1.9 Firearms

All sworn employees shall receive and demonstrate understanding of their agency's use of force policy prior to being authorized to carry any firearm or non-deadly weapon and annually thereafter. ALEAP 14.3.A

1.9.1 On-Duty and Off-Duty Carry

A. Only sworn employees are permitted to carry firearms while on duty, on Town property, or in Town vehicles, except when handling firearms as a part of their assigned duties.

1. Notwithstanding subsection A, professional staff members who are currently commissioned or appointed as sworn reserve law enforcement officers with another law enforcement agency may carry a firearm while on Town property or in a Town vehicle in accordance with their status and authority as a sworn reserve law enforcement officer. Such personnel must maintain an active appointment and remain in good standing with the other law enforcement agency and must comply with all applicable federal, state, and local laws, regulations, and applicable agency policies.

2. Any action taken by a professional staff member in their capacity as a sworn reserve law enforcement officer, including the carrying or use of a firearm, shall be solely under the authority, policies, and direction of the reserve law enforcement agency. Such actions are not undertaken on behalf of the Town of Paradise Valley or the Paradise Valley Police Department, and, to the extent permitted by law, the Town shall not assume responsibility or liability for such actions.

B. Officers will not loan their Town-issued firearm to another officer without authorization.

C. The Department recognizes that officers may lawfully possess and carry personally owned firearms in their personal capacity. However, an off-duty officer may transition from a personal capacity to a police capacity by identifying themselves as a law enforcement officer or taking police action, potentially subjecting the Department to liability. Accordingly, firearms carried or used while acting in a police capacity must meet Department-established standards for approval, training, qualification, ammunition, and equipment.

1. Off-duty professional staff employees may carry firearms in compliance with State and federal law. Sworn personnel may carry firearms off duty in compliance with State and federal law and subject to the following limitations:

a. Only Department-authorized firearms will be carried concealed by officers while off duty.

Officers may carry non-approved firearms for sporting or leisure activities; however, those firearms shall not be carried concealed.

b. An officer may request approval to carry a personally owned firearm that is not currently included on the Department's approved firearms list. Requests shall be submitted through the officer's chain of command for review and recommendation. The Chief of Police shall have final approval authority. Upon approval, the firearm shall be added to the Department's approved firearms list and may be carried concealed or otherwise in accordance with Department policy, training, qualification, and ammunition requirements.

2. Officers who are off duty and not acting in a police capacity who desire to engage in firearms practice/training with a Town-owned firearm at other than a police range will:

   a. use only new or commercially produced factory reload ammunition.

   b. immediately notify an on-duty supervisor in the event of an accidental or unintentional discharge involving injury or property damage.

   c. be governed by, and subject to, all provisions of this policy relating to the use and handling of firearms.

D. Firearms shall not be carried by any employee, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the employee's senses or judgment.

E. All firearms carried on or off duty in a police capacity, Department, or privately owned, will be unmodified from their original factory condition, except as approved by a Department armorer. Any modification or accessory that interferes with the operation of a weapon may be prohibited. Officers shall submit new accessories and/or modifications for approval prior to use.

F. Each officer is provided with a department-issued Streamlight TLR-1 HL weapon-mounted light for their duty pistol. If an officer wishes to use a different make or model of weapon-mounted light, the officer shall submit a request to the Lead Firearms Instructor for approval.

1. Officers carrying a firearm with a light attached to the firearm are required to carry another unattached flashlight.

2. Officers will not point a firearm at a person or other target that they are not authorized to use deadly force upon for the sole purpose of illuminating that target with the firearm-attached light.

1.9.2 Firearms Safety and Security

A. All firearms, whether Department or personally owned, shall be handled and stored safely and securely, both on and off duty.

