

**SAN DIEGO POLICE DEPARTMENT
PROCEDURE**

DATE: JUNE 20, 2017
NUMBER: 1.05 – ADMIN
SUBJECT: FIREARMS PROCEDURES
RELATED POLICY: 1.04, 1.05
ORIGINATING DIVISION: TRAINING AND EMPLOYEE DEVELOPMENT
NEW PROCEDURE:
PROCEDURAL CHANGE: **MINOR CHANGES**
SUPERSEDES: DP 1.05 – 01/17/2014

I. PURPOSE

This Department procedure establishes guidelines for the proper use, continued proficiency and safe handling of firearms.

II. SCOPE

This procedure applies to all members of the Department.

III. PROCEDURES

- A. Officers shall not discharge any firearm in the performance of their duties except as authorized by this Department procedure. Accordingly, when a member has discharged a firearm (under any circumstances other than authorized training), the immediate supervisor will document the firearm discharge with a BlueTeam entry and forward it to the next chain of command.
- B. No officer shall discharge a firearm in the performance of duty except:
1. During authorized training at a target range;
 2. When the officer has a reasonable belief that a subject (or an animal) poses an imminent threat of death or serious bodily injury to the officer or another person;

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3. When necessary to apprehend a fleeing suspect if there is probable cause to believe the suspect has committed a felony involving the infliction or threatened infliction of death or serious bodily injury, and the officer reasonably believes the suspect is armed with a deadly weapon and the suspect's escape would pose an imminent threat to the officer or others; and,
 4. As permitted by Department Procedure 6.09, Handling of Injured Animals.
- C. A verbal warning to submit to the authority of the officer shall be given prior to the use of a firearm, if feasible, and if to do so would not increase the danger to the officer or other persons.
- D. Officers shall exercise the utmost care in their handling and use of firearms while engaged in the performance of their duties and while exercising their option to carry a loaded and concealed weapon while off-duty. Officers should consider the following factors before discharging a firearm:
1. Immediacy of the threat;
 2. Suspect(s) age, size, skill, injury or disability;
 3. Environment (field of fire);
 4. Capabilities of the suspect's weapon;
 5. Officer's present capability with the weapon; and,
 6. Type of crime.
- E. Motor Vehicles
1. Firearms are generally found to be ineffective in stopping vehicles. Firearms shall not be discharged at a vehicle solely in an attempt to disable the vehicle. Officers shall consider the ramifications when shooting at occupants in a moving vehicle, such as:
 - a. Moving vehicles present a rapidly changing field of fire;
 - b. If the driver is incapacitated, the vehicle would be uncontrolled, and may not immediately stop; or,
 - c. The action could create a danger to the public that outweighs the reason that deadly force was initially used.

2. Officers shall not discharge a firearm at an occupant of a vehicle unless:
 - a. The officer has probable cause to believe that the subject or the vehicle poses an **immediate threat of death or serious bodily harm to the officer and there is no reasonable alternative for the officer to avoid the harm;** or,
 - b. The officer has probable cause to believe that the subject or the vehicle poses an **immediate threat of death or serious bodily harm to other persons.**
 3. Officers shall not knowingly position themselves in the path of a moving vehicle.
- F. Warning shots present a danger to the officer and other persons. They are prohibited except under exigent circumstances when:
1. The officer has a reasonable belief that a subject (or an animal) poses an imminent threat of death or serious bodily injury to the officer or another person; and,
 2. Necessary to apprehend a fleeing suspect if there is probable cause to believe the suspect has committed a felony involving the infliction or threatened infliction of death or serious bodily injury, and the officer reasonably believes the suspect is armed with a deadly weapon and the suspect's escape would pose an imminent threat to the officer or others.
- G. Firearms are not designed or intended for use as impact weapons and shall not be used as impact weapons, except when necessary to protect the officer or another person from death or serious bodily injury.
- H. Shotgun Procedures
1. Shotgun loading and storage
 - a. When carried, shotguns shall be secured in the vehicle's shotgun mount and shall not be stored or transported in the vehicle's trunk. Shotguns stored in unmarked vehicles shall be concealed in a protective case in a locked trunk or equipment storage box or locked in the shotgun mount if the vehicle is so equipped.
 - b. At the beginning of the shift, the officer to whom the shotgun is issued shall load the shotgun in the proper manner.

