

Firearms

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training and qualifications.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

306.2 POLICY

The Santa Clara Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Lead Rangemaster. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range.

All other weapons not provided by the Department, 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 members in the performance of their official duties without the express written authorization of the member's Division Commander. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.3.1 HANDGUNS

The Department shall issue a handgun to any police officer that requests one. If a Department weapon is issued, the police officer may not carry any other primary weapon when on duty. Officers assigned to SRT or an undercover assignment, are exempt from this restriction.

Police officers who elect not to carry the issued handgun may elect to carry one of the handguns listed on the approved weapons list (maintained by the Services Division), provided that:

- The police officer has qualified with the weapon,
- The police officer has registered the handgun in compliance with this manual,
- Unless exempted, the Department issued weapon is returned to the Lead Rangemaster.

Santa Clara Police Department

SCPD Policy Manual

Firearms

On-duty personnel shall carry an approved handgun of a 9mm caliber or greater. When operating in an undercover capacity, officers shall carry a .380 caliber or greater handgun as their primary weapon.

Unless involved in an undercover operation, an officer's handgun will be carried in a holster. While in uniform, only one (1) handgun may be carried on the duty belt.

While on duty, uniform personnel must carry a minimum of two (2) additional magazines or speedloaders of ammunition.

When in publicly accessible areas within the Police Administration Building, or once outside the facility, on-duty sworn personnel shall be armed with at least their primary handgun.

All sworn personnel may carry an approved concealed "off-duty" handgun. It must be secured in a holster or designed carrier. The "off-duty" handgun must be of a .380 caliber or greater.

While carrying their "primary" or "off-duty" handgun, all sworn personnel may carry an approved, concealed "backup" handgun. It must be secured in a holster or designed carrier. The "backup" handgun must be of a .22 caliber or greater.

Except for SRT applications, the use of weapon lasers is prohibited. Officers may mount a light on their handgun.

Newly sworn police officers shall have completed the Basic Police Training Academy, and have received firearms training from the Rangemaster or Firearms Training Officer, before they can carry any firearm on or off duty.

306.3.2 SHOTGUNS

Only Department approved and issued shotguns and ammunition shall be utilized by police officers during the course of their duties.

Prior to carrying the shotgun on duty, officers must successfully complete academy and/or Departmental shotgun training and qualify quarterly with the weapon.

While on duty, all officers assigned to a marked or unmarked Field Operations vehicle (four wheels) shall field a shotgun or Tactical Rifle, contingent on their qualification and/or weapon availability.

All Department shotguns shall be carried or stored in the following manner:

- No shotgun shall be carried in the Police Administration Building while loaded. "Loaded" will refer to the condition of a round being in the magazine or chambered.
- When taking out a shotgun from the armory storage rack, it shall be safely pointed at the "outside" clearing box, located at the rear of the Police Administration Building, cleared, and checked. The shotgun shall then be secured in the vehicle rack.

Santa Clara Police Department

SCPD Policy Manual

Firearms

- No shotgun shall be carried in a patrol vehicle with a live round in the chamber, nor shall any shotgun be carried in the shotgun rack with the safety in the "off" position.
- No shotgun shall have a round chambered unless it is in the process of being tactically deployed within the Department's Use of Force Policy; or while in range training.
- When checking the shotgun at any point during the shift, the shotgun shall be removed from the vehicle. It shall be pointed in a safe direction and only then cleared and checked. At this point the weapon can be reloaded and returned to the rack in the vehicle.
- Only Department issued optics and lights will be mounted on shotguns. Only the Lead Rangemaster may mount this equipment or make an approved modification to the shotgun.
- At the end of the shift, no firearms shall be left in a Department vehicle. All shotguns shall be unloaded at the "outside" clearing box and returned to the armory in the Police Administration Building or SRT Warehouse. The shotgun shall be locked back in its respective cabinet in the equipment room.

306.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the Colt AR-15 .223. The following additional patrol rifles are approved for on-duty use:

MAKE	MODEL	CALIBER
FNH-USA	FN15	.223

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle with an empty chamber.

Santa Clara Police Department

SCPD Policy Manual

Firearms

306.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and on the department list of approved firearms.
- (b) The firearm shall be inspected by the Lead Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Lead Rangemaster, who will maintain a list of the information.

306.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (c) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (d) The handgun shall be inspected by the Lead Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (e) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (f) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (g) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Lead Rangemaster, who will maintain a list of the information.