B. Required safety and security practices include, but are not limited to, the following:

1. When not being carried, firearms are to be kept out of view and secured in a safe location at all times.
2. Firearms are to be kept out of the reach of children and others.
3. Officers may clean their department-authorized firearm in the patrol room or office (Command Staff, Sergeant/Corporal) only after the weapon has been safely unloaded in the authorized bullet trap located outside the south employee entrance of the police department, or when specially directed to do so by a supervisor.
4. Firearms will be unloaded and loaded using a bullet trap located at facilities so equipped. When bullet traps are not available or utilized, officers will use extreme caution by pointing the weapon in a safe direction when loading and unloading firearms.
5. Stunbag/beanbag shotguns may be loaded and unloaded at the trunk of police vehicles.
6. Firearms will never be unnecessarily handled or displayed.
7. Officers will immediately inspect and unload all firearms coming into their possession unless prohibited by specific circumstances.
8. Only employees trained in firearm use and safety requirements will handle firearms.
9. All Department firearms will be unloaded and cleaned prior to being placed in storage.
10. If an officer is unsure about a proper unloading procedure, a firearms instructor or the armorer will be contacted.
11. Any firearm that is turned into supply or Evidence for any reason will be rendered safe before being turned in. Officers needing assistance to render a firearm safe will contact a member of the firearms team or the armorer for assistance.

C. Basic safety rules:

All personnel of the Paradise Valley Police Department who handle firearms will adhere to the following basic firearms safety rules and the “condition check rule” while handling any firearm at

all times.

1. Treat all firearms as though they are loaded.
2. Only point the muzzle in a "safe direction" or when legally justified, at something you have decided to use deadly force against. "Safe direction" is defined as an area where, if an accidental or unintentional discharge occurs, only minor property damage and no human injury will result.
3. Keep your finger straight along the frame until your sights are on your intended target and you have made the decision to shoot.
4. Be sure of your target and what is around and behind it.
5. "Condition check rule": Whenever you pick up a firearm that has been out of your direct control (even for an instant), open the action in a safe manner and check to make sure the firearm is in the condition you need it to be in.

Firearms instructors will brief all officers on the firearms safety rules and "condition check rule" prior to all qualification/training fire.

1.9.3 Firearms Qualification ALEAP 1.4

A. Per Arizona Peace Officer Standards and Training (AZPOST) Rule, to maintain state certification as a peace officer, all officers, including reserve officers, must qualify annually using all firearms carried in the course of duty by completing an AZPOST-prescribed:

1. Firearms qualification course, and
2. Target identification and judgment course.

Officers shall also qualify annually with any specialized firearms they are authorized to carry or have available for use. Qualification shall meet AZPOST and Paradise Valley PD prescribed courses, if applicable, and shall be conducted by AZPOST-certified firearms instructors.

B. Officers will be provided with two opportunities to qualify. Following a second failed attempt, the officer will schedule a return to the range for remedial training. The officer will then be provided with two additional opportunities to qualify. Officers who fail to qualify following remedial training and a second attempt will not be authorized to carry a firearm in a police capacity, including for secondary work, until they successfully qualify. Officers who are excused from annual qualification due to injury or approved leave must qualify prior to returning to peace officer duties.

C. A record shall be maintained of each qualification shoot, the course fired, and all scores attained by the officer.

D. Officers will practice sufficiently to maintain their ability to pass annual qualification with all weapons carried in the course of duty.

E. All firearms qualifications shall be conducted by an AZPOST-certified firearms instructor.

1.9.4 Handgun Specifications ALEAP 1.5

A. Only the following handgun(s) may be carried on duty or concealed off duty:

On duty, uniformed officers will carry a department-issued 9 mm Shadow Systems DR920 as described by this order as their primary duty weapon. Officers will be issued three (3) 17-round Glock magazines. Only Glock-manufactured magazines are authorized for on-duty use. Officers may, at their own expense, purchase and carry the Glock extended 19-round magazine on duty, provided it is compatible with their issued firearm and otherwise approved by the Department.

1. The department-issued pistol will be the 9 mm Shadow Systems DR920. Pistols will be issued by a department firearms instructor only after officers demonstrate knowledge of the safe handling and function of the firearm and have qualified on the AZPOST day course.

B. The following handguns are approved by the Department for on-duty secondary use or off-duty carry use only:

1. Beretta, Colt, FN, Glock, Heckler & Koch, Kahr, Kel-Tec, Kimber, Ruger, Sig Sauer, Shadow Systems, Smith & Wesson, Springfield, Taurus, and Walther.

2. As new manufacturers or models are introduced to the market, they may be approved at the discretion of Department armorers after approval by the Command Staff.