- c. Upon conclusion of an incident in which a shotgun round has been chambered, the officer to whom the shotgun is issued shall unload and reload the shotgun in the currently prescribed manner.
 - d. At the end of the shift, the officer to whom the shotgun is issued shall unload the shotgun in the currently prescribed manner.
 - e. To reduce the danger of injury associated with unintentional discharge, the shotgun shall never be loaded or unloaded in a vehicle, in a police station, under any overhead structure or close to multi-storied buildings (e.g., Headquarters "E" Street parking lot) unless using a shotgun containment canister.
 - (1) Canisters are steel barrels with plywood baffles, designed to successfully stop 12-gauge 00-buck rounds.
 - (2) Canisters shall not be used with rifled slugs.
 - (3) The shotgun barrel is to be inserted into the hole at the bottom of the canister throughout the loading and unloading process.
 - (4) Officers shall immediately notify the Watch Commander's Office of any unintentional discharges. The Building Maintenance Supervisor will be notified of any damage to the facility as a result of the discharge.
- 2. Officers are responsible for routine maintenance and cleaning of shotguns issued to them. If the shotgun jams or needs repairs, refer to Section VI.
 - 3. Shotgun mounts are equipped with electric locking mechanisms activated by the ignition key. Whenever officers leave the immediate vicinity of their vehicle, they should remove the key from the ignition and lock the doors.

IV. REQUIREMENTS REGARDING FIREARMS AND AMMUNITION

A. Firearms

- 1. All firearms shall be inspected pursuant to the Police Department Inspection Guide.
- 2. All firearms carried on- or off-duty shall be of a type approved or issued by the Department. The Rangemaster shall retain the master list of

approved weapons. Requests to add firearms to the approved list shall be directed to the Rangemaster.

3. Other models previously authorized may be retained, but no additional firearms of those types will be authorized for Department use. Other models will be evaluated on a continuing basis.
4. On-duty backup firearms shall be completely concealed on the officer's person.
5. Firearms shall have a blue steel, stainless steel, or black non-reflective finish. Chrome, nickel-plated, or colored finishes are prohibited.
6. Officers shall be limited to five approved handguns for on or off-duty use in their official police capacity. Personally-owned shotguns are not included in the five-gun limit.
7. Personal weapons carried on- or off-duty shall be inspected and approved by the Department's Firearms Training Unit.
 - a. Following the inspection, the officer shall demonstrate proficiency in the use of the weapon by shooting a course prescribed by the Rangemaster.
 - b. Upon successful completion of the prescribed course, the Rangemaster, or designee, shall complete an "Authorization to Carry a Personal Weapon on Duty" form (PD-899TR), and, if necessary, indicate any limitations for use.
 - c. The original PD-899TR authorization form shall be routed to the Human Resources Unit for inclusion in the officer's personnel file. A copy will be given to the officer for his/her records.
8. Operational Support staff issues Department handguns. The Operational Support Sergeant has the authority to issue an officer a Department handgun, or replace an officer's Department handgun in the event it is lost or stolen.
9. In instances of lost or stolen handguns, the officer shall prepare a police report, which includes the handgun's serial number, prior to the issuance of a replacement handgun. If the incident occurred outside the County of San Diego, the officer shall obtain a lost or stolen incident report from the appropriate police agency.
 - a. The officer shall also prepare an ARJIS-9 report detailing the circumstances of the lost or stolen handgun. The crime report and

ARJIS-9 shall be approved by a supervisor and routed to Records Division. The officer shall give copies of the reports to the Operational Support Sergeant.

10. The Rangemaster may authorize the exchange of any Department handgun. When an officer wants to exchange a handgun, approval shall be obtained from the Rangemaster. The Rangemaster shall notify Operational Support of the authorized exchange of the handgun.
11. Officers shall complete a Department-approved semi-automatic pistol course prior to carrying a semi-automatic pistol.
12. Officers trained on the “double action only” pistol who desire to carry a conventional semi-automatic pistol shall complete the Department’s conversion class for authorization to carry a conventional semi-automatic pistol. Other pistols also require a conversion class. Contact the Firearms Training Unit for specific manufacturers and models.
13. The assistant chief of a requesting command, after consulting with the Rangemaster, may approve other firearms for primary use by officers engaged in undercover work or other activities requiring small, completely concealable weapons.
 - a. Approval shall be in writing and placed in the officer’s personnel file.
 - b. Upon completion of the special assignment, the authorization for use of the firearm shall be discontinued and the form shall be removed from the file.

B. Ammunition

Ammunition carried for use in an official police capacity must be of a type currently approved and issued by the Department and shall not be altered in any way. This includes extra ammunition carried on the gun belt, equipment cases or loaders. This restriction applies to Department approved on-duty, off-duty and backup firearms. Officers may carry either solid or hollow-point ammunition in the .22 Derringer and Walther TPH .22.

C. Accessories or Alterations

The Rangemaster must approve accessories added or alterations made to any firearm, prior to being carried on- or off-duty. For information regarding approved on-duty holsters, refer to Department Procedure 5.10, Uniform, Equipment and Weapons. The Range will maintain a list of authorized

accessories and equipment for handguns, AR-15 type rifles and Department shotguns.

