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BY THE AUTHORITY OF THE CHIEF OF POLICE: 			

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25.1 PURPOSE

The purpose of this policy is to provide guidance on the use of less-lethal and lethal weapons.

25.2 POLICY

The Charleston Police Department recognizes and respects the sanctity and value of every life. It is therefore the policy of CPD that officers may only use force that is objectively reasonable to effectively bring an incident under control while protecting the safety of themselves and others.

25.3 DEFINITIONS

1. Active Aggression: Resistance by a subject which poses a risk of immediate danger to the officer, another person, or themselves. A threat or overt act of an assault (through physical or verbal means) when it is apparent that the subject has the immediate means to injure an officer, another individual or themselves.
2. Conducted Electrical Weapon: The department issued Conducted Electrical weapon (CEW) is a less lethal weapon which utilizes neuromuscular incapacitation technology to temporarily incapacitate an individual in order to enable officers to gain control and/or custody of that person.
3. Objectively reasonable force: The level of force which is appropriate when analyzed from the perspective of a reasonable officer on the scene possessing the same information and faced with the same circumstances as the officer who actually

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utilized the force. The objective reasonableness of a particular use of force is not analyzed in hindsight but will take into account the fact that officers must make rapid decisions regarding the amount of force to use in tense, uncertain and rapidly evolving situations.

4. Passive Resistance: Non-violent non-compliance with lawful orders when a subject does not pose a continuing threat to the safety of officers where there is no risk of immediate danger.
5. Preferred Target Zone: On a subject's back anywhere below the neckline and lower center mass (below the chest or heart area) for the front of an individual.
6. Warning Alert: a de-escalation technique in which the CEW produces up to 1000 lumens of pulsing light and a loud alert sound without deploying the cartridges. The selector switch is utilized to initiate the Warning Alert

25.4 DE-ESCALATION

If time and circumstances permit, prior to using force, officers shall use de-escalation techniques in an attempt to resolve the situation through voluntary compliance. De-escalation furthers officer and public safety.

1. De-escalation techniques are verbal strategies and actions to try to calm potentially volatile situations. De-escalation techniques may include, but are not limited to, orders, warnings, verbal persuasion or verbal judo, crisis intervention training techniques, or any other verbal or nonverbal strategies designed to encourage compliance.
2. When using de-escalation techniques, an officer should recognize that his/her conduct and attitude may be factors that can influence the conduct and attitude of the individual and, therefore, the potential success of resolving the situation without the use of force.
3. When an individual fails to comply with an order or command, unless immediate action is necessary to ensure the safety of officers and citizens, force shall not be an officer's first response. If time and circumstances permit, de-escalation techniques or other non-force options shall be used as an alternative to force. Examples include:
 - a. Attempting to verbally persuade the individual to comply by acting and speaking in a calm and deliberate manner;
 - b. Keeping a safe distance from an individual to minimize the likelihood of a confrontation.
 - c. Listening to an individual and seeking his/her cooperation;
 - d. Explaining the consequences to the individual if he/she continues to engage in inappropriate conduct;
 - e. Requesting the assistance of a supervisor and additional staff (such as medical staff or other officers, including CIT-trained officers);
 - f. Temporarily disengaging communications with the individual to determine if the individual will decide on his/her own, within a reasonable period of time, to comply with a previous order.

There may be circumstances in which warnings and other non-force alternatives such as attempting to verbally persuade an individual into compliance are impractical, ineffective, or not reasonably available. Further, even when such non-force alternatives are used, the situation may suddenly change such that officers may need to use physical force very quickly. Under such circumstances, officers are not required to exhaust or continue attempting de-escalation techniques or other non-force alternatives prior to using force.

25.5 INTERMEDIATE WEAPON REQUIREMENT

All sworn law-enforcement officers are required to carry with them an intermediate weapon while in uniform. The specific requirements are listed as follows:

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1. All Lieutenants and above, while in uniform, must carry at least departmentally- issued one (1) intermediate weapon;
2. All Sergeants and below, while in uniform, must carry their departmental OC spray and baton; and
3. All Sergeants and below, while in a plain-clothes duty assignment, must carry at least one intermediate weapon to include OC spray, baton, or CEW.

25.6 USE OF CHEMICAL AGENTS (CALEA 4.1.4)

Chemical agents will be used in accordance with training protocols. Officers will not carry any chemical agent that has not been approved by and issued by the Department. The use of a chemical agent will be limited to that which is necessary for effective control. When a chemical agent has been applied, first aid will be administered as soon as possible.

To minimize injury to suspects, officers, others, and property, the use of a chemical agent may be necessary in circumstances where a serious danger to life and property exists, and other methods of apprehension would be ineffective or more dangerous.

All personnel authorized to carry departmental issued chemical agents will be trained in the use of the chemical agent and undergo annual re-training to ensure proficiency. The officer must exercise due care to ensure that there is no danger to bystanders or other persons. Any officer that deploys their issued chemical agent will submit a *Response to Resistance and/or Aggression Report* through the chain of command to the Chief of Police or the designee through *Blue Team*.

25.7 USE OF A BATON (CALEA 4.1.4)

If it becomes necessary to use a baton on a subject, in a less than lethal force situation, all efforts must be made to avoid blows above the shoulder line.

Authorized batons are the Department issued 36" hickory baton for crowd control teams, hickory nightstick from 12-24" in length, and ASP 21" Tactical Baton.

All personnel issued batons must be trained in the use of the baton and undergo annual re-training. Any officer that utilizes the use of a department issued baton will submit a written *Response to Resistance and/or Aggression Report* through the chain of command to the Chief of Police or the designee through *Blue Team*.

25.8 CONDUCTED ELECTRICAL WEAPONS (CEW)(CALEA 4.1.4)

The purpose of this section is to provide guidelines for the deployment and use of Conducted Electrical Weapons (CEWs).

1. Deploying a CEW is a serious use of force, and, as a less lethal weapon, has some potential to result in a fatal outcome, even when used in accordance with policy and training. Officers may only deploy a CEW when an objectively reasonable officer would conclude that the circumstances present a risk of immediate danger that is reasonably likely to be mitigated by the use of the CEW. The CEW should be used to gain control of actively aggressive individuals.
2. Only properly trained and certified personnel will be authorized to use and be issued a CEW. Any deployment of CEWs must be consistent with this policy and the Response to Resistance/Aggression Decision Model as defined in CPD policy regarding Response to Resistance/Aggression. Personnel should exercise the character qualities of alertness, discretion, proportionality and self-control when evaluating the need and deployment of CEWs.

Initial issue

1. Only officers who have successfully completed department approved training, demonstrated proficiency, and have been issued a departmental CEW and associated equipment, are authorized to carry and operate CEWs. Proficiency must be demonstrated annually and monitored by a certified CEW instructor.