C. All care and routine maintenance of authorized secondary and other off-duty firearms will be the responsibility of the individual officer and not Department armorers.

D. Firearms to be carried for department-coordinated off-duty assignments will be the department-issued primary handgun (Shadow Systems DR920) and/or the department-purchased secondaries (Sig P365 or P320). Other options may be authorized, depending on the specifics of the off-duty assignment.

E. Officers must qualify annually with any secondary or off-duty firearms with a minimum score of 170 or better on the approved AZPOST qualification course. At any of the regularly scheduled

departmental qualification shoots, officers may qualify with their off-duty and secondary firearms. Officers may also use the times the range is open for practice to qualify with the off-duty or personal secondary firearm.

F. All secondary and personal off-duty pistols will be qualified annually. Ammunition for qualifications of these firearms will be provided for the officer if the firearm is chambered for 9mm. Any caliber other than 9mm will be the responsibility of the individual officer, and that officer must supply their own ammunition for annual firearms qualification with that pistol.

G. When in uniform, officers shall wear the primary duty handgun in a standard-issue belt holster. No modifications are to be made to the standard-issued holsters by the officer. (Modifications may be made to the standard-issued holsters by the department armorer or designee.)

1. See G.O. # 26.4 Uniform, Equipment and Appearance Standards for duty belt and holster.

H. Those officers with good cause, to include medical exemptions with a doctor's note explaining the necessity and recommendation for changing, can request in writing to wear options other than the standard issued duty gear referenced above. This may include an optional thigh holster for leg, hip, or back injuries. This thigh holster system will consist of the current issued duty holster mounted to the approved duty holster, purchased by the officer with their uniform allowance.

I. On-duty officers in plainclothes shall carry their primary handgun or approved secondary handgun on their person. All secondary handguns shall be concealed.

J. No officer may carry a firearm on duty unless the officer has qualified with that specific firearm within the calendar year.

1.9.4.1 Firearms Optics

A. Firearm Optics/Red Dot Sights (RDS)

1. Prior to carrying a RDS firearm, Officers must attend and pass a firearms RD transition course taught by the Firearms Training Unit.

2. The Officer must qualify with the RDS firearm and will be required to qualify annually with the RDS firearm to continue to carry it.

3. The Paradise Valley Police Department is responsible for supplying an approved Red Dot Sight (Holosun 509T).

4. The Paradise Valley Police Department will provide the officer with co-witnessing taller iron

night sights, if needed, an approved RDS holster, and a slide outfitted for the RDS.

5. The RDS and sights are to be mounted by the Rangemaster or his designee (certified armorer).
6. Officers must carry RDS firearms in an approved RDS holster.
7. PVPD recommends replacement of the battery annually during qualifications/firearms inspection and will be performed by the Rangemaster or his designee (certified armorer).

B. Authorized Red Dot Sight (RDS) for firearms

1. Holosun 509T
    a. Those officers with good cause, including a medical note from their doctor explaining the necessity and recommendation for using a different RDS other than what is provided by the department, can request in writing to change the optic that fits their needs.

1.9.5 Handgun Ammunition ALEAP 1.5

Only Department-issued ammunition will be used in primary or secondary weapons carried while on or off duty. In addition, officers shall carry high-capacity magazines in all handguns that are designed for high-capacity magazines. Handguns shall be carried with a round in the chamber and magazines loaded in the manner instructed by the armorer.

1.9.6 Specialized Firearms

Shotguns (however configured) and rifles are considered firearms and are subject to the following restrictions:

A. No officer may carry a specialized firearm without successfully completing the applicable training and qualification course, conducted by an AZPOST certified firearms instructor who is qualified on the specialized weapon.

B. Certification on specialized firearms shall be completed annually. A complete record of the certification shall be kept.

C. No specialized firearm will be carried on duty unless provided by the Department or inspected and approved by the armorer.

D. No ammunition, modifications, or accessories may be used, added to, or carried with a specialized firearm without the approval of the armorer and the Chief.

1.9.6.1 Shotguns

The department does not authorize the use of a lethal shotgun.

