

**BOULDER COUNTY SHERIFF'S OFFICE  
POLICY AND PROCEDURE MANUAL****SUBJECT:** Authorized Weapons, Use and Proficiency**NUMBER:** 513**EFFECTIVE:** August 10, 2022**SUPERSEDES:** August 31, 2021

**POLICY:** It is the policy of the Boulder County Sheriff's Office to require deputies assigned to certain law enforcement positions to be armed with a firearm when on-duty. The firearm is intended for use as prescribed by Colorado state law and in accordance with Sheriff's Office policies.

It is the policy of the Boulder County Sheriff's Office that all deputies required or authorized to carry a firearm on-duty are trained in the use and care of that firearm. The sheriff has delegated the responsibility of developing, implementing, and updating firearms use and care training sessions for authorized or required law enforcement carriers, to specific supervisors and deputies. These training sessions are scheduled periodically and are mandatory for all deputies who are required or authorized to carry a firearm on-duty.

In an emergency situation a deputy is authorized to take whatever steps are necessary to protect life or prevent an attempt by another to inflict serious bodily injury on any person, including using firearms not approved by this policy, or adapting an item for use as a weapon.

**DEFINITIONS:**

Back-up Handgun: Carried by a deputy during normal duty assignments as a back up to the primary duty weapon in the event the situation dictates its use.

Basic Mechanical Function Check: Conducted by the Department Armorer or appropriately qualified designee, the check the basic operation of a firearm, and to check for obvious signs of damage or malfunction. Basic operation includes proper slide and trigger functions, proper magazine seating, sighting system function, safety mechanisms, etc. A basic check is not an inspection of all components within a firearm.

Off-duty Handgun: Carried by a deputy when the deputy is off-duty. It may be the same handgun used by the deputy as a primary or back-up handgun.

Primary Duty Handgun: A handgun carried by a deputy while performing in their primary duty assignment.

**I. Firearms Program Management and Proficiency Standards**

A. A command level supervisor, assigned by the Undersheriff, administers the Firearms Program and ensures compliance with all applicable policies.

1. The Personnel and Training Section, along with firearms instructors, assist

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the Firearms Program Administrator as directed.

- B. The Firearms Program Administrator ensures written documentation of all firearms related training and proficiency testing is recorded and maintained.
- C. The Firearms Program Administrator provides a bi-monthly firearms training attendance report to the Sheriff's Executive Staff.
- D. The Sheriff's Executive Staff reviews and approves all firearm qualification courses prior to the course becoming the proficiency standard.
  - 1. Designated firearms instructors develop the monthly or bi-monthly firearms training sessions. The Firearms Program Administrator, or their designee, approves all training sessions before they are held.

**II. Authorized Weapons and Ammunition**

**A. Authorized Handguns and Ammunition**

- 1. Each deputy required or authorized to carry a handgun on or off-duty is responsible for purchasing a handgun meeting all specifications described in this policy.
  - a. All firearms purchased by a deputy pursuant to this policy are the sole property of that deputy.
  - b. The care, maintenance, and repair of all personally owned firearms are the responsibility of the owner.
  - c. The care and maintenance of all departmental firearms assigned to a deputy are the responsibility of that deputy.
- 2. Only handguns of authorized calibers and manufacturer are permitted as primary, off-duty, or back-up weapons. The following specifications are required for all authorized handguns:
  - a. Primary handguns registered with the Sheriff's Office after August 14, 2018, must be either a 9mm or .45 caliber weapon. Weapons outside of these calibers and already registered with the Sheriff's Office prior to this date are approved for duty use as long as they are registered with the Personnel and Training Unit.
  - b. Primary duty handguns registered with the Sheriff's Office must be

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manufactured by *Glock or Smith & Wesson* and must be designed for law enforcement use by the manufacturer (see Attachment A listing the approved primary handguns). Additionally, these handguns may not have a thumb safety, magazine safety, or a compensated barrel.