306.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to

Santa Clara Police Department

SCPD Policy Manual

Firearms

carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) The member may use his/her duty firearm or may use a personally owned firearm that is carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy. A member carrying his/her duty firearm will be deemed to have complied with (c), (d) and (e) of this section.
 - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent accidental unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Lead Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Lead Rangemaster.
- (d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The member will successfully qualify with the firearm prior to it being carried.
- (f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Lead Rangemaster, who will maintain a list of the information.
- (g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Members shall only carry department-authorized ammunition.
- (i) When armed, officers shall carry their badges and Santa Clara Police Department identification cards under circumstances requiring possession of such identification.

306.3.7 AMMUNITION

Only Departmentally approved factory ammunition shall be carried by police officers either on or off duty. Prior to issuance, the selection and appropriation of any ammunition must be approved by the Administrative Services Commander.

306.3.8 AUTOMATIC WEAPONS

Automatic weapons shall be stored in the Department's SRT armory, Evidence Room or Range Armory.

Automatic weapons may be tactically deployed by SRT members in specific circumstances, as defined by Division Commanders. These can include SRT operations, 1st Responder deployment by on-duty SRT personnel, High Risk Warrant Service, Protection Details, etc.

306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

Firearms

306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Lead Rangemaster.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Lead Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Lead Rangemaster.

306.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun. There shall be no modifications of department approved holsters, authorized for carry by the Lead Rangemaster.

306.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Lead Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

306.4.4 OPTICS

Optics may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Lead Rangemaster. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it. Each officer is responsible for maintaining the optics in proper working condition, and must report any malfunctions to a supervisor and/or the Lead Rangemaster.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Rangemaster. Members shall not dry fire or practice quick draws except as instructed by the Rangemaster or other firearms training staff.

Santa Clara Police Department

SCPD Policy Manual

Firearms

- (c) Members 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 the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members 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 jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Rangemaster approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Rangemaster will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

306.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil and criminal liability (Penal Code § 25100).

306.5.3 STORAGE IN VEHICLES

When leaving a handgun in an unattended vehicle, members shall ensure that it is locked in the trunk, or in a locked container that is placed out of view, or in a locked container that is permanently

Firearms

affixed to the vehicle's interior and not in plain view, or in a locked toolbox or utility box permanently affixed to the vehicle (Penal Code § 16850; Penal Code § 25140; Penal Code § 25452).

If the vehicle does not have a trunk or a locked container, then the firearm should be locked within the center utility console that can be locked with a padlock, keylock, combination lock, or other similar locking device (Penal Code § 25140).

Officers are exempt from these requirements during circumstances requiring immediate aid or action in the course of official duties (Penal Code § 25140).

306.5.4 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, 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 member's senses or judgment.

306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete qualification quarterly with their duty firearms. In addition to quarterly training, all members will qualify at least annually with their off-duty firearms. Members will qualify with off-duty and secondary firearms at least once a year. Training and qualifications must be on an approved range course.

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member should notify his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 1. Unauthorized range make-up
 2. Failure to meet minimum standards or qualify after remedial training

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and

Santa Clara Police Department

SCPD Policy Manual

Firearms

Deaths Policy. 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.

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 Division Commander or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, the member shall file a written report or provide a recorded statement no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members 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 where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, Conducted Energy Weapon, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

Stray or abandoned injured animals that may be moved or taken to an available veterinarian should not be euthanized. With supervisor approval, abandoned injured animals (with the exception of dogs and cats) may only be euthanized after a reasonable search to locate the owner has been made. 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 (Penal Code § 597.1).

306.7.3 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 member reasonably believes that they appear necessary, effective and reasonably safe.

306.8 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 Police Training Coordinator after each

Santa Clara Police Department

SCPD Policy Manual

Firearms

range date. Failure of any member to sign in and out with the Rangemaster may result in non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Rangemaster has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Rangemaster has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm and it will not be returned to service until inspected by the Rangemaster.

The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit to the Police Training Coordinator documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Police Training Coordinator.

306.9 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 officers 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, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Santa Clara Police Department identification card and badge, bearing the officer's name, a full-face photograph, identification number, 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) The Santa Clara Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Santa Clara Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail

Santa Clara Police Department

SCPD Policy Manual

Firearms

his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer 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 of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer 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.
- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

306.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Santa Clara Police Department identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) 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.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

Firearms

306.11 APPROVED PROCESS FOR WEAPONS

If a police officer wishes to have a weapon considered for placement on the Approved Weapons List, he/she shall route a memo to the Chief's office (through the Training Sergeant) outlining the benefits for including the handgun on the Department list. The Chief of Police shall review the request and decide whether to authorize the weapon.

