaluation, and inspection by a certified SWAT Armorer, the request for authorization will be submitted to the Chief's Office through the chain of command. The Chief's Office may confer with SWAT team members, Range Unit staff, Training Section Lieutenant, et al., about requested modifications prior to authorization. The Chief's Office must approve any firearm, firearm modification, specialized or less-lethal weapon, or ammunition prior to use on duty.

If the Chief's Office approves a firearm modification, a certified SWAT armorer may then modify, inspect, and test SWAT team members' firearms.

The SWAT commanding officer will maintain a list of approved firearms, firearm modifications, specialized or less-lethal weapons, and ammunition that the Chief's Office has authorized for duty use by SWAT. The list will be available for review upon request.

5.4.18 UNDERCOVER OR PLAIN CLOTHES ASSIGNMENTS EXEMPTIONS

The Chief's Office may authorize sworn members assigned to the Narcotics Section to carry other handgun brands and types more easily concealed. A department armorer will inspect these handguns for functionality, reliability, and safety prior to being employed. The department armorer shall inspect these firearms annually to ensure continued functionality, reliability, and safety. Based on the advice of the department armorer/gunsmith or Range Unit staff, the Training Section commanding officer may prohibit specific handguns based on reliability or functionality.

Narcotics section sworn members shall qualify with these unit-specific authorized firearms in compliance with *DM 07.03 - Firearms Training and Qualifications*.

The Narcotics Section commanding officer will maintain a list of all firearms the Chief's Office has authorized that are exceptions to the *Authorized Firearms, Accessories, and Ammunition Master List*. When updated, a copy of the list will be forwarded to a Training Section commanding officer.

5.4.19 BREACHING SHOTGUNS

The Aurora Police Department recognizes the need for tools to gain rapid entry into active critical incidents (e.g., active shooter, active killer, etc.) where life safety is in immediate jeopardy. In addition to mechanical breaching tools already in use (e.g., ram, pry, etc.), a breaching shotgun offers another option for defeating locked doors, preventing immediate access to law enforcement. A breaching shotgun is only used when articulable exigent circumstances exist and when other options are unavailable, impractical, or insufficient. Operators must consider the risks of using a breaching shotgun compared to the exigent need for access before deployment. Breaching shotguns are also subject to training and qualification requirements.

The breaching shotgun employed by the Aurora Police Department is specific to the breaching mission and is not intended to deploy any other types of munitions. Only department-issued shotguns specifically configured as breaching shotguns will be used for this purpose.

All breaching shotguns are built on the Remington 870 12-gauge platform with a bright green visually modified pistol grip, a forend with an integrated flashlight, and a custom-built muzzle device. Only department-issued breaching munitions will be used in these shotguns. Breaching shotguns and munitions will be built, maintained, and supplied by the Firearms Training Unit at the police range. Breaching shotguns will be stored in the department-provided case and in a "cruiser-safe" condition.

Only trained members may deploy a breaching shotgun. Members must complete a breaching shotgun training course to become certified to operate a breaching shotgun. The training will consist of physical manipulation drills, deployment, tactical considerations, and a qualification course related to the breaching

mission. Members must attend annual refresher training and pass a qualification course demonstrating proficiency with the breaching shotgun to maintain their certification.

The Emergency Response Team commanding officer will maintain a list of certified operators and training materials related to the program.

5.4.20 PROCEDURE FOR APPROVING FIREARMS AND AMMUNITION FOR USE

If the department is purchasing a firearm, the appropriate approving commanding officer will ensure the firearm is on the *Authorized Firearms, Accessories, and Ammunition Master List*.

If a firearm is not on the list, members may suggest specific firearms or ammunition for consideration by the department for authorization. The recommendation will be directed to a Training Section commanding officer in writing, accompanied by a sample of the suggested firearm or accessory. The Training Section commanding officer will ensure the firearm is inspected and tested by appropriate Training Section staff. The Training Section commanding officer will respond to the Professional Accountability Division Chief through the chain of command. A copy of the response sent to the suggesting member will be sent.

The Professional Accountability Division Chief may disapprove the request or present the request to the executive staff for consideration. The Professional Accountability Division Chief will notify the suggesting member of the action taken.

Based on the conclusions of the executive staff, the recommendation with the approval or disapproval of the Chief of Police or designee will be returned to the Compliance & Professional Standards Division Chief. The Training Section commanding officer will notify the member of the final disposition of the request. If the firearm or ammunition was approved, the Training Section commanding officer would ensure the firearm, accessory, or ammunition is included on the *Authorized Firearms, Accessories, and Ammunition Master List*.