- 1) Weapons outside of these parameters and already registered with the Sheriff's Office prior to this date are approved for duty use while they remain actively registered with the Personnel and Training Unit.
- c. Any handgun carried under this policy must have a capacity of a minimum of eight rounds for a primary duty handgun. Back-up or off-duty handguns must have a minimum capacity of five rounds.
3. Back-up and off-duty handguns must be of a compact and concealable design and must conform to all applicable specifications described in this policy.
  - a. Back-up and off-duty handguns registered with the Sheriff's Office after August 14, 2018, must be either a .380, 9mm, .38 caliber, or .45 caliber weapon, and can be either a revolver or semi-automatic handgun. Weapons outside of these calibers already registered with the Sheriff's Office prior to this date are grandfathered for the tenure they remain actively registered.
4. All handguns must be registered with the Sheriff's Office and must have a basic mechanical function check done by the Sheriff's Office designated armorer prior to deployment.
  - a. All handguns carried under this policy must operate in accordance with the manufacturer's original specifications. This does not apply to change of weapon sights.
    1. All handguns registered with the Sheriff's Office which have had modifications made prior to the effective date of this policy, are grandfathered for the tenure they remain actively registered.
    2. Modifications to handguns after the effective date of this policy (with the exception of changing weapon sights), are not allowed.
  - b. Handguns will have a basic mechanical function check annually by the

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Department Armorer, or their appropriately qualified designee, to ensure that the firearm is operable.

- c. The Firearms Program Administrator ensures written documentation of all registered firearms is recorded and maintained in a secure and retrievable format.
5. Deputies may purchase an approved handgun optic system for their primary handgun. The optic may only be installed on a firearm that was originally manufactured and designed to accept an optic system. Employees may not modify their duty handgun to allow it to accept an optic system or make modifications to the slide to allow it to accept an optic system, prohibited modifications include, but are not limited to, cutting or milling the slide or drilling additional holes in the slide. The optic must be designated by the manufacturer for military or law enforcement use and fit in a Sheriff's Office approved holster. Only optics which are manually adjustable are allowed. See, Attachment A listing approved optics.
- a. Approved optics are evaluated by designated handgun optics instructors working directly with the Sheriff's Office armorer. Evaluation includes, at a minimum, review of previous testing completed by reputable third parties and in-house evaluation focused on optic reliability and durability.
  - b. All handguns fitted with an optic system must have raised iron-sights that can be used in the event of an optic system failure.
  - c. Prior to being authorized to carry a handgun optic, deputies must pass the approved Sheriff's Office handgun optic transition course taught by a certified handgun optic instructor.
    - 1) A newly hired deputy or newly POST certified deputy, may seek a waiver through Personnel & Training, if they have attended a state approved POST academy in which the handgun optic was used. New deputies may also receive a waiver if they previously used a handgun optic on-duty at another department for a sustained period of time, attended an optic transition course at another department, or have a certificate from an accredited handgun optic course as either a student or an instructor.

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6. The Sheriff's Office furnishes the ammunition for departmental training and duty use. The ammunition must be factory loaded with proven reliability and of specific design as determined by the Sheriff's Executive Staff. Handgun and patrol rifle duty ammunition must meet the current (when purchased) Federal Bureau of Investigations Ammunition Protocols. A command level supervisor may authorize other ammunition types when emergency circumstances require their use.
  - a. SWAT team members are authorized to train with, and deploy, a variety of ammunition types in accordance with their standing operating procedures and training.
  - b. Ammunition designated for duty use that does not meet the Federal Bureau of Investigation's ammunition protocols must be vetted through professional organizations and receive written approval from the SWAT team commander. The approval shall describe the intended use of the ammunition and limitations, if applicable, and will be maintained in FileNet.
7. The Personnel & Training commander may authorize the temporary assignment of a departmentally owned handgun to a deputy, subject to availability, for any of the following reasons:
  - a. The deputy's personally owned handgun has been damaged or is inoperable. It is the deputy's obligation to ensure that repairs are made as soon as practicable.
  - b. The deputy's weapon has been impounded pending the resolution of an investigation (e.g., an officer-involved shooting, internal affairs investigation, etc.)
  - c. The deputy has been assigned temporarily to a duty assignment that necessitates the use of a different weapon.
  - d. The deputy anticipates transitioning to a different make, model, or caliber of weapon and would benefit from the opportunity to carry a similar weapon for a trial period (subject to meeting all of the other qualification requirements). This includes the anticipated purchase of a back-up handgun or off-duty weapon.
8. Departmentally owned weapons may be assigned for a period of up to six months.