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2. Only department-issued CEW (TASER10), CEW holster, CEW magazine, and issued CEW cartridges are authorized for use. CEW cartridges and magazines should not be used after the manufacturer expiration date. No modifications to the CEW are permitted.
3. Department CEWs and associated equipment will be issued to:
 - a. All officers at the rank of Sergeant and below.
 - b. All transport officers.
 - c. All officers at the rank of Lieutenant and above assigned to carry a CEW.
 - d. CEWs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to supply.
4. The Supply Unit is responsible for tracking, logging, and inventory of issued CEW devices, and the serial numbers of cartridges and magazines issued to officers.
5. Officers shall only use CEW's and cartridges/magazines that have been issued by CPD. Cartridges/magazines shall not be used after the manufacturer's expiration date.
6. The department's Certified Master CEW Instructors will maintain access to the manufacturer/s master roster of all CEWs, to include status and device logs for each department CEW.
7. Officers will conduct an operational inspection of the CEW to ensure the device is properly maintained and in good working order. Officers will follow the inspection procedures outlined in this policy.
8. Officers are authorized to carry CEWs during extra duty assignments or department sanctioned trainings/events. Officers are unauthorized to carry a CEW while they are not working (either regular duty, or extra duty).
9. Officers issued a CEW will be responsible for proper and secure storage of the CEW to prevent accessibility to persons not trained and authorized to use the CEW.

Initial Training Required

1. All officers will be issued a copy of, read, and be instructed on CPD Policy regarding Response to Resistance/Aggression and CPD policy regarding the use of CEW prior to or during CEW training.
2. Officers must successfully pass the department's training curriculum as taught by a certified instructor before they are authorized to carry a CEW for purposes other than training.
3. Training and proficiency will be documented in the officer's training file.

Methods for Carrying

1. Officers issued a CEW shall wear the device in an approved holster.
2. Officers who carry the CEW shall wear the CEW in the cross-draw position on the officer's support side, opposite of their firearm or properly secured to the support side of a department-issued duty belt or outer carrier.
3. CEWs shall be clearly distinguishable to differentiate them from duty weapons and other devices.
4. Supervisors will be responsible for ensuring that CEWs are properly worn and maintained.

Adjustments to CEW device settings prohibited

Officers are prohibited from making any adjustments to their CEW device settings.

Considerations and Risk Factors for Deploying CEWs

The officer shall take into consideration the following factors when deciding to deploy a CEW where the subject poses an immediate risk of danger to the safety of himself or herself, a citizen or an officer. The Department strongly discourages CEW usage under the following conditions due to the increased risk of harm to a subject or others. However, officers may

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face circumstances that dictate the necessity to utilize the CEW when elevated risk factors are present. Officers must specifically articulate the circumstances justifying the use of the CEW when:

1. The subject is known to be pregnant, infirm, elderly, very thin or a small child.
2. The subject has a Known mental illness and/or developmental disabilities.
3. The targeted subject is likely to experience a fall from an elevated position when struck by the device
4. The level of the subject's exhaustion, as this may increase medical risk.
5. A fleeing subject shall not be the sole justification for using a CEW against the subject. A CEW may only be deployed on a fleeing subject when the circumstances present a risk of immediate danger to the officer or others that is likely to be mitigated by the use of the CEW.
6. A CEW may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

If possible, officers deploying a CEW should be supported by the presence of at least one (1) other officer.

Officers will evaluate the totality of the circumstances before using a CEW which would include the age, size, gender, apparent physical capabilities, proportionality of the response and known health concerns.

Restrictions and Limitations

Officers will not deploy a CEW:

1. In a punitive or malicious manner;
2. To rouse unconscious, impaired or intoxicated individuals;
3. To experiment on a person or allow a person to experience the CEW, even if the person requests it. This prohibition does not apply to voluntary CEW exposures of sworn officers or cadets during training or demonstrations authorized by the department. Voluntary CEW exposures to non-sworn personnel must be approved by the Training Commander prior to the training or demonstration;
4. In a known flammable or explosive environment (i.e., meth lab, where gasoline is stored, or where alcohol based OC spray was used, in clinical type settings where condensed oxygen is used, civil disturbance situations where participants may be utilizing lubrication or petroleum based substances, hand-sanitizer substances or the like on their person, etc.) unless the officer's only other option would be deadly force.
5. To intentionally aim or discharge in the chest area near the heart, at the eye, face, head, throat, neck or groin unless such use occurs when deadly force is authorized.
6. To knowingly simultaneously deploy more than one CEW at a time against a subject.
7. On a subject who is operating or in control of any motor vehicle that is moving or in gear or any other mode of transportation that is being operated or ridden by a subject.
8. On a subject who is complying with an officer's commands without hesitations;
9. When it is reasonable to believe that incapacitation of the subject may result in serious injury or death (e.g., when a subject is on an elevated or unstable surface, where subject could fall on a sharp object or hard surface, where subject is running, or when subject is located in water, mud or marsh environment if the subject's ability to move is limited.);
10. To threaten or elicit information;
11. To intentionally display or deploy as a practical joke, or as a form of harassment;

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12. On a handcuffed subject, unless the subject poses an immediate risk of danger to the officer, the subject or others and other techniques have been or would likely be ineffective (specific articulation of exigent circumstances is required).
13. To apprehend an animal that is not actively aggressive toward officers or third parties;
14. If the subject is known to the officers or displays the signs of a mentally ill or emotionally disturbed person, all efforts to de-escalate the subject should be taken prior to use of a CEW. If they do not present an immediate risk of danger, the use of a CEW is prohibited;
15. On a subject who is passively resisting.

CEWs will not be drawn, displayed, discharged, or deployed (with or without the cartridge installed) except:

1. As necessary during the course of official duties;
2. In a controlled training setting by a certified instructor or other individual authorized by the Chief of Police.
3. Public demonstrations to include presentation, discharge, and public handling of a CEW, regardless of venue, nature, or persons involved, are prohibited except with the explicit permission of the Chief of Police.

Deployment Cycle Considerations

1. The Taser 10 has a magazine which holds 10 cartridges; each cartridge consists of one probe. The first trigger pull of the device (Taser 10 only) deploys a single probe without electrical output. The second trigger pull deploys a second probe. If a connection is established between two or more probes, an electrical output will begin for five seconds, and an audible connection alert tone will begin. This is considered one standard cycle or activation. Subsequent trigger pulls will deploy one probe per trigger pull (probes 3-10). Each subsequent trigger pull will result in an additional five-second cycle if a connection is established. At least two probes are necessary to create the possibility of neuromuscular incapacitation.
2. Personnel should use a CEW for one standard cycle (five seconds) and then evaluate the situation to determine if subsequent cycles are necessary. In determining the need for additional energy cycles, factors officers may consider include but are not limited to: whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications; whether the probes are making proper contact, whether the individual has the ability and has been given a reasonable opportunity to comply (officers should be aware that an energized subject may not be able to respond to commands either during or immediately following a CEW exposure); whether verbal commands or other options or factors may be more effective. Assisting officers must secure the subject as soon as practical and if practical and safe to do so, move in and handcuff under power. Officers will only use the minimum number of activations necessary to place the person into custody.
3. CEWs are programmed to deliver an electrical charge of a pre-programmed duration (five seconds). Repeated CEW applications (more than 15 seconds total exposure or three 5 second cycles or drive stuns) may increase the risk of death or serious injury especially in subjects who are under the influence or who are nearing exhaustion. Therefore, officers should limit the number of cycles used to three per subject. All applications should be independently justifiable, and the risks should be weighed against other force options.
4. If after three 5 second cycles the subject is still failing to change their behavior, use of the CEW may be deemed ineffective and other force options should be considered. Additional cycles may be warranted but only under extreme and justifiable circumstances, understanding that each additional cycle increases the potential risk to the subject and the level of force potentially being applied. Officers should attempt to apply only the number of cycles reasonably

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necessary to allow the safe capture, control or restraint of a subject. Continual use of the CEW when there are obvious signs of its ineffectiveness is prohibited.