1.9.6.2 12-Gauge Kinetic Energy Shotguns (Stunbag)

A. The use of the 12-gauge kinetic energy shotgun, referred to in this policy as a "stun bag", is an escalated use of force and proper justification must be provided for its deployment and use. The stun bag is generally used when officers are facing active aggression or aggravated active aggression.

B. Shotguns that are modified to use alternative ammunition (stunbags/beanbags/etc.) will only be for use with those projectiles; lethal ammunition will not be carried on, in, or with these shotguns. The only modification to the shotgun that will alert the user to its assigned use is the replacement of the black stock and fore-end with an orange stock and fore-end.

C. The stun bag is meant to be non-deadly; it is important for officers to understand that this ammunition can be deadly.

1. **Training**: Only employees who have successfully completed the firearms training for the stun bag will be authorized to deploy and utilize it.

2. Each patrol vehicle will be assigned a kinetic energy shotgun (stun bag shotgun) during normal assigned duty hours. It shall be the officer's responsibility at the beginning of their shift to inspect the stun bag shotgun to ensure that only the assigned "Super Sock" 2581 Kinetic bean bag rounds are mounted on the side saddle.

3. **Ammunition**: Only the "Super Sock" 2581 Kinetic bean bag round is authorized for use. At no time will lethal ammunition (00 buck or slug) be carried on or loaded in the weapon. Operators will visually inspect rounds during loading and unloading of the weapon.

4. All stun bag shotguns will be the Remington 870 Police 12 gauge and will be Department-issued. Both stock and fore-end will be orange in color for ease of identification.

5. **Storage**: All stun bag shotguns will be stored **UNLOADED**. The officer who has been authorized to deploy it will complete a visual inspection of each individual round during loading and unloading to ensure that only stun bag rounds are being utilized.

6. In situations where the stun bag is handed to another authorized officer for deployment, the new handler will unload the weapon (if already loaded), re-inspect the rounds, then reload prior to deployment.

7. Stun bags will be unloaded after use and prior to storage in the armory or vehicle.

   Stun bag rounds will not be fired through barriers such as glass or chain-link fence due to bag tearing and releasing lead shot held inside.

8. **Notifications**: Any time a stun bag is deployed and utilized against a subject, the on-duty supervisor and appropriate command staff will be made aware, and a Use of Force report will be completed.

D. Basic tactics for Stun Bag deployment

1. A stun bag officer will always have another officer present ready to use lethal force, if necessary.
2. When an officer deploys the stun bag shotgun at the scene of an incident, they will immediately advise on-scene units by radio or direct verbal notice, so all participants are aware of its availability and deployment on scene.
3. Prior to any firing of the stun bag shotgun, all participants will be advised, primarily by radio, that the stun bag is being deployed.
   a. This is done to avoid contagious live fire by others on scene.
   b. It should be done out of the audible range of the suspect, if possible.
4. Whenever possible, deploy this weapon from a position of cover.
5. Communicate all movements and tactics involving the stun bag with all officers present. This includes designated arrest team officers who will be holstered when going hands-on with the suspect.
6. Multiple stun bag operators can be deployed if the situation dictates the need for simultaneous impacts on the target.
7. Stun bag operators should anticipate follow-up shots if the prior shot misses or was not effective and should have a designated arrest team prepared if situation and resources allow.

E. Handling suspects after stun bag impact(s)

1. Suspects will not be approached until it can be done safely in accordance with any other high-risk arrest.
2. Officers will not make contact with suspects while a stun bag shotgun is in their hands.

3. All suspects will be immediately handcuffed (unless circumstances dictate otherwise).
4. Emergency medical personnel will be called to examine all subjects impacted by stun bag projectiles.
5. The subject shall be transported to a medical facility for examination, and a medical release shall be obtained unless exigent circumstances exist. Any suspect impacted by a stun bag projectile will be booked into jail or other appropriate facility after receiving medical clearance.

1.9.6.3 Urban Patrol Rifle (UPR)

The use of any department rifle shall be in accordance with department policies and procedures. All rifle equipment will be issued and/or approved by the department firearms team.

The following Department-owned rifles are available for patrol use:

A. Colt AR-15/M-16 5.56/.223
B. Colt M4 Carbine 5.56/.223

UPR operators shall use only department-issued weapons and authorized ammunition.