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9. The Firearms Program Administrator is responsible for maintaining an accurate inventory of departmentally owned weapons and their status.
  - a. A physical and documented audit of the weapons maintained in the Office's Armory is to be completed on at least an annual basis.
- B. Shotguns and Ammunition
  1. Only shotguns owned by the department, of specific design as determined by the Sheriff's Executive Staff, are authorized.
  2. Only Sheriff's Office-issued less-lethal ammunition is authorized.
    - a. Less-lethal shotgun ammunition must be factory loaded and approved by the Sheriff's Executive Staff.
    - b. Various types of shotgun ammunition may be utilized during training as approved by the Firearms Program Administrator.
- C. Rifles
  1. Only Sheriff's Office-issued rifles and ammunition are authorized to be carried on-duty or deployed.
  2. The specific make, model, and caliber of rifles are determined by the Sheriff's Executive Staff.
  3. The deputy assigned to the rifle is responsible for its care and maintenance; the department is responsible for its repair.
- D. Special Weapons
  1. Special weapons are defined as automatic weapons, silenced weapons, gas launchers, explosive devices, lethal shotguns, and any other weapons not covered by this policy, utilized by SWAT.
  2. The use of special weapons is governed by SWAT Policy #516, are only allowed pursuant to that policy, and are to only be utilized by authorized SWAT team members.
  3. The Department Armorer is authorized to test, evaluate, and repair special weapons and optics, providing the Armorer is certified accordingly, at the

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direction of the Firearms Program Administrator. If the armorer is not certified to repair a firearm then a certified gunsmith or armorer must be used to repair the weapon.

- a. The Firearms Program Administrator, with the written approval of the Undersheriff and affected Division Chief, can issue special weapons to any deputy for testing and evaluation after a thorough evaluation by the Department's Armorer.

**E. Other Weapons**

1. An employee is required to obtain his or her Division Chief's written approval before carrying a knife on duty when the knife has a folding blade that is longer than 3.5 inches, or when the knife has a fixed blade of any length.
2. Any weapon described in C.R.S. § 18-12-102 (illegal weapons) is not authorized for duty use.

**F. Intermediate Weapons:** Every uniformed deputy, while on-duty in a public safety capacity, is to carry at least one approved intermediate weapon, or an approved conductive energy device, as a less-lethal alternative to their firearm.

**1. Batons**

- a. Sheriff's deputies are only authorized to carry the straight or collapsible baton.
- b. Straight batons made of wood or polycarbonate materials are authorized.
- c. Collapsible batons made of carbon fiber material, polycarbonate and metal are authorized.
- d. Deputies may carry these weapons or keep them readily available. The Sheriff's Office furnishes batons and holders for all deputies authorized to utilize a baton.
- e. Deputies shall use these weapons in the manner prescribed in Sheriff's Office training and in the BCSO Policy #502.
- f. Training requirements are completed on an annual basis and are the responsibility of the Personnel and Training Section and

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approved by Sheriff's Executive Staff.

2. Chemical Agents

- a. Deputies may only utilize authorized chemical agents.
- b. Deputies are to use chemical agents in the manner prescribed in Sheriff's Office Training and consistent with the use of force policy (#502).
- c. Training and re-certification requirements are reviewed annually by the Personnel and Training Unit and a training recommendation is made to Executive Staff annually regarding the training needs assessment.
  - 1) Training shall include a review of first aid, deployment considerations, decontamination procedures, and legal considerations.

G. Approved handguns, firearm optics, and associated hardware

- 1. The Personnel & Training Unit maintains a current list of approved handguns, firearm optics, and associated hardware for use by deputies.
  - a. Deputies must consult this list prior to purchasing any handguns, optics, or hardware for use on their handguns.
- 2. The list of approved handguns, firearm optics, and associated hardware is approved by the Sheriff and/or Sheriff's Executive Staff as need dictates.

III. Authorization of Firearms

- A. Deputies who carry a firearm for any employment related purpose are to abide by the following process for each specific firearm:
  - 1. If non-certified, obtain permission from their Division Chief, and successfully complete the "*Non-Certified New Shooter Program*" prior to being authorized to carry a firearm on-duty.
    - a. Non-certified deputies and security deputies are not authorized to carry a back-up handgun without written permission of their Division Chief and a "concealed weapons authorized" endorsement on their identification credentials.