5. In the event that more than one (1) activation of the CEW is required; an additional paragraph in the Blue Team narrative will be used to outline the justification for each additional activation. If subsequent cycles are necessary, they will be restricted to the minimum needed to control the situation.

Deploying CEWs

CEWs are recognized as a secondary, less-lethal weapon. Although CEWs may be effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options. CEW use does not necessarily preclude the use of a greater level of force, if necessary, for officer safety or for the safety and protection of others.

Officers should not hold a firearm and CEW at the same time.

Officers should be familiar with the distance capability of the device, as well as any programmable features on the CEW, such as the automatic five-second shutoff feature.

CEWs should be aimed as follows:

1. Preferable targeting is the center of the intended subject's back;
2. When the subjects back cannot be targeted, the area above the groin, but below the chest, may be targeted (lower torso area); and
3. The face, neck, and groin area must never be intentionally targeted.

Just prior to discharge, and when practicable, the officer will announce the use of a CEW to alert other officers. Officers may warn a subject of impending deployment as an effort to gain compliance; however, this is not required and may be tactically unsound in certain circumstances.

CEW's should only be used when an officer can safely deploy the device within its operational range.

Warnings

As a de-escalation technique, officers may verbally warn the suspect before discharging the CEW, if safe and practical. A CEW Warning Alert may be used in conjunction with verbal warnings. When conducting a Warning Alert, officers will hold the TASER 10 in a low ready position.

Accidental Cartridge Discharge

In the event of an accidental CEW discharge, the officer shall promptly notify their supervisor who will ensure a BlueTeam is completed documenting the incident.

Actions Following Deployment of a CEW

1. The targeted subject should be restrained as soon as possible following deployment of a CEW, and prior to the removal of the probes. Officers shall be mindful of the position of the subject of the CEW deployments and will be aware of the risks of positional asphyxia. Officers will monitor the subjects for signs of distress. As soon as it is safe to do so, subjects should be positioned so there are no restrictions on their upper body or ability to breathe freely.
2. If the subject attempts to run after being struck, the deploying officer should run with the subject, if possible, in order to avoid breaking the wires. Tactical and officer safety considerations should be constantly evaluated under these circumstances.

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3. After CEW probes are removed, the subject and any marks left by the probes will be photographed. If no marks are immediately evident, the areas where the probes are suspected to have made contact will be photographed. The photographic documents will be placed into evidence.
4. Following deployment of a CEW, data will be downloaded from the CEW by placing the Taser 10 battery in any docking station. The immediate supervisor will give the officer replacement cartridges. The officer will then place the used cartridge into CPD Evidence and complete a Blue Team prior to the end of his or her shift.
5. A supervisor must be notified when a CEW deployment occurs.

Rendering Aid after Use

When a subject has been exposed to a CEW, EMS must be summoned to the scene for evaluation.

Removal of Probes:

Officers may remove probes from non-sensitive areas according to probe removal training guidelines.*(per TASER)

1. Officers will use all due regard to privacy issues with members of the opposite gender when removing the probe. When practical, the probes should be removed by an officer who is the same gender as the subject.
2. The cartridge will be removed from the CEW prior to removal of the probes;
3. The officer will wear the issued medical gloves;
4. The probes should be treated as bio-hazard sharps and handled accordingly;
5. The officer will place one hand firmly against the subject approximately 6-8 inches from the probe.
6. With the other hand, place the thumb and index finger against the probe and pull up forcefully to remove the probe.
7. After removing the probe, inspect the probe to ensure all parts are intact and nothing remains in the skin
8. Officers are responsible for providing first aid after probe removal if needed.

Mandatory Medical Clearance:

When a subject has been exposed to a CEW, EMS must be summoned to the scene for evaluation. The following circumstances should be given special consideration:

1. Subjects who are struck in sensitive areas (head, genitals, female breasts, etc.) - these probes will be removed only by licensed medical personnel;
2. Subjects who have probes that are attached and that officers or EMS personnel do not feel they can safely remove, while maintaining compliance with the procedures outlined in this policy;
3. Subjects that do not appear to have recovered after a short period of time;
4. Subjects in vulnerable classes, such as juveniles, pregnant women, small or obese persons, or individuals who officers learn have medical conditions that may be complicated by the deployment; and/or
5. Personnel transferring custody of an individual who has been subjected to the use of a CEW, to the Charleston County Detention Center or another agency, will promptly notify the receiving officer of the incident and complete the required forms documenting the incident.
6. Officers must take appropriate measures so that the individual being transported is able to breathe without restriction and if possible should lay the subject on their side or seated in an upright position. Officers must avoid transporting subjects in a face-down position whenever possible. Additionally, officers should avoid transporting a person in any position which places pressure on the CEW probes.

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Periodic Inspection and Testing

Officers are responsible for ensuring the issued CEW is properly maintained and fully operational at all times.

1. Officers will conduct an operational inspection of the CEW prior to every shift. The procedure for this inspection includes a function test and visual examination of the device (checking the battery life indicator, laser sight and tactical light for proper operation. The procedure for the function test is as follows:

1. Pressing down and holding the selector switch until the icon in the center of the CID (Central Information Display) completes its circle. The CID displays the test icon and weapon firmware version.
 2. The operator will then move the selector switch to the On (ARMED) position.
 3. Upon completion of the test, the icon will change to reflect the test results indicating either a pass (green check mark) or error condition (red x).
 4. Upon completion of the test, the operator will move the selector switch down into the Off (SAFE) position.
 5. Function testing will be conducted in roll call prior to the beginning of the shift.
2. Officers are responsible for replacing the Taser 10 battery by placing the battery on any docking station and inserting a charged battery. The docking station will charge the battery, automatically upload all function test data, and download any software updates. CEW users must exchange batteries from a CEW docking station at least every 30 days.

CEWs must be immediately removed from service if they:

1. Display a red x during the function test; and/or
 2. Display a large x across the CID at any time; and/or
 3. Have obvious signs of damage (cracked casing, etc.) or excessive wear.
4. Officers must immediately report to their supervisor the loss, damage, or malfunction of their CEW, and/or damage to or expiration of cartridges and magazines. Officers must complete a Blue Team report, stating the reason for the return. Officers will turn in any damaged, malfunctioning or expired equipment to the Supply Unit (during normal business hours) or to their immediate supervisor (after hours).

Retraining Required

1. All officers issued a CEW must attend and successfully complete a CEW recertification and proficiency course, taught by an instructor qualified on the particular CEW, annually. Annual qualification is mandatory to maintain authorization to carry a CEW.
2. As part of their annual training requirement, all officers issued a CEW will be issued a copy of, read, and be instructed on CPD Policy regarding Response to Resistance and Aggression and CPD Policy regarding the use of CEW prior to or during CEW training.
3. Officers required to attend remedial training must successfully complete the training to be authorized to carry the CEW.
4. Training and proficiency will be documented in both the department's files and in the individual officer's file.

BlueTeam Entries

1. With the exception of training, in all cases when a warning alert is activated, a CEW is removed from a holster in the line of duty and in the view of civilians, suspects or prisoners or a CEW deployment occurs, the officer will submit a written *Removal of CEW* report, through their chain of command, through *BlueTeam*.

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2. The report will briefly outline the circumstances for the removal of the CEW, including the time, date, place of occurrence, and reason for the removal. In the event more than one (1) activation of the CEW is required, an additional paragraph in the Blue Team narrative will be used to outline the justification for each additional activation.