If a police officer wishes to change the weapon he/she is carrying to a different approved weapon, the new weapon shall be inspected by the Department Rangemaster prior to being carried. Once approved, the complete information on the weapon (make, model and serial number) shall be entered on the master weapons list maintained by the armorer.

Any weapon that is not safe in the Rangemaster's opinion shall not be authorized for on or off-duty use.

306.12 WEAPONS PROFICIENCY

Police officers shall train and qualify with their primary, secondary/back-up, and off-duty handgun(s) prior to being carried on or off-duty. Qualification for primary and secondary/back-up handguns will occur quarterly. Off-duty handgun qualification will occur annually, during the month of their employment anniversary with the city.

Police officers who have been authorized to use the Tactical Rifle shall train and qualify with it quarterly.

All police officers assigned to Field Operations shall also train and qualify quarterly with a shotgun.

All police officers authorized to use extended range impact weapons shall train and qualify with them quarterly.

All SRT personnel shall qualify monthly with their primary, secondary/back-up handgun(s) and long-gun(s).

Any police officer, irrespective of rank, who fails to qualify on a proficiency course or who receives an "unexcused" absence may receive Documented Oral Counseling. Continued unsatisfactory performance or "unexcused" absences, may subject the officer to disciplinary action.

The Chief of Police may excuse, for good cause, mandatory firearms qualifications for personnel based on special assignment or other compelling needs.

No employee shall carry a weapon (firearm or other type) unless he/she has demonstrated proficiency in the use of the weapon (as certified by a qualified Department weapons instructor).

Demonstrated proficiency shall also include (to the satisfaction of the weapons instructor): exhibiting an understanding of the Department's Use of Force policy, and the safe-handling procedures for weapons the employee carries.

In addition to maintaining a list of all weapons authorized for carry by police officers, the Lead Rangemaster shall maintain the qualification records for all police officers.

Firearms

306.13 WEAPONS TRAINING

It shall be the responsibility of the Department Rangemaster to implement training programs to aid those not fully proficient with firearms. The special training given those persons who are less than proficient shall be fully documented by the Rangemaster.

Firearms proficiency courses shall be designed by the Department Rangemaster and approved by the Chief of Police (or designee).

Failure to show an acceptable level of firearms proficiency may subject the police officer to more intensive retraining or a temporary reassignment to a position that does not require the use of a firearm. The reassignment shall continue until an acceptable level of weapon proficiency is attained.

306.14 WEAPONS CLEARING BOXES

The weapons clearing boxes located at the Police Administrative Building and at the Firearms Range have been designed for the purpose of safely manipulating firearms. It shall be mandatory that officers load, unload, manipulate or clear their weapons only while using the weapons clearing boxes. However, shotguns and Tactical Rifles shall be cleared and loaded at the "outside" clearing box or at the Range only. In the case of SRT, members may also utilize their warehouse clearing box. The only exceptions are: during a tactical situation; while on the firing line engaged in training (under the direction of a firearms instructor), or during a courtroom demonstration.

306.15 WEAPONS SERVICING AND INVENTORY

The Rangemaster will maintain a complete list of all Department firearms and their service records.

The Armorer will service both Department and officer-owned duty firearms annually. Only the Armorer shall make approved modifications to Department firearms. Prior to any modification being made to an officer owned firearm (duty, back-up, or off-duty weapon), the modification must be approved by the Department Armorer.

306.16 TACTICAL RIFLE

Only Department issued and approved Tactical Rifles and ammunition shall be used by police officers during the course of their duties.

Prior to carrying the rifle on duty, officers must successfully complete Departmental Tactical Rifle training and qualify quarterly with the weapon.

While on duty, all officers assigned to a marked or unmarked Field Operations vehicle (four wheels) shall field a shotgun and/or Tactical Rifle, contingent on their qualification and/or weapon availability.

Tactical Rifles shall be carried or stored in the following manner:

- No Tactical Rifle shall be carried in the Police Administration Building while loaded. "Loaded" will refer to the condition of a round being chambered or in an inserted magazine.