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- b. Non-certified deputies and security deputies are not authorized to carry concealed weapons off-duty as a peace officer. They may do so with their own concealed weapons permit, issued by their county of residence. Non-certified deputies and security deputies may carry weapons concealed to and from a duty assignment, if they have written permission from their division chief, and a "concealed weapons authorized" endorsement on their identification credentials.
    - c. A copy of written permission received for back-up handguns or concealed, off-duty transport of weapons must be provided to the Personnel & Training Unit by the affected deputy, for inclusion in the deputy's personnel file.
  - 2. If certified, successfully complete the "*Certified New Shooter Program*" prior to being authorized to carry a firearm on or off-duty.
  - 3. Qualify with the firearm.
  - 4. Register the specific make, model, and caliber of weapon, which must be on the authorized duty weapons list approved by Executive Staff for carry.
    - a. The Department Armorer must inspect the firearm to ensure that it is in good working order, is an authorized make and model, and that it meets reliability and safety standards of the manufacturer.
    - b. Any repair or replacement of firearms parts must be completed by a certified armorer for the given weapon system. The armorer certification course must be recognized by the weapon manufacturer.
      - 1) If the repair or replacement of parts is completed by anyone other than the Sheriff's Office armorer, the weapon owner must furnish a current armorers certificate and a letter stating that the repair or replacement parts and weapon fall within the firearm manufacturer's specifications. The letter is maintained in the employee's equipment file.
    - c. The range officer shall register the firearm in accordance with established procedure.
- B. Employees are responsible for notifying the Personnel and Training section when

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a registered firearm is no longer being carried for on or off-duty use.

- C. A deputy may be approved to have a maximum of three personally owned firearms registered with the Sheriff's Office for duty use. Deputies are authorized to have one primary handgun registered with the agency. The only exception to this requirement is if the duty assignment requires a deputy to work in a plain-clothes capacity, a deputy may have two registered primary firearms but only one back-up/off-duty firearm.

IV. Use of Firearms

A. Safety

- 1. All deputies are responsible for firearm safety. The Sheriff's Office may discipline employees or require them to take additional firearms training for any violation of safety rules. The Sheriff's Office may subject employees to disciplinary action including termination for acts including, but not limited to, the following:
  - a. Deliberately aiming a firearm at a person without lawful purpose or justification.
  - b. Reckless, negligent, or careless use of a firearm.
  - c. Any criminal act involving the use, or threatened use, of a firearm.
  - d. Failure to report any of the above to a Sheriff's supervisor.
- 2. Deputies may utilize their firearms during the course of their duties in accordance with applicable state and federal law. When utilizing or displaying firearms deputies must take the following safety precautions when applicable:
  - a. Ensure that firearms are not left unsecured or unattended and make every reasonable effort to prevent firearms from falling into unauthorized hands.
  - b. Ensure that firearms are carried in a manner that keeps the firearm reasonably secure against loss and accidental discharge.
  - c. Provide safe storage for firearms and properly utilize department provided locking devices and vaults for rifle and shotgun storage in vehicles.

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- d. Only remove a handgun from its holster in a manner visible to the public when authorized by applicable state law and Sheriff's policies.
  - e. When not in uniform, deputies are required to carry their handgun in a manner that does not cause undue public alarm.
  - f. On-duty deputies carrying an exposed sidearm when not in Sheriff's Class A, B, or tactical uniform, must also wear a Sheriff's Office badge clipped to their belt near the weapon and/or their Sheriff's Office badge or photo identification on a lanyard/chain or attached to their outer clothing and clearly visible.
3. Deputies are to immediately secure and make safe all firearms coming into their possession.
- a. If the firearm is of evidentiary value, deputies are to take appropriate precautions to minimize the risk of persons who may come into contact with the firearm. These precautions may include securing the crime scene or properly documenting the current condition of the action or load of the firearm before unloading the firearm and securing it.
  - b. Deputies who are unfamiliar with a firearm are to seek assistance in properly handling and clearing it.
4. Deputies may not carry firearms within the secure area of the Jail unless authorized by the Sheriff or the Jail Division Chief.

**B. Training**

1. Deputies are authorized to use firearms during training scenarios that do not involve live-fire courses. When using a firearm not specifically manufactured or converted for training purposes that is unable to fire live ammunition (e.g., *Simunition*® firearm, replica firearm, firearm modified to fire only training rounds, etc.), the following steps must be taken prior to the start of each training evolution:
- a. Each firearm used in the training scenario must be inspected both visually and physically to ensure that it is not loaded with live ammunition by two employees, one of whom must be an instructor conducting the training.