Downloading the CEW

In a critical incident, a supervisor will immediately take custody of the CEW battery and will place the battery in a docking station for download. ***THE CEW BATTERY MUST REMAIN IN THE DOCK FOR 8 HOURS OR UNTIL COMPLETE DOWNLOAD**

Administrative Settings

Some Department personnel, only Master Taser Instructors or anyone designated by the Chief of Police, will have administrative rights to the TASER 10 software. These personnel have the ability to change settings to the TASER 10 device. At no point, will these personnel have permission to change the status with the automatic five (5) second shutoff. All TASER 10 devices will have the five (5) second automatic shutoff options activated at all times. All tasers have been factory set with the following approved settings: Laser (always on), Flashlight (enabled), Warning Alert Flashlight Strobe (Enabled), Side Lights (enabled), Sounds (enabled), Stealth (Disabled), Default Inventory Status (disabled), and 5-second Automatic Shut-Down (Enabled Hard Stop).

Battery Charging Stations

The TASER 10 device is equipped with a rechargeable battery. Before the battery life reaches ten percent (10%), the battery must be replaced with a charged battery. There are nine (9) battery stations throughout the department to change out batteries. Each dock has a label explaining what indicates a fully charged battery. There is also a laminated Quick Reference Guide next to each station with additional information. The following locations in the department are designated to have battery stations;

1. Team 1 – 10 Batteries
2. Team 2/9 – 10 Batteries
3. Team 3 – 10 Batteries
4. Team 4 – 10 Batteries
5. Team 5 – 6 Batteries
6. Team 7 – 6 Batteries
7. Supply – All Remaining Batteries
8. Front Desk Sergeant Workroom – 6 Batteries
9. SIU Office – 6 Batteries

25.9 USE OF 40MM RIFLED BARREL LAUNCHER (CALEA 4.1.4)

40MM Rifle Barrel Launchers will be used in accordance with training protocols. If it becomes necessary to use the item on a subject, in a less than lethal force situation, all efforts must be made to deploy the device in accordance to training protocols. Please reference Figure 25.9 for target selection. Zone 1 is the Primary Strike Zone with the *exception of the groin area*. These areas should be the officers' first area of choice due to its minimization of injury and ability to still achieve pain compliance. Zone 2 of the body is the Secondary Strike Zone with *the exception of the spine*. Zone 3 is the area of **last**

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resort. Any shot into these areas can result in a serious or deadly injury. Unless the officer can justify deadly force, they should not intentionally target Zone 3. To minimize injury to suspects, officers, others and property, the use of the 40MM Rifle Barrel Launcher may be necessary in circumstances where a serious danger to life and property exists and other methods of apprehension would be ineffective or more dangerous.

All personnel issued 40MM Rifle Barrel Launchers must be trained in the use of the item and undergo annual re-training. Any officer that uses the departmental issued item will submit a *Response to Resistance and/or Aggression Report* through the chain of command to the Chief of Police or the designee through *Blue Team*.

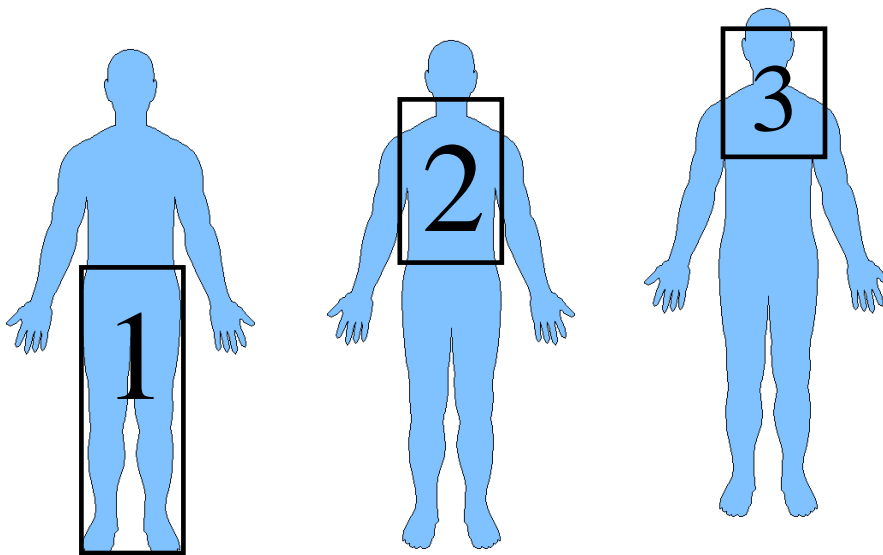


Figure 25.9

25.10 FIREARMS POLICY (CALEA 4.1.2)

Officers may use a firearm when the officer has a reasonable belief that deadly force is justified, there is a high probability of striking the intended target, and/or the discharge poses no substantial risk to the safety of other officers or innocent bystanders. In no case may an officer use a firearm when it is clear that less than lethal force could be used to provide safety for the officer or another individual.

25.11 NECESSITY AND RIGHTS OF OFFICERS TO CARRY FIREARMS (CALEA 1.2.2)

As long as members of the public are victims of violent crimes, and officers in the performance of their duties are confronted with deadly force, it will remain necessary for police officers to be properly armed for the protection of society and themselves. Law enforcement officers in the State of South Carolina are legally authorized to carry and use weapons.

South Carolina Code Section 16-23-20(B): allows law enforcement officers to carry handguns throughout the state, including places where others are prohibited from carrying handguns, while carrying out official duties while in the state.

25.12 REMOVING OF FIREARM FROM HOLSTER

Officers, whether on duty or off duty, are not authorized to remove their weapon from their holster in any situation in which they would not be reasonably justified in firing the weapon. Officers may remove their weapon from their holster and point the weapon if they reasonably believe that deadly force may become necessary. The officer is not required to wait until the

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threat becomes imminent before removing or pointing the weapon at a suspect. The officer must be prepared to offer an explanation and report the incident in a timely manner, but not later than the end of his or her shift. In any case, great care and caution should be exercised. A firearm should always be considered loaded and treated as such.

25.13 REPORT OF THE REMOVAL OF FIREARM FROM HOLSTER

In all cases when a firearm is removed from a holster in the line of duty and in the view of civilians, suspects or prisoners, the officer will submit a written *Removal of Firearm* report through the chain of command to the Chief of Police, or designee through *Blue Team*. The report will briefly outline the circumstances for the removal of the firearm, including the time, date, and place of the occurrence, and the reason for the removal.

25.14 USE OF DEADLY FORCE (CALEA 4.1.2)

In deciding whether to use deadly force, the value of human life should outweigh all other considerations. Deadly force may only be used as follows:

1. When the officer has a reasonable belief that his or her life, or that of another is in immediate danger of death or serious bodily injury, or;
2. To prevent the escape of a fleeing felon, if the officer has a reasonable belief that the felon will pose a significant threat to human life should escape occur. A "fleeing felon" should not be presumed to pose an immediate threat to life in the absence of actions that would lead one to believe otherwise, such as previously demonstrated threat to or blatant disregard for human life. A fleeing felon must meet the criteria as stated in the preceding and concluding paragraphs before deadly force may be used.

Whenever feasible, an officer should give a verbal warning prior to the use of deadly force. The recommended verbal warning is, "**POLICE, DON'T MOVE!**" The proper use of a verbal warning not only demonstrates an officer's intent to deescalate a possible deadly force situation, but it may also substantiate the need for an officer to employ deadly force if a subject fails to comply. The officer need not give such a warning in a split-second situation, if it would be futile, or if the warning would place the safety of the officer or another individual in danger.