Firearms

- When taking out a Tactical Rifle from the armory storage rack, it shall be safely pointed at the “outside” clearing box, located at the rear of the Police Administration Building, cleared, and checked. While still pointed into the “outside” clearing box, a loaded magazine may be inserted in the rifle. The rifle shall then be secured in the vehicle rack.
- No Tactical Rifle shall be carried in a patrol vehicle with a round chambered. No Tactical Rifle shall be carried in a gun rack with the safety in the off (FIRE) position.
- No rifle shall have a round chambered unless it is in the process of being tactically deployed within the Department’s Use of Force Policy; or while in range training.
- When checking the Tactical Rifle at any point during the shift, the Tactical Rifle shall be removed from the vehicle. It shall be pointed in a safe direction and only then cleared and checked. The weapon may then have a loaded magazine inserted in the magazine well and seated. At this point the weapon can be returned to the rack in the vehicle.
- Only Department issued optics and lights will be mounted on the Tactical Rifle. Only the armorer may mount this equipment or make an approved modification to the rifle.
- At the end of the shift, no firearms shall be left in a Department vehicle. All Tactical Rifles shall be unloaded at the “outside” clearing box and returned to the armory in the Police Administration Building or SRT Warehouse. The Tactical Rifle shall be locked back in its respective cabinet in the equipment room. Magazines shall be retained by Tactical Rifle operators or by the Department Armorer.

306.16.1 PERSONAL TACTICAL RIFLES

Officers have the option of using their personally owned Tactical Rifle for duty use. Officers must conform to the standard Department Tactical Rifle training and qualifications.

Personally owned Tactical Rifles shall meet the following requirements:

- Must be a Milspec AR-15 configuration of a reputable company that meets or exceeds the specifications of the department issued Tactical Rifle. All personally owned Tactical Rifles must be approved by the Rangemaster.
- Be able to fit in the standard rifle lock used in patrol vehicles.
- Be of 5.56 caliber. *(can use .223 in 5.56- not the other way around)
- Must be black in color
- Must not require the use of a “tax stamp.” Example: Short barreled rifle.
- Cannot be a registered pistol.
- 1/7 or 1/8 twist rate barrel.
- Non-adjustable factory Milspec trigger and trigger components.
- Have back up hard sights (front sight must be non-folding)

Firearms

- Must have a forward assist and a dust cover.
- Have a mounted weapon light.
- Have a sling.
- Equipped with a quality holographic-type sight made for the AR-15 platform that meets or exceeds the sights on the department issued Tactical Rifle.
- All parts and accessories must have specific police use and all parts must be approved by the Rangemaster.

Personally owned Tactical Rifles can either be locked up in the weapons storage room, or in the officer's locked locker when off duty. Additionally, officer owned Tactical Rifles should be left at the Police Department.

In the event the officer needs to take their personally owned Tactical Rifle home, they must receive approval from their supervisor. It is allowed that the rifle be taken home for cleaning, maintenance and training. When the officer takes their Tactical Rifle home, the officer must comply with General Order:

* 26.3.3 Prohibited Acts (BO. Unattended firearms in vehicle): Employees shall not leave any firearms in an unattended vehicle. This section applies to employees when they are on-duty or off-duty. It does not apply to rifles or shotguns that are locked and secured in a department vehicle's rifle rack or gun storage device.

Once the Tactical Rifle is at the officer's residence, it must be stored in a properly installed gun safe.

If there is any change to the components or accessories of the personally owned Tactical Rifle after it has been approved by the Rangemaster, the officer must have the Rangemaster inspect and approve the tactical rifle before it can be returned to use.

The officer is responsible for the cleaning of their personally owned Tactical Rifle. The Rangemaster will inspect personally owned Tactical Rifles on the same schedule as pistols. Defects to the rifle or required accessories must be repaired before the rifle is returned to service. It is the responsibility of the owner of the Tactical Rifle to have the repairs completed.

306.16.2 RETIRING PERSONAL TACTICAL RIFLE

There will come a time when an officer will no longer be using their personally owned Tactical Rifle at the Police Department. This may be due to separation from the department or just the desire to no longer use their personally owned rifle. Before the Officer can take the Tactical Rifle home, they must submit a signed memo that details their lawful disposition of the rifle. For example:

- The rifle will be sold to another police officer.
- The officer is moving to a state that allows the possession of the rifle.
- The officer is transferring ownership of the rifle to an individual in another state that allows the possession of the rifle.

Santa Clara Police Department

SCPD Policy Manual

Firearms

- State and Federal Law allows the officer or retired officer to maintain possession of the rifle that is not being used for Police Department purposes.