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- 1) After the firearm is inspected it must be marked with a flag or impaired by a device that prohibits the firearm from functioning while the flag/device is in place. This safety device can be installed in the firearms barrel, ejection port, or magazine well, and must be visible from the muzzle/front of the firearm and one additional side.
  - b. Prior to the training beginning, each participant in the training (student, role-player, or instructor) must be visually searched and asked if they have any live ammunition on their person, or in any bags, pouches, etc., that they will deploy during the training prior.
  - c. If a participant in the training leaves the training location, returns to their vehicle, or any other place where live ammunition might be available, the requirements outlined in this section must be completed again.
2. It is often necessary to maintain a security presence during law enforcement training events that occur in or near a public setting. Instructors who remain armed with live-fire weapons to provide security and safety are required to be visually identified to all participants, in addition to wearing outerwear or clothing (e.g., a traffic control vest, a specific colored instructor shirt, etc.) that easily distinguishes them to training participants as having a live-fire weapon and that they are a non-participant in the scenario or role-play.
  - a. Instructors carrying live-fire weapons are not allowed to remove their weapons for demonstration or any other purpose outside of responding to a threat until the requirements in §IV.B.2.b are met.
  - b. Each firearm used by an instructor for demonstration purposes, must be inspected both visually and physically to ensure that it is not loaded with live ammunition by two employees, one of whom must be an instructor conducting the training.

**V. Warning Shots**

**A. Generally, warning shots are not authorized.**

1. If a warning shot must be fired, the deputy firing a warning shot must be able to justify the decision based on the circumstances or conditions faced by the deputy at the time the shot was fired, which must comply with all applicable state and federal laws.

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**VI. Basic Pre-Service Training**

- A. All deputies are to complete the basic firearms training requirements as described by Colorado P.O.S.T. prior to carrying a firearm and pass a written examination covering these topics. These include, but are not limited to instruction in:
  - 1. The safe handling of firearms,
  - 2. The legal requirements of the use of deadly force,
  - 3. The safe storage of firearms,
  - 4. Sheriff's Office policies and procedures.
- B. Deputies receive range instruction and practice shooting, to include a shooting decision exercise and reduced light shooting exercise.
- C. Deputies are required to shoot a passing score on the current Sheriff's Office firearm's qualification course.

**VII. In-Service Training**

- A. Deputies required to carry a firearm are to complete the following annually:
  - 1. Receive instruction in:
    - a. The safe handling of firearms,
    - b. The legal requirements of the use of deadly force, and,
    - c. Sheriff's Office policies and procedures.
  - 2. Attend all yearly handgun and rifle qualifications and firearms training sessions as determined and required by their Division Chief unless excused.
    - a. If a deputy misses a firearms training session, they are required to attend a firearms clinic within two months of the missed training session. The firearms clinic instruction will cover the general training topic missed.
  - 3. Pass the department specified handgun course twice per year with all

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registered primary handguns and at least once per year with each authorized back-up/off-duty handgun. The course must be offered at least twice a year.

- a. Deputies who have passed the approved handgun optics transition course are required to qualify two times per year, once with the electronic sighting system and once with the iron sights.
- 4. Complete annual training concerning the use of non-lethal force. This training includes, but is not limited to, the following:
  - a. Announcement of the intent to apply less-lethal force,
  - b. On scene pre-planning, identification of the authorized less-lethal rounds,
  - c. Responsibilities of back-up deputies, and
  - d. Medical attention to be given to an individual after the application of less lethal force.
- 5. Successfully complete the rifle qualification course when required to carry a rifle.
- B. Deputies may be required by their Division Chief to attend other firearms related training.

**VII. Firearms Proficiency**

- A. Deputies who fail to successfully pass a Sheriff's Office firearm's qualification course are afforded two additional opportunities to qualify.
  - 1. When a deputy fails to qualify after a third attempt the range officer in charge of the qualification shoot is to notify the deputy's supervisor as soon as practicable. Information presented in the notification is to include the range officer's assessment of the deputy's fitness for duty and recommendations for corrective actions.
  - 2. Deputies who do not pass the qualification course on their first attempt are required to attend two department firearms clinics or other authorized sessions within three months of the failure.
    - a. Based upon unique circumstances, clinics may be waived by the

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Firearms Program Administrator when appropriate, in consultation with the deputy's Division Chief. Any waiver from this requirement is documented in writing, including the rationale, and is maintained in the deputy's training file.

- B. The supervisor shall notify the deputy's Division Chief as soon as practical. The Division Chief will ensure corrective action is prescribed and implemented.
1. Deputies who continually fail to demonstrate basic firearms skills or minimum Sheriff's Office standards may be required to obtain additional training and may have their authorization to carry a firearm removed until such training is satisfactorily completed, as determined by their Division Chief.
  2. Continued failure to meet standards may result in a personnel action including reclassification, reassignment, or termination.

By Order of the Sheriff,

*Joe Pelle*

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Joseph K. Pelle

August 9, 2022

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Date

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