Shots at moving vehicles or from moving police vehicles are generally ineffective and are not to be fired unless absolutely necessary in defense of life. See the below listed policy subsection titled: *Examples of Specifically Prohibited Firearm Use*.

25.15 JUSTIFICATION LIMITED TO FACTS KNOWN TO OFFICER (CALEA 4.1.2)

Justification for the use of deadly force is based upon the "objectively reasonable belief" of the officer. "Reasonable belief" is defined as "a belief based on the totality of the facts and circumstances known to the officer at the time, which taken together with the reasonable inferences from those facts and circumstances, would cause a reasonable officer to think or act in a similar manner". Facts unknown to an officer, no matter how compelling, cannot be considered in later determining whether the shooting was justified.

25.16 FIRING WARNING SHOTS (CALEA 4.1.3)

Officers will not fire warning shots at any time. They will not fire a shot for the purpose of frightening or with the intent of wounding a suspect. They will only fire with the purpose of eliminating the threat.

25.17 EXAMPLES OF SPECIFICALLY PROHIBITED FIREARM USE

Firing of weapons or the employment of other means of deadly force is specifically prohibited under the following circumstances:

1. To threaten or subdue an unruly crowd or person if no threat to life exists;

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2. To subdue a person suspected of a non-violent misdemeanor, attempting to resist or escape, or who presents no deadly threat to the officer or to others;
3. To stop or detain an individual based upon reasonable suspicion that the individual is involved in criminal activity where there is no immediate threat of death or serious bodily injury the officer or another person;
4. To threaten or subdue a subject who is physically violent but who has not resorted to force that represents a threat to the life or serious bodily harm to the officer or other persons;
5. When it appears likely that an innocent person will be hit;
6. At a suspect who is holding an innocent person hostage, when firing would endanger the hostage or the other innocent individual.
7. To protect or prevent damage to real or personal property
8. At a moving vehicle or from a moving vehicle unless deadly force is justified and both (1) an innocent passenger will not be struck and (2) the vehicle will not careen out of control and injure innocent bystanders. An officer will not position him or herself into the path of the vehicle and will take all reasonable steps to move out of the path of the vehicle.

25.18 SHOOTING AT OR FROM MOVING VEHICLES

Shooting at or from a moving vehicle is dangerous to both officers and others. As it is virtually impossible to shoot with responsible accuracy and control from a moving vehicle, such actions are prohibited unless absolutely necessary in defense of life and then only as a last resort. Additionally, shooting at a moving vehicle is generally ineffective and unlikely to stop or disable the vehicle. Moreover, shots fired could cause injury or death to innocent persons in the vehicle, or could strike a driver, causing the vehicle to go out of control and cause death or injury to innocent parties either in or outside the suspect vehicle. The substantial risks generated by the use of gunfire against moving vehicles, in combination with the likelihood that such gunfire will fail to achieve its goal, demand that officers resort to firing only in the most extreme and exceptional circumstances. Firing a weapon at a moving vehicle is prohibited, except when the officer reasonably believes that:

1. An occupant of a vehicle is using or threatening to use deadly force by means other than the vehicle; or
2. A vehicle is operated in a manner deliberately intended to strike an officer and/or citizen and all other reasonable and available means of defense have been exhausted (including moving out of the path of the vehicle) and the safety of innocent persons would not be unduly jeopardized by the officer's actions. Officers will not intentionally stand and/or step into the path of a vehicle, creating circumstances where the use of deadly force becomes necessary.
 - a. Officers will take into account the potential risks to vehicular and pedestrian traffic, and to any other bystanders, before making the decision whether to fire at or from a moving vehicle.

The reasonableness of an officer's actions when firing a weapon at a moving vehicle will be examined from all the objective facts surrounding the incident. The sole fact that a vehicle's driver is attempting to avoid apprehension will not justify use of a firearm to attempt to stop the vehicle.

25.19 OFFICERS SURRENDERING WEAPON

An officer or his/her back-up may be at the mercy of an armed suspect who has the advantage, but experience has shown that the officer giving up their weapon upon demand does not reduce the danger to an officer. Surrendering their weapon might mean giving away their only chance of survival; therefore, an officer should use every tactical tool at their disposal to avoid surrendering his/her weapon.

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25.20 USE OF FIREARMS TO KILL ANIMALS

Officers may use their firearms to kill a rabid animal or to kill any animal they believe to be so badly injured that it should be dispatched to prevent any further suffering. Such use of firearms should not be made without the authorization and presence of a supervisor or superior officer.

When an officer is confronted with an aggressive animal, the officer should use every reasonable means to fend off the attacking animal by the use of a baton, etc., and make sure that any firing upon the animal is not a danger to themselves or a citizen prior to the use of deadly force.

If a stray animal that may be rabid has injured an officer, the officer is authorized to use deadly force against such animal if it appears that the animal may be hard to find later. If at all possible, the animal should NOT be shot in the head, because the head is required to be intact for rabies testing.

The officer must exercise due care to ensure that there is no danger to bystanders or other persons.

25.21 DISCHARGE OF FIREARM REPORT (CALEA 4.2.1)

On each occurrence that an officer discharges a firearm on duty or off duty, with the exceptions of weapons training, firearm qualification, or recreational shooting, that officer will submit a detailed report of the incident through the chain of command to the Chief of Police. Such a report will be submitted prior to going off duty and will include:

1. Name and reporting number of officer;
2. Date and time of occurrence;
3. Location of occurrence;
4. Weapon type, caliber and serial number of firearm discharged;
5. Type and caliber of ammunition fired;
6. Number of shots fired and direction in which fired;
7. Description of person fired at, including name, sex, race, DOB, etc. If fired at an animal, a brief description of the animal;
8. Whether or not the object fired at was moving, barricaded or standing. If in a vehicle, the description of the vehicle, plate number, etc.;
9. Results of the shots (i.e., extent of wounds, missed, etc.);
10. Reason for the use of the firearm;
11. Name of supervisor, and investigators responding to the scene;
12. Other information the officer believes to be pertinent.

25.22 CRITICAL INCIDENT REVIEW BOARD

A Critical Incident Review Board (CIRB) will hear and review the facts, physical evidence, and other pertinent data relative to ALL firearm discharge incidents. Other incidents which involve serious injury, death, or unusual circumstances caused by the use of less-lethal weapons, or other response to resistance and/or aggression can be designated by the Chief of Police for review by the CIRB. Upon completion of their review, a report of their findings will be forwarded to the Chief of Police. The CIRB will consist of the following permanent members:

1. Deputy Chief of the Support Services Bureau (Chairperson)
2. Deputy Chief of Operations Bureau;
3. Legal representative(s) from the Department;
4. Lieutenant of Professional Training and Development;

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5. Lieutenant from the involved employee's Command.

The CIRB will hear and review all reports, testimony, physical evidence, and other pertinent data relating to the discharge of a firearm or other incidents which involve serious injury, death, or unusual circumstances by an officer acting in the line of duty whether he/she was, in fact, on-duty or off-duty.

The CIRB will convene after the police department elements have concluded their investigation. The CIRB Chairperson will submit a recommendation to the Chief of Police after hearing the evidence, indicating whether the response to resistance/aggression was within policy, whether or not the CIRB's decision is unanimous, and make recommended changes in policy or rules and regulations as well as the need for any new or additional training. The complete investigative file will be forwarded to the Chief of Police and/or the City Attorney's Office, as appropriate, for review. At the conclusion of the review process, the file will be submitted by the CIRB Chairperson to the Professional Standards Office.

