312
Firearms and Qualification
Edmonds Police Department Policy

312.1 PURPOSE AND SCOPE

This policy establishes procedures for the acquisition, use, and documentation of training in the use of firearms. The Chief of Police or his or her designee shall approve all Department firearms before they are acquired and utilized by any member of this department.

312.2 AUTHORIZED WEAPONS

Only department-issued or authorized firearms will be carried on duty. All duty weapons must be thoroughly inspected by a trained department-approved armorer. No firearm shall be carried by a member who has not qualified with that weapon at an authorized department range.

All other weapons, including but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by personnel in the performance of their official duty without the express written authorization of the employee's Assistant Police Chief. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

Weapons and equipment shall not include “military equipment,” which is defined as rifles of .50 caliber or greater, machine guns, armed helicopters, armed or armored drones, armed vessels, armed vehicles, armed aircraft, tanks, long-range acoustic hailing devices, rockets, rocket launchers, bayonets, grenades, missiles, directed energy systems, and electromagnetic spectrum weapons.

"Rifle" has the same meaning as provided under RCW 9.41.010, except "rifle" does not include any shotgun, as defined under RCW 9.41.010; any device designed or used to deploy less lethal munitions, including, but not limited to, rubber, bean bag, soft nose, sponge, or other nonpenetrating impact rounds; or any less lethal equipment.

An annual inventory of all agency-owned handguns and rifles shall be conducted by the Chief of Police or designee. The annual inventory results shall be acknowledged by the Chief of Police.

312.2.1 DUTY WEAPONS

The authorized departmental-issued handgun is the Smith and Wesson M&P 2.0, 9mm caliber. Firearms carried on duty shall be maintained in a clean, serviceable condition. Specialty units, such as NSM SWAT, may deviate from this policy for team weapons consistency.

The authorized department shotgun is the Remington 870. When available, these weapons are issued to each patrol vehicle.

Authorized department rifles will be issued to officers who complete training and qualify with their issued rifles.

The Edmonds Police Department will provide inspection, service, and repair as needed for department-owned weapons every twelve months.

312.2.2 AUTHORIZED SECONDARY WEAPONS

The department does not require the carrying of an on-duty second weapon. If an officer carries a second weapon, it must be a semi-auto pistol or revolver of at least .380 caliber but not greater than .45 caliber with a minimum 1.75 inch and maximum four-inch barrel approved by the Chief of Police. All expenses associated with this weapon, e.g., purchase of the weapon, holster, maintenance, repair, qualification, and duty ammunition, are the officer's responsibility. A "Weapon Use Request and Authorization Form", (EPD 001), signed by the Chief of Police, must be in the officer's file before a Second Weapon is authorized.

Officers desiring to carry a secondary weapon are subject to the following restrictions:

(a) The weapon shall be of good quality and workmanship (e.g., Colt, Smith & Wesson, Browning, Ruger, Sig-Sauer, etc.).

(b) Only one secondary weapon may be carried at a time.

(c) The weapon shall be carried out of sight at all times and in such a manner as to prevent accidental cocking, discharge, or loss of physical control.

(d) The weapon shall be subject to inspection whenever deemed necessary.

(e) Ammunition shall be the same as Department issue. If the caliber of the weapon is other than Department issue, the Chief of Police shall approve the ammunition.

(f) Personnel shall qualify with the secondary weapon under range supervision. Officers must demonstrate their proficiency, safe handling, and serviceability of the weapon.

(g) Personnel shall provide written notice of the make, model, color, serial number, and caliber of a second weapon to the Rangemaster.

312.2.3 OFF-DUTY WEAPONS

The carrying of firearms by sworn officers while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Regular officers are not required to be armed off duty except for the following four subsections, which require them to carry only department-issued or approved handguns:

(a) When riding in a marked police vehicle.

(b) While working off duty at any employment where police authority is required.

(c) When in the police station (it will be sufficient to have a handgun readily available in this instance).

(d) Any time when in full uniform off duty.

When armed, whether on or off duty, officers shall carry their department identification.

312.2.4 AMMUNITION

All authorized ammunition issued by the department will be purchased from a reputable manufacturer and approved by the Rangemaster. Current firearms platforms are:

- Pistol
- Shotgun
- Rifle

Officers shall carry only department-authorized ammunition. Officers shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the officer's first scheduled qualification each year. Officers carrying personally owned and authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the schedule above at their own expense. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Rangemaster when needed in accordance with established policy.

