

Colorado Springs Police Department General Order

1530 Firearms Regulations

Section 1500 - Police Equipment

Effective Date: 4/5/2022 Supersedes Date: 12/28/2020

.01 Purpose

The purpose of this directive is to establish a department firearms policy for personnel authorized to carry firearms.

.02 Cross-Reference

GO 500 Use of Force

GO 510 Reporting Use of Force

GO 820 Initial Investigation Procedures

GO 1190 Uniform and Equipment Standards

GO 1663 Uniforms and Appearance

GO 1732 Firearms Qualification

DL-172<u>0-03 Armory</u>

DL-1530-01 Patrol Rifle Carbine Program

DL-1530-02 Designated Marksman Program

.03 Discussion

Use of firearms is essential to police work. As no police agency can permit its employees to use firearms in a careless, negligent, or otherwise improper manner, strict controls must govern all aspects of their use.

The department authorizes police officers and city marshals (referred to as authorized personnel) to carry firearms. As duties and levels of authority vary among those groups, certain sections of this general order may have limited applicability.

.04 Policy

These regulations pertaining to the use and care of firearms will be followed by all department members who are authorized to carry them, except when specific language or context indicates a more limited applicability.

.05 Definitions

Alternative Handgun: An approved handgun carried as an alternative to the duty handgun. This handgun becomes the primary handgun to be carried by authorized personnel while on duty. Alternative handguns must be inspected and approved by a department range master and approved for carry by the authorized personnel's division commander before being used on duty.

Authorized Personnel: Police officers and city marshals permitted to be armed.

Auxiliary Handgun: An approved handgun, supplied by the authorized personnel to be carried (if desired), as a supplementary weapon to the duty handgun. This handgun will only to be carried in a concealed manner and in addition to the authorized personnel's primary handgun.

Cover Down Position: Described as a two-hand hold (weapon out) with the weapon held at what would be hand level on a potential threat (suspect), so that the suspect's hands are in view. The cover down position can also be used during the search of a potentially dangerous area, building, etc.

Duty Handgun: The department's issued handgun, which is currently the Smith and Wesson M&P9, 17+1 round capacity, polymer frame, striker-fired, 9mm, semi-automatic full-size pistol, equipped with a tactical light. This is the primary handgun to be carried while on duty.

Off-Duty Handgun: An approved handgun, supplied by authorized personnel (if desired), to be carried when not on duty and not in uniform. Off-duty handguns must be inspected and approved by a CSPD range master prior to being carried.

Rifle: A department authorized, shoulder-fired AR-15 pattern, semi-automatic rifle. The AR-15 utilizes a 5.56 mm (.223 caliber) rifle cartridge and the ammunition to be used will be issued by a department range master.

Search Position: Described as a two-hand hold (weapon out) with the weapon held close to the body. This allows authorized personnel to comfortably control the weapon for long periods of time while affording a clearer view of the area being searched.

Shotgun: A department issued Remington Model 870 pump shotgun.

Tactical Light: A department supplied flashlight specifically designed to be mounted on a firearm. For the purposes of this policy, only department range masters can approve an alternative tactical light requested to be carried.

.10 Authorized Personnel to be Armed

Authorized personnel are to be armed with their duty handgun, or approved alternative handgun, at all times while on duty. This includes non-uniform assignments.

Authorized personnel will carry the duty handgun, with tactical light attached, when in uniform whether on-duty, off-duty, working overtime, working extra-duty or special events. Authorized personnel who attend functions in the dress uniform may carry the duty handgun without the tactical light.

Exceptions to this provision include:

- When granted permission by a command staff officer to be unarmed due to a specific operational need
- When law or decorum so dictates

.12 Surrendering Firearms

Authorized personnel may encounter circumstances where they are at a tactical disadvantage to an armed suspect. In such situations, authorized personnel should note that the danger to them or another is not necessarily reduced by surrendering their firearm upon demand by a suspect. Surrendering a firearm might mean that the authorized personnel are giving away their (or another person's) only chance for survival. Consequently, authorized personnel should use every reasonable tactic to avoid surrendering a firearm.

