

## USE OF FORCE

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### CARRYING AND USE OF WEAPONS

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**Purpose:** This directive establishes Departmental policy concerning the carrying and use of firearms, related equipment and other weapons approved for use by sworn members of the North Little Rock Police Department. This directive governs the handling and training associated with the use of Department approved weapons.

**Policy Statement:** It is the policy of the North Little Rock Police Department to provide adequate weapons for use by sworn members of this Department in the performance of their duties and to ensure members are trained in the use and proficiency of these weapons. It is the policy of this Department to allow off-duty and secondary use of specifically approved and Departmentally registered weapons

**Summary of Changes:** Provides clarification in section 5.4 for the procedure in the event an officer fails to qualify at quarterly range.

**Definitions:**

**Senior Firearms Instructor (SFI):** The senior ranking certified firearms instructor assigned to the Training Unit.

**Approved Weapons and Ammunition List:** List maintained by the Senior Firearms Instructor and the Training Unit Commander.

**Procedure:**

**1 Departmental Firearms**

1.1 Officers will carry only Department issued firearms while on duty or performing police functions, except as otherwise provided for within this policy.

1.1.1 Every weapon intended for use will be inspected and approved by the Senior Firearms Instructor prior to issuance. [CALEA 1.3.9c]

1.1.2 The Evidence Control Unit will maintain complete records of every Department issued firearm. Records will include a complete description of the issued weapon, the receiving officer, date of issuance, and the approving official. [CALEA 1.3.9e]

1.1.3 The Training Unit will ensure that all personnel authorized to carry lethal and less-lethal weapons are instructed in Policy Directives 11-1, *Use of Force*, 11-3 *Carrying and Use of Weapons*, and 11-8 *Less-Lethal Weapons*, prior to authorization to carry such weapons. Documentation of instruction is required. [CALEA 1.3.12]

1.2 Handguns:

1.2.1 The standard issue handgun is the Glock 22. Officers working undercover assignments may also be issued a Glock 27 handgun. [CALEA 1.3.9a]

1.2.2 Approved ammunition for the Department issued handguns is maintained on the *Approved Weapons and Ammunition List*. [CALEA 1.3.9b]

1.3 Departmental issued firearms will not be carried outside the State of Arkansas with the following exceptions:

1.3.1 Agency authorized duty assignments, i.e. training, prisoner transport, or investigations;

1.3.2 Officers assigned to multi-jurisdictional task forces, while on authorized assignment with the task force; or

1.3.3 When authorized by the Chief of Police.

1.4 Shotguns:

1.4.1 Only Department issued shotguns, as listed on the *Approved Firearms and Ammunition List*, will be carried by on-duty officers of this Department. Shotguns will be used only by officers trained and proficient in its use. [CALEA 1.3.9a] [CALEA 1.3.10]

1.4.2 Approved ammunition for the Department issued shotguns is maintained on the *Approved Weapons and Ammunition List*. [CALEA 1.3.9b]

1.4.3 Department issued shotguns not stored at the Police Department or a substation will be stored in the trunk of the police unit when the officer is not on-duty, if applicable, otherwise they will be stored in accordance with section 7.9 of this policy. The vehicle trunk-unlocking device should be deactivated, making it inoperable when the ignition is not on. [CALEA 1.3.9f]

1.5 Less-Lethal Weapons:

- 1.5.1 Only Department issued shotguns, as listed on the Approved Firearms and Ammunition List, with orange stocks installed under authority of the SFI, will be used as less-lethal shotguns. These shotguns are to be used with less-lethal ammunition only. [CALEA 1.3.9a]
- 1.5.2 Approved ammunition for the Department issued less-lethal shotguns is maintained on the Approved Weapons and Ammunition List. [CALEA 1.3.9b] Less-Lethal shotguns and ammunition will only be used by personnel who have been trained and qualified in its use. [CALEA 1.3.10]