312.2.5 ALCOHOL AND DRUGS

Weapons shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the officer's senses or judgment.

312.2.6 LASER SIGHTS

Laser sights may only be installed on a weapon carried on duty after they have been examined and approved by the Rangemaster and Command Staff.

(a) Any approved laser sight shall only be installed in strict accordance with manufacturer specifications.

(b) Once approved laser sights have been properly installed on any weapon, the officer shall qualify with the weapon to ensure proper functionality and sighting of the weapon prior to carrying it.

Except in an approved training situation, an officer may only activate a laser sight when the officer would otherwise be justified in pointing a weapon at an individual or other authorized target.

312.2.7 MINIATURIZED RED DOT SIGHTS (MRDS) FOR HANDGUNS

Department members must adhere to the following rules and guidelines for MRDS.

a. The handgun must be approved for standard duty carry and must be equipped with sights (suppressor height) that can be co-witnessed with the MRDS.

b. The officer shall complete a mandatory familiarization & qualification course offered by the Rangemaster.
    1. Familiarization and qualification offered to police officer recruits as part of their academy training shall be an acceptable replacement course. Additional training may also be offered during post-BLEA courses.

c. The MRDS must be mounted according to manufacturer specifications by a department-approved armorer.

d. The MRDS must be mounted to a pistol slide designed by the manufacturer to be used with the MRDS.

e. Before duty use, the officer will perform a daily inspection of the MRDS to ensure it operates properly.

f. With the assistance of the Rangemaster or their designee, the officer shall annually replace the optic battery and re-zero the optic. These tasks will be accomplished during a department-approved handgun qualification.

g. The officer shall qualify per Edmonds Police Policy 312.4

The Rangemaster must approve all MRDS, handguns, sights, and holsters authorized for use.

312.3 SAFE HANDLING OF FIREARMS

The intent of this policy is to promote proper firearm safety on and off-duty. Employees shall maintain the highest level of safety when handling firearms and shall consider the following:

312.3.1 SAFETY CONSIDERATIONS

(a) Officers shall not unnecessarily display or handle any firearm.

(b) Officers shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Dry practice (the process of manipulating,

aiming and triggering your firearm without ammunition) or practicing drawing a weapon from a holster, at home or outside of a range training environment, will only be performed in strict compliance with instruction provided by department firearms training staff and by following applicable firearms safety rules. Department firearms training staff will provide periodic refresher training on safe dry practice techniques. These provisions apply to any department issued handgun or handgun authorized by the department for duty use. Dry practice with department issued rifles or rifles authorized for duty use is not authorized outside of a department sanctioned range training session.

(c) Officers shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.

(d) Shotguns or rifles removed from vehicles or equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle using a clearing barrel if at the station or pointed in a safe direction (preferably ground) if in the field.

(e) Officers shall not place or store any firearm or other weapon on Department premises except where the place of storage is locked. No one shall carry firearms into the holding facility or any part thereof when securing or processing a prisoner, but shall place all firearms in a secured location. It shall be the responsibility of the releasing officer to make sure that persons from outside agencies do not enter the holding facility with any firearm.

(f) Officers shall not use any automatic weapon, heavy caliber rifles, gas or other types of chemical weapon (from the armory), except with approval of a supervisor and only if the officer has been formally trained in their use.

(g) Any weapon authorized by the department to be carried on or off-duty that is found by the officer to be malfunctioning or needing service shall not be carried and shall be promptly presented to the department or Rangemaster for inspection. Any weapon determined to be in need of service or repair during an inspection by the department Rangemaster will be immediately removed from service. If the weapon is the officer's primary duty weapon, a replacement weapon will be issued to the officer until the duty weapon is again rendered serviceable. Any weapon that is not department owned will be repaired by a certified armorer for that make and model of firearm.

312.3.2 STORAGE OF FIREARMS AT HOME

Officers shall ensure that all department owned firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control in a manner that will keep them inaccessible to children and irresponsible adults.

312.4 FIREARMS QUALIFICATIONS

All sworn personnel shall qualify at least annually with their duty weapon on an approved range course. The Rangemaster shall keep accurate records of all qualifications, repairs, maintenance, training or as directed by the Training Corporal. In addition to regular qualifications, the Rangemaster shall be responsible for providing all sworn personnel with regular practical training designed to simulate field situations. At least annually, all personnel carrying a firearm will receive training on the department Use of Force policy and demonstrate their knowledge and understanding.