.20 General Restrictions on Firearms

No firearms will be unnecessarily drawn or displayed, nor will they be handled in a careless manner. The provisions of this policy will not preclude the drawing or displaying of a firearm when authorized personnel believe it to be reasonably necessary for their safety or that of other persons.

When a firearm is drawn or pointed at a person, authorized personnel will keep their finger outside the trigger guard until they are prepared to shoot. If the firearm has a manual safety, it will only be disengaged when authorized personnel are ready to fire the weapon. The pointing of a firearm at a person is considered a use of force and will be reported in accordance with GO 510 Reporting Use of Force.

Authorized personnel will not use their firearms to strike any person, except when necessary to defend themselves, or others from death or serious bodily injury.

Authorized personnel will not draw, load, or unload a firearm in any department building, except when necessary in the proper performance of their duties, when ordered to do so by a superior, or when required for training purposes.

All firearms utilized by authorized personnel will have a trigger pull weight of no less than 4.5 lbs. Exceptions to this provision are allowed for the TEU and the Designated Marksman Program, at the discretion of a range master.

Authorized personnel will only use a firearm to kill an animal in order to prevent an immediate threat of bodily injury to the authorized personnel or another person, or when the animal is so badly injured that humanity requires its relief from further suffering.

.22 Department Issued Firearms – General Provisions

The responsibility for proper care and maintenance of a department-issued firearm rests with the person to whom it is issued. A department-issued firearm will only be used by the person to whom it is issued.

A department range master shall inspect department-issued firearms on an annual basis. If a firearm is found to be in substandard condition through improper care or abuse, the person to whom the weapon was issued may be held financially responsible for the necessary repairs in addition to being subject to potential disciplinary action.

No repairs or alterations to a department-issued firearm will be made without the approval of a department range master.

Authorized personnel will qualify with department-issued firearms, in accordance with <u>GO 1732</u> Firearms Qualification.

.24 Alternative/Auxiliary/Off-Duty Handguns – General Provisions

All alternative, auxiliary, and off-duty handguns will be approved for use and inspected annually by the department's range masters.

Alternative, auxiliary, and off-duty handguns will be no smaller in caliber than .355 and no larger than .45.

Authorized personnel will qualify with approved alternative handguns, auxiliary handguns, and off-duty handguns in accordance with according to the provisions of <u>GO 1732 Firearms</u> Qualification.

Laser aiming devices may be used on auxiliary firearms and off-duty firearms. Authorized personnel must qualify with the laser device turned off during daytime qualifications and they may utilize the laser during dim light qualifications.

In certain circumstances/assignments, an auxiliary firearm or an alternative firearm may be issued to authorized personnel.

.24 Handgun Ammunition

Authorized personnel will be issued 9mm ammunition for general use and for firearms qualification with the duty handgun. Appropriate ammunition for approved alternative handguns and auxiliary handguns will also be issued for general use and firearms qualification.

Only department issued ammunition will be used in any department issued handgun, alternative handgun, or auxiliary handgun when carried on duty or off duty. Non-issue ammunition may be used off duty in an approved, non-issue, off duty handgun; however, such ammunition must be approved by a range master. Because new types of ammunition are constantly being developed, it is not possible to provide a comprehensive list of those prohibited, so the approval of a range master is necessary. However, under no circumstances are hand-loaded, exploding, liquid-filled or armor-piercing bullets to be used in any weapons, except when specifically authorized for a tactical operation by the Tactical Enforcement Unit (TEU) lieutenant.

.26 Holsters

Only the department-issued holster (or the same model if privately purchased) will be worn on the department uniform belt, in accordance with GO 1190 Uniform and Equipment Standards.

Any holster used by authorized personnel to carry the duty handgun, an alternative, auxiliary, and off-duty handguns must be approved by a department range master. Such a holster must be designed to enable the proper function of any manual safety and must cover the trigger guard of the handgun.