**2 Off-Duty Firearms**

- 2.1 Officers may carry a firearm while off duty.
- 2.2 Officers employed in an off-duty capacity performing a law enforcement function will carry their Department issued firearm.
- 2.3 Personally owned off-duty weapons and ammunition must be inspected, approved and registered by the Senior Firearms Instructor (SFI), or designee, before being carried. Non-Departmental issued off-duty firearms must be approved through the chain of command and by the office of the Chief of Police. Only revolvers and double-action-only or striker-fired semi-automatic pistols of the calibers listed in the *Approved Weapons and Ammunition List* will be approved. [CALEA 1.3.9a, b, c]
- 2.4 Off-duty weapons will be registered by the officer's name and ID number, the weapon's make, model, caliber and serial number. Any modifications will also be noted. [CALEA 1.3.9e]
  - 2.4.1 Exception to this rule will be the Department issued on-duty weapon which officers may carry off-duty.
- 2.5 The SFI, or designee, will maintain a list of all weapons approved for off-duty use. [CALEA 1.3.9e]
  - 2.5.1 Weapons not on the approved list must be evaluated by the SFI, or designee, with the final approval from the Chief of Police.
- 2.6 Officers who modify a weapon approved for off-duty or secondary use must re-submit the weapon for approval.
- 2.7 Officers must use discretion as to when and where the firearm is carried. EXAMPLE: Officers are not to carry a weapon when they are consuming alcohol or under the influence of alcohol or prescription medication.
- 2.8 Officers may be authorized up to two approved off-duty weapons.
- 2.9 This policy should not be construed to restrict the legitimate possession and use of firearms or ammunition for sporting and recreational use.

**3 Secondary Firearms**

- 3.1 Officers may carry one secondary, backup weapon while on duty, provided it is registered and approved as provided herein.
- 3.2 The secondary weapon is to be viewed only as a weapon of last resort. The use of a secondary firearm will be limited to those instances where an officer's use of deadly force is authorized and the officer's primary firearm has been:
  - 3.2.1 Lost, stolen, or rendered inoperable during the course of the specific incident authorizing the use of deadly force;
  - 3.2.2 Exhausted of ammunition under circumstances which clearly limit the officer's ability to immediately reload; or
  - 3.2.3 When an act of an assailant(s) prevents the officer from being able to employ his primary weapon in a situation where deadly force is authorized. EXAMPLE: When an officer is being disarmed or is in the process of being disarmed.
- 3.3 Secondary firearms will be subject to the same registration, inspection, training and approval guidelines as those for off-duty firearms. [CALEA 1.3.9a, b, c,]
- 3.4 Only one secondary firearm will be authorized for an officer at any given time.
  - 3.4.1 In the event that an officer who is authorized to carry a secondary firearm wishes to carry a different secondary firearm, the new firearm must be submitted through the approval and registration process.
  - 3.4.2 The officer will not be permitted to carry the first firearm once the new weapon has been approved.
- 3.5 The SFI or designee will forward updated information on officers with approved and registered secondary weapons to the division commanders.
- 3.6 On-duty possession of an unregistered and unapproved firearm is considered a serious violation and will result in severe penalties.
  - 3.6.1 While secondary firearms are optional, they will be subject to inspection at any time by any supervisor. [CALEA 1.3.9c]

3.7 Supervisors who detect violations of Section 3 of this policy will place the offending officer on administrative leave and submit a full report through the chain of command to the Chief of Police immediately.

#### **4 Ammunition**

4.1 On-duty firearms will be loaded with authorized Department issued ammunition only. This includes handgun, rifle, shotgun, less lethal, and specialty weapons.

4.2 Off-duty and secondary firearms will be loaded with ammunition of an approved caliber and configuration as listed in the *Approved Weapons and Ammunition List*.

4.2.1 Ammunition must be factory loaded. Hand loaded ammunition is prohibited.

4.3 Ammunition for on-duty Department issued firearms will be provided by the Training Unit.

4.4 Officers will be responsible for furnishing ammunition for their off-duty and secondary firearms. This includes ammunition for training and qualification. Only factory loaded ammunition as listed in the *Approved Weapons and Ammunition List* is authorized for off-duty and secondary firearms: [CALEA 1.3.9b]

4.5 The SFI or designee will maintain records of the use and distribution of ammunition used by the Department.

4.6 Each shift commander and field sergeant will maintain sufficient ammunition for issue to personnel in the event of an emergency.

#### **5 Training and Proficiency**

5.1 Officers will maintain proficiency in the use of their weapons in accordance with the training standards of this Department. Only sworn agency personnel demonstrating proficiency in the use of agency authorized weapons will be approved to carry such weapons. [CALEA 1.3.10, 1.3.11]

5.1.1 Officers must qualify in the use of Department issued handguns at least once annually to satisfy state minimum standards.

5.1.2 Officers are required to participate in quarterly handgun qualifications unless excused by the Chief, Assistant Chief, or their respective Division Commander, who will then notify the SFI or the Training Unit Commander.

5.1.3 Officers assigned the use of a shotgun must qualify with that weapon at least once annually.

5.1.4 Officers assigned the use of a rifle must qualify with that weapon at least twice annually.

5.1.5 Officers authorized to use specialty weapons (SWAT/SRT) will qualify with those weapons at least once every 6 months.

5.1.6 Officers authorized to carry an Electronic Control Device (Taser) are required to demonstrate proficiency with that weapon at least once annually.