The CIRB is established for the purpose of reviewing, evaluating, and making recommendations to the Chief of Police concerning all incidents of firearms discharge or other incidents which involve serious injury, death, or unusual circumstances involving employees of the Charleston Police Department. Employees covered by this policy will include all sworn, auxiliary, and reserve personnel of the police department.

The CIRB will evaluate each aspect of an employee involved shooting or other incidents which involve serious injury, death, or unusual circumstances. Such evaluation will include a thorough review of the Professional Standards report, physical evidence, and other pertinent data relating to the response to resistance/aggression or other incident leading to serious injury or death, a hearing of direct testimony, if necessary, from employees and witnesses, and IAPro documentation.

The Charleston Police Department will annually compile a list of officers who have expertise in policies, training and tactics and they will be organized as a resource for the CIRB. When the CIRB meets, this panel may be called upon to answer specific questions pertaining to the incident and their specialty. When an officer with such expertise is called upon to render an opinion about a specific matter, he shall provide a written statement to the CIRB documenting his opinion. This panel can provide valuable information to the CIRB on how an officer was trained and what are the best practices or tactics to employ for the particular scenario that the officer faced. Participants in this dialogue can also help identify additional root causes that may have contributed to errors in judgment or substandard performance.

Following an assessment of the case, the CIRB's chairperson will submit a report utilizing CPD Form #606 within 10 days of the review to the Chief of Police. The report will contain a summary of the incident, the CIRB's findings, recommended training to be undertaken, policy and procedural modification along with other pertinent information as determined by the chairperson. Once the Chief of Police has approved the report, a copy of any training recommendations will be forwarded to the Professional Development & Training Commander. When the finding rendered indicates corrective or disciplinary action, the Chief of Police may initiate such action or refer the report to the appropriate command officer for specific recommendation. At the conclusion of the process, the case file will be submitted to the Professional Standards Office.

The CIRB will develop findings and make recommendations to the Chief of Police in the following areas:

1. Whether the shooting was within policy;
2. Tactical issues;
3. Equipment issues;
4. Training considerations;

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5. Quality of supervision;
6. Disciplinary considerations; and
7. The post shooting investigative process and quality.

The Captain of the Professional Standards Office will present the case to the CIRB. The involved employee will be invited to attend, and to present any additional statement to the CIRB. The CIRB may summon other witnesses. Witnesses who are employees may be compelled to attend and to make statements or answer questions of the CIRB.

25.23 CRITICAL INCIDENT REVIEW BOARD PROCEEDINGS

1. The Chair of the CIRB will initiate the proceedings and address any housekeeping issues.
2. The Captain from the Professional Standards Office will present their investigation with a PowerPoint. After the presentation, they will answer any questions the CIRB members may have and address any investigative issues or concerns.
3. After questions have been posed and answered, the Chair will announce that the CIRB will hear the Work Histories. The Work History of the involved employee will be presented in a concise manner. After presenting each Work History, the CIRB members may ask questions specific to the employee pertaining to the matter under investigation. They may also ask for details on pending and past complaints through the Professional Standards Office.
4. At the conclusion of the Work History portion, the CIRB will clear the room for deliberation. This process takes place among the CIRB members in closed session. If the CIRB is not satisfied with the quality and content of the investigative file, then it should be returned to PSO for additional investigation.
5. After the CIRB has deliberated, everyone is allowed back in the room and the Chair announces the CIRB's findings. After the conclusion, the Chair will dismiss the CIRB.
6. The CIRB findings and recommendations will not be considered final until reviewed and approved by the Chief of Police. This will occur once the Chairperson has completed and submitted their report outlining the CIRB's findings and recommendations.
7. Recommended actions will be notated on CPD Form #606 and entered into IAPro by the Professional Standards Office following the conclusion of the process. A thirty-day follow-up will be performed by the Captain of the Professional Standards Office, or his designee, to ensure the completion of the recommended actions. Once the recommended actions have been addressed through training, remedial training, tactical changes or policy modification, the employee responsible will prepare a memorandum documenting completion, which will be attached to the IAPro file.

25.24 FIREARM HOMICIDES OR INJURIES WHILE IN THE PERFORMANCE OF DUTIES

In the event an officer injures or kills an individual with a firearm, a comprehensive investigation of the incident will be conducted immediately, and the officer will be removed from line-duty. The investigation will take place regardless of whether the officer was on or off duty at the time of the incident. Such investigation will be in addition to any investigation made by any other agency.

The officer will not discuss the incident or any aspect of the case with anyone except his/her attorney, appointed City of Charleston attorney, prosecuting attorney, Department's Peer Support Group, City of Charleston's Employee Assistance Program, investigators from the State Law Enforcement Division and appropriate Department personnel.

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25.25 ON-DUTY FIREARM POLICY

Charleston Police Department Officers will only carry Department issued weapons while on-duty. The weapons magazines will be loaded to full capacity with Department-issued ammunition.

In the event a firearm other than a Department-issued firearm must be carried on-duty, such as an undercover assignment where a smaller weapon may be appropriate, the Chief of Police must authorize such use. The Rangemaster must approve the firearm. Officers must demonstrate proficiency with the firearm and successfully complete a firearm qualification course approved by the Training Commander. Only department-authorized ammunition will be used with the firearm.

25.26 ON-DUTY AND OFF-DUTY ASSIGNMENT FIREARMS (CALEA 4.3.1)

The following weapons are approved for on-duty and off-duty assignment use:

1. Glock Model 21 .45 caliber auto-pistol;
2. Glock Model 30 .45 caliber auto-pistol;
3. Glock Model 30S .45 caliber auto-pistol.

25.27 CARRYING FIREARMS POLICY

Officers are permitted to have an approved firearm in their possession while in a non-duty capacity unless circumstances dictate otherwise.

Those officers not having completed the Police Academy are not authorized to carry non-duty firearms

Police Reserve Officers are not authorized to carry non-duty firearms.

No Officer will carry a firearm in a non-duty capacity while patronizing an establishment where alcoholic beverages are the chief item of sale.

Officers carrying a weapon in a non-duty capacity are required to also carry their issued police credentials.

25.28 NON-DUTY FIREARM REQUIREMENTS

All non-duty weapons must be manufactured by a reputable firearms manufacturer and be of high quality and in good operating condition. The Rangemaster has the authority to determine what weapons are acceptable. Officers contemplating purchasing weapons for non-duty use are encouraged to check with the Rangemaster prior to purchase if there is any question as to whether a weapon will meet departmental standards. Prior to carrying the weapon, the officer will register it and the ammunition to be used with the Rangemaster and qualify with the firearm on a course that has been approved by the Training Commander. Registration will take place at the time of qualification.

