 <b>Kinston Police Department</b>	<b><u>POLICY: Secondary Back-up Weapon</u></b>						<b><u>POLICY #:</u></b>  <b>800-6</b>
	<b><u>NCLEA Standards:</u></b>						
	<b><u>NCLM Standards:</u></b>						<b><u>Effective Date:</u></b> <b>07-01-2019</b>
<input type="checkbox"/> New <input checked="" type="checkbox"/> Revised	<b>Revision Dates:</b>	01/01/21					
Approval: Chief of Police							

## I. PURPOSE


The purpose of this policy is to establish guidelines for the use of personally owned weapons as Secondary/Back-up Weapons.

## II. DEFINITIONS


- A. Secondary/Back-up Weapon: Firearm personally owned by the officer that complies with departmental standards.

## III. POLICY

- A. The Kinston Police Department will allow personally owned weapons (handguns and rifles) to be carried by those employees legally authorized under North Carolina General Statute to carry specific weapons as a condition of their duties. Weapons and tactics will be used in conformance with state law under strict departmental training and control. Proficiency levels will be established and enforced for each approved weapon. An officer's use of any firearm will be limited to situations involving the legitimate use of deadly force.
- B. Secondary/Back-up Weapons are authorized for use as a secondary, concealed weapon while in a duty capacity. All cost associated with obtaining, maintaining and repairing personally owned firearms are to be assumed by the individual officer. This includes the cost of all associated duty gear. To qualify for use as a Secondary/Back-up Weapon, the personally owned firearm must be:
1. A revolver or semi-automatic pistol that is chambered in a minimum of .355 caliber to a maximum of a .45 caliber. (Examples: .380 ACP, 9 mm NATO, .38 Spcl., .357 Mag., .40 S&W, .44 Spcl., .45 ACP)
  2. Must be in good condition and not be modified in any manner which renders it unsafe in the opinion of a Firearms Instructor or Departmental Armorer.
  3. A barrel length of no less than 1" nor more than 5".
  4. Double action or Striker fired. (NO SINGLE ACTION)
  5. A magazine capacity of at list six rounds for semiautomatic weapons and five round capacity for revolvers.
  6. Either adjustable or fixed sights. (LASERS ARE PERMISSIBLE)

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7. Must be approved by the Chief of Police or his/her designee.
- C. Secondary/Back-up rifles are authorized for use as a supplement to issued firearms while in a duty capacity. All cost associated with obtaining, maintaining and repairing personally owned rifles are to be assumed by the individual officer. To qualify for use as a Secondary/Back-up rifle, the personally owned firearm must be:
1. A semi-automatic AR-15 pattern rifle chambered in 5.56 x 45 mm.
  2. Must be in good condition and not be modified in any manner which renders it unsafe in the opinion of a Firearms Instructor or Departmental Armorer.
  3. A barrel length of no less than 10" nor more than 20". Short barreled rifles regulated by the National Firearms Act must be properly registered and lawfully possessed by the officer.
  4. Single stage trigger of mil-spec trigger pull weight (to be tested and documented by Department Armorer).
  5. Mandatory iron sights with magnified/non-magnified optics optional.
  6. Must be approved by the Chief of Police or his/her designee.
- D. The Department will provide 5.56 mm and 9 mm ammunition for qualification and carry purposes. All other calibers of ammunition must be manufactured by either Federal Law Enforcement Ammunition, Speer Law Enforcement ammunition, Remington Law Enforcement Ammunition, Winchester Law Enforcement Ammunition or Hornady Ammunition. The ammunition must be jacket hollow point (carry) or ballistic equivalent (qualification.) All ammunition must be approved by a Kinston Police Department semi-automatic AR-15 Approved Armorer.
- E. Prior to carry, officers must qualify on departmental qualification course both day and night. Individual officers will be responsible for ensuring that they maintain a current qualification status with their Secondary/Back-up Weapon.
- F. Officers desiring to carry a Secondary/Back-up handgun must, at their own expense, purchase a concealable safety holster with at least a level 1 retention system and be approved by the Chief of Police or his/her designee.
- G. An officer failing to qualify with a personal weapon (Secondary/Back-up Weapon) will be

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given the opportunity for future attempts but will not be authorized to carry that weapon concealed for on/off duty until qualified.

- H. Officers must submit a Kinston Police Department Weapon Carry Request Notice Form through the chain of command and receive approval to carry their personally owned weapon. The form will include make, model, caliber and serial number of the weapon. The form will be on file with the officer's F-9A Qualification Form.
- I. Officers within the FTO Program are not authorized to carry a Secondary/Back-up Weapon until released from the FTO Program.
- J. Officers carrying a Secondary/Back-up Weapon must secure that weapon in the same manner as their duty weapon when processing prisoners in both the Jail and Kinston Police Department Processing Room.
- K. When involved in SWAT operations, only firearms owned by the City of Kinston shall be utilized by SWAT team members.
- L. In the event that the Secondary/Back-up Weapon is deemed to have evidentiary value in a criminal or civil matter, the weapon will be seized as evidence and will be held until final disposition is ordered by the court. In such incidences, Officers will have no claim for loss of any kind against the City of Kinston.