312.4.1 NON QUALIFICATION

If any officer is unable to qualify for any reason, including injury, illness, duty status, or scheduling conflict, that officer shall submit a memorandum to his/her immediate supervisor prior to the end of the required qualification period.

Members who repeatedly fail to qualify will be relieved from field assignment and appropriate disciplinary action may follow.

Sworn members who fail to qualify on their first qualification attempt shall be provided remedial training until proficiency is demonstrated and will be subject to the following requirements:

(a) Additional range assignments may be required until consistent weapon proficiency is demonstrated.

(b) Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained.

(c) No range credit will be given for the following:

1. Unauthorized range make-up.

2. Failure to qualify after remedial training.

312.5 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the officer reasonably believes that they appear necessary, effective and reasonably safe.

312.6 DESTRUCTION OF ANIMALS

Officers are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances in which officers have sufficient advance notice that a potentially dangerous animal may be encountered, officers should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any officer from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

312.6.1 INJURED ANIMALS

With the approval of a supervisor, an officer may dispatch an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical. Injured dogs and cats found without their owners shall be taken to an appropriate veterinarian for determination of whether they should be treated or humanely destroyed.

312.7 REPORT OF FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on-duty or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shooting Policy.

In all other cases, written reports shall be made as follows:

(a) If on-duty at the time of the incident, the member shall file a written report with his/ her Assistant Police Chief or provide a statement to investigators prior to the end of shift, unless otherwise directed.

(b) If off-duty at the time of the incident, a written report shall be submitted or statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

In all cases where a firearm is discharged (other than training or recreational use) or instances of an unintended discharge where no individual was injured, a Use of Force Report will be submitted.

312.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range and will submit the roster to the Training Corporal after each range date. Failure of any officer to sign in and out with the Rangemaster may result in non-qualification.

The Rangemaster has the responsibility of making periodic inspections, at least once a year, of all duty weapons carried by officers of this department to verify proper operation. The Rangemaster has the authority to deem any privately owned weapon unfit for service. The officer will be responsible for all repairs to his or her personal weapon and it will not be returned to service until inspected by the Rangemaster.

312.9 MAINTENANCE AND REPAIR

Firearms carried on-duty shall be maintained in a clean, serviceable condition.

312.9.1 REPAIR OR MODIFICATIONS OF DUTY WEAPONS

A Department Armorer shall be the only person authorized to repair or modify any department- owned weapon. All repairs and/or modifications of department-issued weapons not performed by a department armorer must be approved in advance by the Rangemaster and accomplished by a department-approved gunsmith.

312.10 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to personnel who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

(a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure purposes.

(b) Officers must carry their Department identification card, which must contain a full-face picture, the officer's signature and the signature of the Chief of Police or the official seal of the Department, and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver license, passport).

(c) In accordance with TSA procedures, the Department will obtain a message containing a unique alphanumeric identifier from TSA through the National Law Enforcement Telecommunications

System (NLETS) prior to the officer's travel. The officer must present the message to airport personnel as authorization to travel while armed on the day of travel.

(d) An official letter signed by the Chief of Police authorizing armed travel must accompany the officer. The letter must outline the officer's need to fly armed, must detail his/her itinerary and should include that the officer has completed the mandatory TSA training for law enforcement officers flying while armed.

(e) Officers must have completed the mandated TSA security training, covering officers flying while armed. The training shall be given by the department-appointed instructor.

(f) It is the officer's responsibility to notify the air carrier in advance. This notification can be accomplished by early check-in at the carrier's check-in counter.

(g) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officers must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

(h) Officers should not surrender their firearm, but should try to resolve any problems through the flight captain, ground security manager, or other management representative of the air carrier.

(i) Officers shall not consume alcoholic beverages while aboard an aircraft or within eight hours prior to boarding an aircraft.

312.11 CARRYING FIREARMS OUT OF STATE

Qualified active full-time officers and qualified retired officers (see Retired Officer Firearms Certificate Policy) of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC 926B; 18 USC 926C):

(a) The officer shall carry his/her Department identification whenever carrying such weapon.

(b) Qualified retired officers shall also carry certification of having met firearms qualification within the past 12 months.

(c) The officer is not the subject of any current disciplinary action.

(d) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.

(e) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Visiting active and retired peace officers from other states are subject to all requirements set forth in 18 USC 926B and 18 USC 926C.