25.29 NON-DUTY FIREARMS

The following caliber weapons are authorized for non-duty carry:

1. Revolvers: .38/357 caliber loaded with .38 Special ammunition only
2. Auto-pistols: .380, 9MM, .38, .40, and .45 auto calibers

25.30 NON-DUTY FIREARM BARREL LENGTH

The following maximum barrel lengths are authorized for non-duty weapons:

1. Revolvers: four (4) inches.
2. Auto-pistols: Five (5) inches.

25.31 NON-DUTY AMMUNITION

The following guidelines apply to non-duty ammunition:

1. Officers will be required to furnish their own qualification ammunition for their personally owned non-duty weapons.

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2. Non-duty ammunition will be new, high-quality ammunition of Jacketed Hollow Point (JHP) design produced by Speer, Winchester, Federal, or Remington.
3. Remanufactured or reloaded ammunition is not authorized for non-duty carry.
4. Remanufactured ammunition is authorized for qualification purposes.
5. The Rangemaster is authorized to determine if ammunition is suitable for carry or qualification.

25.32 BACK-UP FIREARM POLICY

Officers will be permitted to carry one (1) concealed back-up firearm. Any back-up weapon will be manufactured by a reputable firearms manufacturer and be of high quality. The weapon will be in good operating condition and be of .380, 9MM, .40, or .45 auto-calibers and approved by the Rangemaster.

25.33 BACK-UP FIREARM USE

Use of the on-duty back-up weapon is governed by this General Order and under the following conditions:

1. The primary firearm has been rendered ineffective due to an unanticipated malfunction;
2. The primary firearm has been, or is in the process of being, seized from the officer by force; or
3. The primary weapon has run out of ammunition.

25.34 BACK-UP FIREARM HOLSTER

The back-up firearm will not be worn or carried in any manner where the public may see it. The back-up firearm must be worn in a holster that provides retention security that will prevent the officer from losing it during physical activity. The holster will be inspected and approved by the Rangemaster at the time of qualification.

25.35 BACK-UP FIREARM IN JAIL AREAS (CALEA 73.5.12)

The back-up weapon must be removed from the officer's person before entering the jail.

25.36 BACK-UP FIREARMS REQUIREMENTS AND REGISTRATION

The back-up weapons requirements, registration, ammunition, and qualification requirements for the back-up weapon are the same as for the non-duty weapon.

25.37 FIREARM APPROVAL AND REGISTRATION

Only Department issued or approved firearms and ammunition will be used by Charleston Police Department personnel in the performance of duty or while acting under the authority of a law enforcement officer, whether on- or off-duty. Additionally, firearms will be carried in Department-issued holsters, or holsters, that have been inspected and approved by the Training Commander, or designee, for security and retention standards. Firearms carried by members in plainclothes, whether on or off duty will be concealed when in public places.

25.38 PERSONALLY OWNED WEAPONS APPROVAL AND REGISTRATION

All personally owned on-duty back up and non-duty weapons will be registered annually with the department and approved by the Rangemaster. Registration will occur at the time of qualification. Registration will consist of the following information:

1. Weapons Manufacturer;
2. Model;
3. Serial Number;
4. Caliber;
5. Color;
6. Barrel length; and

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7. Type of weapon.

During the registration process, the weapon will be inspected by the Rangemaster, or designee and the results of the inspection will be recorded on the registration form.

25.39 FIREARM CONDITION, LOSS, OR DAMAGE

Officers will be responsible for maintaining their firearms in serviceable condition at all times. Officers will clean and oil them as required to prevent rust or wear. If a weapon is not serviceable, it will be reported to the officer's supervisor and the weapon will be immediately repaired or replaced. All weapons that are assigned on a temporary basis, such as rifles and shotguns, will be inspected prior to shift or operation. Any deficiencies will be reported to the shift supervisor and the weapon will be removed from service until replaced or properly repaired by a certified armorer.

Charleston Police Department weapons are inspected by department armorer upon receipt, stored for issue, and again inspected upon issuance. Unsafe weapons are repaired or replaced immediately upon identifying any malfunction.

The Range Supervisor, or qualified designee, will conduct an inspection of shotguns and rifles that are not permanently assigned to ensure safety and functionality annually. Weapons deemed to be defective or unsafe will be removed from service and properly repaired or replaced.

25.40 DISPLAYING OF FIREARMS

Officers must provide reasonable security for their firearms and others placed in their possession. They will not load or unload, manipulate, or unnecessarily display a firearm in any public place unless such action is necessary to perform a police function.

25.41 WEAPONS IN VEHICLES

Any weapon issued by the Department shall only be stored in a safe and secure manner. Officers shall take all reasonable measures to ensure that no unauthorized person can gain control of any weapon issued by the Department at any time.

1. Firearms Storage

a. When storing an issued firearm in their vehicle, officers shall follow the protocols outlined below:

- i. Firearms can only be stored in a securely locked trunk, or in an approved gun safe within the vehicle, while the vehicle is unattended for brief periods of time (i.e. court, detention centers, gym, etc.);
- ii. Firearms shall not be stored for extended periods of time in any vehicle when the officer is not actively utilizing it (examples: off shift from day, evening or night shifts or on leave of any kind).
- iii. Firearms shall not be left in the vehicle while it is at a non-department facility, such as a repair shop.

2. Patrol Rifle Storage

- a. Officers who are issued patrol rifles will secure those weapons in their vehicles locking rifle rack, or securely locked trunk, during shift and remove them from the vehicle at the end of shift. Unattended vehicles in which a patrol rifle is stored during shift shall be locked at all times;
- b. Patrol rifles shall not be stored in any vehicle when the officer is not actively utilizing it (examples: off shift from day, evening or night shifts or on leave of any kind);
- c. Patrol rifles shall not be left in the vehicle while it is at a non-department facility, such as a repair shop.

3. Special Unit Weapon Storage

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- a. Special Unit officers who have specialized weapons, ammunition and/or ordinances shall store those items in weapon vaults installed in the officer's vehicle trunk (example: SWAT officers who are issued multiple weapons for SWAT responses, etc.). In addition to the weapons vault, these vehicles will also be outfitted with audible alarms that will sound upon unauthorized entry.
- b. Special Unit weapons shall not be stored in any vehicle while the officer is on leave of any kind;
- c. Special Unit weapons shall not be left in any vehicle while it is at a non-department facility, such as a repair shop.

25.42 WEAPONS RECORDS AND GUIDELINES FOR STORAGE (CALEA 4.3.1 f)

Each weapon purchased for use by the Charleston Police Department will be documented on a master weapons inventory maintained by the Logistics & Supply supervisor, or designee. The inventory will include the type, model, manufacturer, serial number and date of receipt of each firearm as well as the identity of each assignee. The Logistics & Supply unit will maintain weapons that are not assigned to an individual officer in storage. The following conditions will also apply:

1. It is the responsibility of each officer who is assigned a Department-issued weapon to properly care for and safely secure the weapon;
2. Access to these weapons will be restricted to officers, or personnel assigned to either transport or maintain these weapons;
3. Ammunition for these firearms will be assigned to individual officers who will maintain and properly secure it, or it will be stored and secured separately from the weapons;
4. No loaded firearms will be stored or maintained within Departmental buildings unless properly locked in an approved weapon storage container.

25.43 SECURITY OF WEAPONS

Officers will store all issued weapons in a location or manner in which a reasonable person would believe it to be secured when not being carried or in use. This includes but is not limited to a locked box/container/safe or with a trigger locking device that prevents the weapon from being discharged. Officers are issued cable gunlocks to facilitate rendering department issued weapons safe while off-duty. Officers are encouraged to practice safety in the storage of all weapons and be especially alert as it related to accessibility of loaded weapons by children. After clearing the weapon of the magazine and any rounds in the chamber, leave the slide locked back and place the gunlock cable through the grip and out of the chamber. Then lock the locking device in place. You may lock more than one weapon together in this manner including rifles and shotguns. You may also affix the cable to a fixed item in your home or the trunk of your vehicle for the brief periods where the weapon is allowed to be unattended. After the weapon is protected, place the keys in a secured area or remove them from the vehicle.