A. Urban patrol rifle operators:
   1. Must have attended and successfully passed the AZPOST 40-hour UPR new user course hosted by any Valley agency OR
   2. Be a lateral officer with prior military or previous agency training equivalent to the AZPOST 40-hour UPR new user course AND pass the Paradise Valley PD Lateral re-cert course.
B. UPR Training:
   1. UPR operators will pass an annual qualification course administered at least annually by Paradise Valley PD firearms team personnel. Those who fail to qualify shall be prohibited from carrying and deploying the UPR until they have qualified.
   2. Those officers and supervisors who have successfully completed the UPR operator's course will be required to carry the UPR on patrol during normal duty hours.
C. Justifications for UPR deployment
   1. UPRs will be deployed at the direction of a supervisor, or;
   2. When an officer can clearly justify the need for the capabilities of the UPR. Some examples

include, but are not limited to:

a. The suspect is situated in a tactically advantageous position (due to distance or a fortified location)

b. A subject who is armed with a semi-automatic/automatic weapon

c. A subject who is armed and/or wearing ballistic protective apparel

d. A subject armed with any type of rifle or shotgun

e. Critical or high-risk incidents requiring capabilities beyond those of the issued handgun or shotgun

f. High-risk vehicle stops

g. Armed robbery in progress

h. Active searches for felony suspects

i. Active shooting incidents

3. Deployment considerations and justifications should include the type of incident, background, distances, and barriers.

4. UPR operators shall not be used in lieu of tactical team response when this type of incident is identified.

5. UPR operators will not be used for handcuffing and prisoner searches incident to arrest until the weapon is safely secured.

D. Rifle Readiness

1. **Patrol Vehicle**: UPRs shall be carried in the assigned protective case or within the rifle rack of a patrol vehicle in "cruiser ready" condition with a magazine in the magazine well, bolt forward on an empty chamber, and on safe.

2. **Station/Armory**: When not in use, UPRs will be securely stored at all times. When storing the UPRs, magazines will be removed, chambers cleared, on safe with the bolt forward to avoid undue wear on buffer spring.

a. Magazine readiness: UPR magazines will be maintained in a ready (loaded) condition at all times, not to exceed a round capacity of 28 on a 30-round magazine, or 18 on a 20-round

magazine of department authorized/issued ammunition. All UPR operators will be issued three (3) 30-round magazines.

b. Ammunition specified for use with the UPR will be issued by the department (no unauthorized ammo at any time will be utilized)

c. Accessories: All UPRs will be equipped with an adjustable sling at all times. Weapon-mounted lighting systems and foregrips are authorized additions to UPR (uniform allowance authorized expenditure) after notification and review by department firearms team members. Only the issued optics are authorized for use.

E. Care and Maintenance

1. Care and maintenance of the UPR are essential to ensure proper operation of the weapon system.
2. All UPR operators will inspect the UPR, magazines, and ammunition at the beginning of their shift to ensure it is serviceable and deployable.
3. The UPR will be inspected annually by armory personnel to ensure serviceability standards.
4. The chamber will be visually and manually checked to confirm an empty chamber prior to all service and maintenance.
5. UPR operators will report any damage or malfunctions encountered immediately to a firearms team member, and the weapon will be put out of service.
6. UPR operators will ensure that the weapon safety is engaged in the “safe” position at all times when moving or loading the weapon.
7. All firearms team personnel will be familiar with the UPR deployment, cleaning, and safe condition practices.
8. All maintenance requirements will be conducted only by personnel certified as UPR armorers.
9. Officers who have a UPR assigned to them will carry it while on duty.
10. UPR operators will clean and lubricate the weapon once a month or as needed.
11. All Paradise Valley PD-issued and owned UPRs shall be stored securely, whether at the department or at home (in a gun safe), when not deployed on duty.

    a. An officer’s secured locker will be utilized by operators who choose not to take the UPR

home or do not have the ability to securely store them in a gun safe.

b. UPRs will not be left unattended, including in an officer's POVs, after leaving the Police Department facility.

c. Department vehicles that have secure storage may utilize the secured compartment to store department equipment. The trunk or standard cargo area of the vehicle is not considered secure storage unless it has been specifically equipped or modified to provide secure storage.