5.1.7 Officers authorized to use less lethal weapons or weaponless control techniques are required to demonstrate proficiency at least once biennially.

5.1.8 All weapons and weaponless control techniques proficiency training will be monitored by a certified weapons or tactics instructor. This training will include a review of the applicable use of force policy directives. [CALEA 1.3.11a]

5.2 Officers who carry an off-duty or secondary firearm will demonstrate proficiency in the use of that firearm before being permitted to carry the weapon. Officers must provide approved ammunition for this training. [CALEA 1.3.10]

5.2.1 Officers will be required to qualify with their chosen off-duty or secondary weapons annually.

5.3 The Training Unit will maintain records of officers' proficiency training. [CALEA 1.3.11b]

5.4 Any officer who fails to qualify with the Department issued sidearm after two (2) consecutive attempts on the firearms range will be referred for immediate remedial training by a certified firearms instructor while still on the firearms range. [CALEA 1.3.11c]

5.4.1 In the event that an officer undertaking remedial training is unable to qualify at the conclusion of the training session, the firearms instructor providing the remedial training will notify the SFI and the Training Unit Commander, who will then notify the member's Division Commander and the Chief of Police

5.4.2 The Division Commander, upon such notification, will immediately place the unqualified officer on administrative leave with pay. The SFI will take possession of the officer's firearm and marked patrol unit if assigned. Arrangements will be made to transport the officer to their residence. The officer will report to the Training Unit the next working day for additional training. The officer will remain with the Training Unit until such time as the officer qualifies or the Training Unit Commander determines remedial training will be fruitless. [CALEA 1.3.11c]

- 5.4.3 If the officer does not respond satisfactorily to the remedial training and remains unqualified, the Training Unit Commander will provide written notification to the Chief of Police.
- 5.4.4 Any officer who fails to demonstrate proficiency with any authorized less lethal weapon or tactic will not be authorized to use that weapon or tactic until proficiency has been demonstrated. [CALEA 1.3.11c]
- 5.4.5 The training Unit will provide remedial training to any officer who fails to demonstrate a required proficiency and will notify the officer's supervisor of the deficiency.

## **6 Maintaining Department Issued Firearms**

- 6.1 Department issued firearms will be kept in clean and serviceable condition.
  - 6.1.1 Service firearms will be subject to inspection without notice by a supervisor, SFI or designee. [CALEA 1.3.9c]
- 6.2 Officers will submit Department issued firearms to a Department armorer once a year for a detailed inspection. [CALEA 1.3.9c]
- 6.3 The Department armorer will maintain records on each service firearm.
  - 6.3.1 Any deficiency in maintenance or care will be noted.
  - 6.3.2 The officer's immediate supervisor will be notified in writing of any deficiency noted.
- 6.4 Officers will not make any modifications, repairs or adjustments to Department issued firearms.
- 6.5 Any officer who experiences a misfire, malfunction, or sustains damage to any Department issued firearm will notify the Department armorer as soon as possible. Any weapon found to be unsafe or inoperable will be immediately removed from use until the weapon is repaired. [CALEA 1.3.9d, e]
- 6.6 Department armorers will make any repairs or adjustments they are qualified to make.
  - 6.6.1 Other repairs will be referred to a manufacturer authorized repair center.
  - 6.6.2 A written report will be submitted to the senior armorer on each firearm repaired.
  - 6.6.3 If immediate repairs cannot be made, a temporary replacement weapon will be issued.

## **7 Handling of Firearms and Ammunition**

- 7.1 No officer will allow a Department owned firearm to be used by any person, other than officers of this Department, without the permission of the Chief of Police or a Department armorer.
- 7.2 No shotgun or rifle will be transported or carried inside the Police and Courts Building or its annexes unless the weapon is completely unloaded and the breach is open. [CALEA 1.3.9f]
  - 7.2.1 This is a safety precaution only, and does not apply if there is a crime or disorder requiring the use of the shotgun or rifle.
- 7.3 Shotguns and rifles stored in police vehicles will have the breach closed.
  - 7.3.1 The shotgun and rifle will be stored in the designated secure location with the safety selector in the "on-safe" position.
    - 7.3.1.1 Shotguns will be stored with a full magazine of Department issued ammunition.
    - 7.3.1.2 Shotguns will not be stored with a live round in the chamber.
- 7.4 Shotguns designated for less lethal ammunition with orange stocks will be stored with only bean bag ammunition in the magazine and the chamber empty. (These are never to be loaded with conventional ammunition).
- 7.5 Officers will not unholster firearms in any public place except for inspection as authorized by a supervisor, or for a legitimate law enforcement purpose.
- 7.6 On-duty officers will carry side arms with fully loaded magazines and a live round in the chamber ready for use.
  - 7.6.1 Uniform officers will carry two extra, fully loaded magazines.
  - 7.6.2 Officers, while on-duty, uniformed and non-uniformed, will use only those holsters which have been approved by the SFI, or designee, and are listed in the Approved Weapons and Ammunition List.
- 7.7 Officers carrying side arms, on-duty or off-duty, while not in uniform will prominently display police identification or badges or will carry the sidearm concealed from public view.
- 7.8 Secondary firearms will be carried on an officer's person in a concealed holster, securely fastened in an accessible manner.