25.44 CARRYING OF AMMUNITION

Magazine pouches issued will be worn in the vertical position on the Officer's belt and utilized according to instruction. The officer may carry his/her ammunition on either the strong or support side, dependent on the officer's ability and training. Loading and unloading will be done in the prescribed manner.

Officers will carry no more than two (2) magazines in addition to the magazine carried in the handgun itself. Officers are authorized a total of three (3) magazines (one to be carried in the weapon and two to be carried on the agency-issued gun belt). All magazines will be loaded to full capacity with agency-issued ammunition.

While in uniform, Officers must carry the two (2) magazines on their belt in addition to the one (1) magazine in the weapon with exceptions only allowed when necessary for specialized assignments/units.

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25.45 AUTHORIZED WEAPONS AND AMMUNITION (CALEA 4.3.1 a, b)

The following weapons and ammunition have been approved for Departmental use:

Weapons

1. Glock Model 21 .45 caliber semi-auto
2. Glock Model 30 .45 caliber semi-auto
3. Glock Model 30S .45 caliber semi-auto
4. Glock Model 43X 9mm semi-auto
5. Remington Model 870, 12 gauge shotgun
6. Remington Model 1187, 12 gauge shotgun
7. Mossberg Model 500, 12 gauge shotgun
8. Mossberg Model 590, 12 gauge shotgun
9. Ruger Mini 14, .223 caliber
10. Colt M-16, A2 .223 caliber
11. Remington 700, .308 caliber
12. Benelli Super 90 semi-auto, 12 gauge shotgun
13. Barret 50 caliber semi-auto
14. Colt M-4 rifle, .223 caliber
15. Colt Commando rifle, .223 caliber
16. FN AR15 rifle, .223 caliber
17. Daniel Defense AR15 rifle, .223 caliber
18. Bushmaster XM15-E2S Patrol Rifle, .223 caliber
19. ZRODelta 5ZRO .223 caliber rifle

Ammunition

Note: Any member of the Charleston Police Department with departmental issued weapons will use only department authorized ammunition at any time.

1. Winchester/Remington .45 auto 230 grain JHP
2. Winchester/Remington .45 auto 230 grain FMJ
3. Winchester/Federal/Remington 12 00 buckshot
4. Winchester/Federal/Remington 12 gauge 1 ounce rifled slugs
5. Winchester/Federal/Remington 12 gauge #8 birdshot
6. Winchester/Federal/Remington .223 caliber 55 & 62 grain
7. Winchester/Federal/Remington .308 caliber 165 & 168 grain
8. 50 caliber military grade 750 grain FMJ
9. 50 caliber 650 grain FMJ
10. 50 caliber 750 grain JHP

Intermediate Weapons (Less than Lethal)

1. MK-3 Aerosol Projector

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2. MK-9 Aerosol Projector
3. Defense Technology Model 1325 40MM Rifled Barrel Launcher
4. Tippman SX-200 Carbine Launcher
5. ASP 21" Tactical Baton
6. 36" Hickory Baton
7. TASER 10

Intermediate Ammunition (Less than Lethal)

1. Red & Black Pepper-ball projectile (Live X – 5% PAVA)
2. Red & White Pepper-ball projectile (Live – Capsaicin)
3. Purple & White Pepper-ball projectile (inert-training)
4. Green Pepper-ball projectile (Marking Round)
5. 32 caliber Rubber Ball Stinger 40MM
6. 60 caliber Rubber Ball Stinger 40MM
7. Foam baton round 40MM
8. Rubber baton round 40MM
9. Bean Bag round 40MM
10. Wood baton round 40MM
11. eXact iMpact XM1006 Sponge Round 40MM
12. CS Liquid Ferret 40MM
13. OC Flameless Expulsion grenade
14. CS Flameless Expulsion grenade
15. CS Crowd Control grenade
16. CS Rubber Blast grenade
17. CS Triple Chaser Separating Canister grenade
18. Nova Shock Stun FB (flashbang)
19. Defense Technology 7001 FB
20. Multishock f142 FB
21. Shockwave Red Bottom FB
22. Shockwave Black Bottom FB
23. CTS 7290 FB
24. CTS 7290M FB
25. Defense Technology #25 FB
26. 2581 Super Sock Bean Bag 12 gauge

25.46 CONFORMANCE WITH INCIDENT ACTION PLANS

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When an Incident Action Plan is developed for a known or expected event, the developer of the IAP will include the approved Departmental Weapons that may be deployed during the event and will identify the possible circumstances under which those weapons may be utilized.

25.47 AMMUNITION RECORD (CALEA 4.3.1 b)

The purpose of this section is to provide a record system to account for the tracking of ammunition used by members of the Charleston Police Department. Ammunition is purchased by the Department for use in duty issue, training events, and special operations. All rounds of ammunition, spent and unspent, will be tracked by specified employees with the permanent record available for inspection by the Chief of Police, or designee.

1. Ammunition used by this department is of various calibers depending upon the weapon of issue or current assignment. Officers must be equipped with sufficient rounds for their issued weapon(s) and in exigent situations a supplemental supply must be available;
2. Ammunition is ordered by the Rangemaster for use by the Pistol Range and the SWAT Team. The Supply Unit or Purchasing makes the purchase and ammunition is delivered to the designated storage facility.
3. Ammunition Inventory Logs will be maintained in bound notebooks and transferred to electronic file at the end of each year. Entries will note the date of transfer, item(s) transferred, recipient, and initials of recipient. The bound notebooks will be maintained by the Rangemaster. All rounds discharged and misfired during range exercises will be accounted for. The ammunition totals and the Range Attendance Record will suffice as the log entry while the training record may be referenced for each individual's consumption of rounds. The range master will make entries for individual practice and other non-quarterly training. Ammunition is monitored and inventoried by the Rangemaster and is held at the designated storage facility.
4. The SWAT Range instructor is responsible for documenting all ammunition utilized by the SWAT team.
5. All non-quarterly pistol range training must be scheduled with the Rangemaster. The Rangemaster will assign available practice dates/times and supply the required training ammunition. The Rangemaster regulates a separate cache of ammunition for operational, training, and emergency circumstances designated for SWAT usage.
6. The Supply Unit will maintain a Ready Box at the front desk. This metal ammunition box will contain an assortment of ammunition utilized in the field. An inventory sheet will be included within the box and should officers in an exigent situation require re- supply, the Desk Officer will record the date/time of access and officer(s) receiving ammunition. Supply Unit Personnel will seal the box with their initials and date to ensure current ammunition stock. The box will be replaced each January and July and whenever it is accessed by the Desk Officer. The sole purpose of the Ready Box is emergency re-supply for field officers in anticipation of a S.W.A.T. call-out or response, it will not be permissible to open this box otherwise.

25.48 CONCLUSION

All sworn personnel will be issued a copy of this order and be instructed on this order before being authorized to carry a firearm or any other authorized weapon, whether less-lethal or lethal. The issue and instruction will be documented.

Officers are instructed to read and be instructed in General Order: *Less-Lethal and Lethal Weapons* of the Charleston Police Department General Orders, Policy and Procedures Manual. Officers will sign Form #184 stating they have been instructed in General Order: *Less-Lethal and Lethal Weapons*.