.30 Shotguns - General Provisions

All police officers below the rank of lieutenant, regardless of present assignment, must qualify with the shotgun during each qualification period on a pass/fail basis.

Shotguns will not be removed from the vehicle rack, or vehicle trunk, unless authorized personnel reasonably believe the use of the shotgun may be necessary. Ammunition will be placed in the chamber of a shotgun only when authorized personnel have a reasonable belief the weapon may need to be fired. Injecting ammunition into the chamber of a shotgun as a psychological tactic is prohibited.

Ammunition selected and approved by a department range master will be provided for use in shotguns. Authorization for issuance or use of any other ammunition must be obtained from the authorized personnel's division commander.

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Shotguns in department vehicles will have the chamber empty. When the weapon is being placed in or removed from the vehicle, the safety shall be in the on position.

Whenever a department vehicle requires servicing or maintenance and must be left unattended, the authorized personnel to whom the vehicle is assigned will remove any shotgun from the vehicle and place it in the armory before the vehicle is serviced.

All shotguns will be loaded and unloaded outdoors. The weapons clearing drums will be used, if available. If a weapons clearing drum is not available, the barrel of the shotgun will be pointed vertically where it will be clear of obstruction should the weapon discharge.

Shotguns will be transported in and out of police facilities unloaded and stored unloaded inside police facilities.

Exception: When the shotgun is stored in a secure locker inside the facility and has been designated for use during an emergency.

Upon returning a shotgun to the armory, authorized personnel will check to make sure that both the magazine and the chamber are unloaded.

.40 Tactical Light - General Provisions

Prior to using a tactical light, authorized personnel must attend a department-facilitated training course on the application and use of the tactical light, as developed by a CSPD range master.

Authorized personnel are authorized to mount a tactical light to the equipment rail on their firearm, with the following limitations/exceptions:

• No laser aiming devise may be mounted on the duty handgun or alternative handgun, whether or not it is incorporated with a tactical light.

• The tactical light is considered a secondary light and does not replace the need for a primary flashlight. Carrying a primary flashlight is still required. Officers will not use a tactical light affixed to a firearm as a primary flashlight.

The tactical light is a task-specific tool. Proper uses of the tactical light when mounted to a weapon include but are not limited to:

- Building searches
- Open area searches
- High-risk traffic stops
- Other high-risk situations that require a drawn weapon and flashlight

The use of a tactical light may not be consistent with general search procedures. Authorized personnel must be cognizant of the direction of the light, as it is also an indication of the direction of the muzzle of the handgun.

.50 Firearm Records

The training academy will maintain firearms range will retain records of all firearms (e.g., duty handguns, alternative handguns, auxiliary handguns, off-duty handguns, AR-15 rifles, shotguns, and all other firearms) authorized for deployment by all authorized personnel using the department approved firearms inventory database (e.g., Quartermaster on Q).

Such records will include the name of the authorized user, as well as the manufacturer, make, model, serial number, the caliber of the firearm, and the date of approval.

.60 Storage of Agency Firearms

No firearm will be stored, unsecured in the passenger compartment of any department vehicle.

No department-issued firearm will be stored, unsecured in the passenger compartment of any vehicle, including privately owned vehicles. Authorized personnel will ensure that all authorized firearms are securely and safely stored when not in use.

If stored at a location outside of the department, personnel will ensure all agency firearms are responsibly and securely stored to prevent them from being accessed by a juvenile or any unauthorized person (e.g., weapons safes, trigger locks, etc.). Firearms may also be secured in assigned department lockers, in a safe condition, so long as there is an adequate lock on the exterior of the locker.

.72 Stolen or Missing Agency Firearms

Department personnel will report any stolen or missing agency firearms as soon as reasonably possible, but no later than five days after discovering the firearm was stolen or lost. Such a report will include the firearm's manufacturer, model, serial number, caliber, and any other identification number/distinguishing mark.

In addition to filing a report, department personnel will also notify an on-duty supervisor of the stolen or lost firearm.