7.8.1 Authorized holsters for secondary firearms will be a vest holster, an ankle holster, or a bellyband holster.  
[CALEA 41.3.4]

7.9 When Departmental issued firearms are stored at the officer's home, the firearm will be stored in a manner so as to prevent its use by unauthorized persons, i.e. persons under the age of 18 who are present or are reasonably expected to be present in the home. [CALEA 1.3.9f]

7.9.1 Loaded firearms will be either locked in a case or locked with a trigger safety device.  
Loaded firearms that cannot be locked in a case or with a trigger device will be unloaded and secured with a Department supplied firearm disabling device.

## **8 Use of Firearms**

8.1 All law enforcement use of any firearm must be in compliance with applicable law and Policy Directive 11-1.

8.2 Any officer who discharges any firearm, accidentally or purposely, while on-duty or acting in the capacity of a police officer other than during firearms training will immediately notify an on-duty supervisor.

8.2.1 If an officer discharges a weapon at anyone for the purpose of employing deadly physical force, an investigation will be conducted as per Policy Directive 11-6, Use of Deadly Force Response. [CALEA 1.3.6a]

8.2.1. This agency's response to an officer involved shooting will be the same even if the shots fired do not strike any persons. [CALEA 1.3.6a]

8.2.1.2 Any accidental discharge resulting in a person being killed or injured will be investigated pursuant to Policy Directive 11-6, Use of Deadly Force Response. [CALEA 1.3.6a]

8.2.2 For any weapons discharge, other than training or recreation, that is not for the purpose of employing deadly force and does not cause injury or death of another person, the officer will notify an on-duty supervisor and document the incident either with call notes or an incident report (example, euthanizing an injured animal). [CALEA 1.3.6a]

8.2.2.1 The notified supervisor will advise the officer's division commander of the firearm discharge.

8.2.2.2 If the investigating division commander determines the incident needs further investigation, the Investigations Unit will be notified.

8.2.3 The incident will be reviewed at each level in the involved officer's chain of command. The Professional Standards Unit may also review the incident.

8.2.4 A copy of the incident file, excluding recommendations and findings, will be forwarded to the SFI for training purposes, by the involved officer's Division Commander.

8.2.5 After final review, completed incident files will be forwarded to the Support Services Division to be filed like any other report.

8.2.6 Professional Standards files, if any, will be filed following established procedure for files of that type.

8.2.7 The Professional Standards Unit will conduct an annual analysis of all weapon discharges, other than training or recreational purposes, to determine trends that may necessitate equipment upgrades, policy changes or training needs.

## **9 Other Authorized Weapons**

9.1 Officers are authorized to carry a collapsible style impact weapon or a PR24 baton.

9.1.1 Officers will be trained by a certified weapons instructor in the use of impact weapons and batons before being permitted to carry them. [CALEA 1.3.10]

9.1.2 Any authorized impact weapon or baton found to be defective will be removed from service and submitted to the Support Service Division and exchanged for a baton in proper working order. [CALEA 1.3.9d]

**10 Specialized Weapons and Ammunition**

- 10.1 Specialized weapons (carbines, fully automatic weapons, sniper rifles, Honor Guard shotguns and rifles, silencers or suppressors, and laser sights), will be authorized only for those members who are qualified with and whose assignments require such weapons.
- 10.2 The Chief of Police, or his designee, will authorize the use of all specialized weapons and ammunition.
- 10.3 It will be the responsibility of all Team Leaders to ensure the Training Unit Commander is supplied with a list of all specialized weapons and ammunition utilized by their unit (SWAT, Narcotics, SRT, Honor Guard, etc.).  
[CALEA 1.3.9e]
- 10.4 The types and specifications of all specialized weapons and ammunition authorized for use by specialized units will be forwarded by the Special Operations Commander, or Deputy Commander, to the Training Unit to be listed on the *Approved Weapons and Ammunition List* maintained by the SFI and Training Unit Commander. [CALEA 1.3.9a, b]

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Chief of Police