F. Periodic audits and inspections will be conducted by Firearms Team personnel to ensure their proper storage, accountability, condition, and usage.

G. Additional weapon systems in inventory:

a. FN SCAR 17 .308

b. 40mm Munitions Launcher 37mm Munitions Launcher

Officers will not deploy these weapons systems in any capacity without first having sufficient training showing certification and proficiency.

H. All other weapons will be kept in the armory and can be issued at the discretion of the Chief.

1.9.6.4 Firearm Check-In Procedure

A. Purpose

To provide a secure location where members of the public may place personal firearms prior to entering any public building located at the Town of Paradise Valley's Municipal Complex.

B. Firearms Check-in

1. Pursuant to A.R.S. § 13-3102.A.10 and Town Code Section 10-6-2.A, individuals are prohibited from entering a public building while in possession of a firearm.

2. Prior to entering any building in the Municipal Complex, individuals may check in their firearm at the Police Department. Signs are posted on the exterior of all Municipal Buildings providing notice of this policy.

3. Citizens are instructed to contact the Emergency Communications Center by pressing the talk button on the intercom system located outside the main entrance to the Police Department.

4. Upon being advised of the request to check in a firearm, the dispatcher will advise the citizen to remain outside the building and call an officer to assist with the check-in.
5. The officer assigned to assist will obtain a key to an outside locker (keys are maintained in dispatch) and complete the check-in envelope with the following information:
    a. Citizen's name
    b. Locker number
    c. Date
    d. Officer's name
6. The officer will then observe the citizen place the firearm inside the locker, close the locker, and secure it by removing the key. The locker key will be placed inside the check-in envelope, sealed, and held in the Emergency Communications Center until the firearm is retrieved by the owner.

C. Firearm check-out

1. Upon the request for the return of a secured citizen's firearm, the dispatcher will assign an officer to assist, preferably the officer who assisted with the check-in. The officer assisting with the check-out will verify owner identification prior to the return of the firearm.
2. Upon verification and return of the firearm, the assisting officer will return the locker key to the Emergency Communications Center and destroy the check-in envelope. No permanent record of firearm ownership will be maintained by the Department in this procedure.

1.9.7 Firearms Inspections

A. All officers shall annually present all primary and secondary weapons with which the officer intends to qualify with to the certified department armorer for annual inspection. Inspection of Department firearms will be completed according to the manufacturer's standards. The Armorer shall either perform the inspection (if certified in the weapon) or have the weapon inspected by a qualified outside vendor. Issued firearms in need of repair will be repaired by the Department. Personally owned firearms in need of repair will be repaired by the officer and shall not be carried until repaired and re-inspected.

1. Attendance at any department-sponsored or outside-approved armorer certification courses is restricted to members of the firearms team for the purpose of servicing department-issued

firearms, including but not limited to: duty pistols, patrol rifles, and less-than-lethal stun bag shotguns.

B. All firearms carried on or off duty in a police capacity, Department- or privately owned, will be unmodified from their original factory condition, except as approved by the Department armorer. Any modification or accessory that interferes with the operation of a weapon may be prohibited. Officers shall submit new accessories and/or modifications for approval prior to use.

C. Officers shall immediately report to a supervisor any issued firearm that becomes in any manner unsafe or inoperable. The firearm shall be repaired prior to being returned to an officer for use. Any officer who must surrender a Department-issued firearm for repair will be provided with another issued firearm for use. If the officer has not qualified with the issued firearm, it shall not be carried until qualification is made.

1.9.8 Weapons and Ammunition Tracking

A. No weapon, deadly or non-deadly, shall be assigned for use or used prior to inspection by a Department firearms instructor.

B. All weapons, deadly or non-deadly, and all ammunition shall be tracked and accounted for by a Department firearms instructor.

C. Each weapon shall be tracked from receipt by the Department until its use is no longer authorized due to damage, malfunction, or wear. Tracking shall include:

1. The officer to whom the weapon is assigned
2. The type
3. Description
4. Identifying model
5. Serial number
6. Each annual inspection
7. All repairs or adjustments made to the weapon.