V. FIREARMS SAFETY

- A. Department lockers and desk drawers containing firearms shall be kept securely locked.
- B. Officers shall not leave weapons unattended in a careless manner at any time.
- C. Officers who come into possession of any loaded firearm shall immediately unload the firearm, unless the loaded condition is necessary for evidentiary purposes. Officers who are unfamiliar with the unloading procedures of the firearm shall seek assistance from someone who is knowledgeable about the safe unloading of the firearm, prior to unloading or transporting the firearm.
- D. Off-duty, officers shall store their firearms in accordance with applicable laws.
- E. When not being used on-duty or carried off-duty, officers shall ensure their Department-issued firearms are secured to prevent unauthorized use or misuse.

VI. REPAIRS

The Department's Firearms Training Unit may repair firearms carried on or off-duty. Firearms carried on-duty, including handguns, shotguns and rifles, which become inoperable or jammed, shall be handled in the following manner:

- A. The officer issued or in charge of the firearm shall affix a wire tag to the firearm.
- B. The tag shall contain a brief description of the problem, the serial number, location the firearm is normally maintained (i.e., "equipment #871", SWAT Armory) and the name of the reporting officer.
- C. The officer shall arrange for delivery of the firearm to the Firearms Training Unit.
- D. During normal working hours, the firearm shall be taken to the Firearms Training Unit. The Rangemaster shall arrange for repair of the malfunction. If possible, the firearm will be repaired while the officer waits. If the repairs will take an extended period of time, the officer will be directed to turn in the firearm to Operational Support, which will then arrange for the firearm to be transported to the Firearms Training Unit for repair.
- E. When the Firearms Training Unit is closed, malfunctioning firearms shall be placed in the SWAT Armory until the Firearms Training Unit opens. The SWAT

officer responsible for the Armory shall transfer the firearms to the Firearms Training Unit.

VII. IN-SERVICE FIREARMS TRAINING

A. Firearms Proficiency

1. Officers who are authorized to carry a firearm in the performance of their duties shall meet all requirements set forth for firearms qualification.
2. The Rangemaster shall schedule training and firearms proficiency shoots.
3. Officers shall qualify annually with their off-duty firearm. This shall include an inspection by the Department Firearms Training Unit.
4. Officers who are authorized to carry Department-issued specialized firearms (e.g., MP-5) shall meet all qualification criteria set forth by the SWAT Unit. Qualification and training records shall be maintained by a supervisor of the SWAT Unit and be available for review by the Department Rangemaster.
5. SWAT officers authorized to carry personal firearms on-duty shall meet all criteria set forth by the SWAT Unit. The SWAT Unit shall maintain all personal firearm information records and qualification records. The records shall be subject to review by the Department Rangemaster.
6. Officers who are authorized to carry personally-owned AR-15 type carbines are required to qualify annually, take an annual refresher course, and sight-in their carbines each shift. Refer to DP 1.41, Rifle and Pistol Caliber Carbine Procedures, for details.

B. Department Firearms Proficiency Shoot

1. The goal of the In Service Training Unit / Range is to maintain the proficiency of officers in the handling and shooting of their weapons. The Range Staff will conduct Department shoots on a year-round basis. The cycle will consist of two training shoots and one scored proficiency shoot per year. Officers will be required to attend all scheduled Department shoots and achieve a passing score at the designated scored proficiency shoot.
2. Firearms Training Unit personnel will be available during regular range hours for individual coaching and instruction. On-duty officers shall obtain approval from their supervisor prior to participating in individual firearms practice or training.

3. Officers participating in the yearly scored firearms proficiency shoot shall achieve a passing score. Any officer failing the scored proficiency shoot must comply with the following:
 - a. Original Test Failure – on the day and assigned time of the shoot, the officer will be given up to four additional opportunities to achieve a passing score. These are “re-tests.” If the officer passes a re-test it will be strongly recommended that he or she pursue additional training from the Range staff prior to the next proficiency shoot. The range staff may at their discretion, stop the re-test process prior to the fourth re-test attempt if they determine continuing is detrimental to the officer or if the officer refuses to complete the additional re-test attempts, If this occurs the officer will be deemed to have failed the original test.
 - b. Re-Test Failure – officers that fail the original shoot and the re-tests will be removed from their field assignment or prohibited from engaging in the field component of their respective assignment. The officer will be assigned to remedial training starting his or her next work day. The Rangemaster, In-Service Training Lieutenant, Training Captain, Assistant Chief of Training/Employee Development, and the officer’s immediate supervisor will be notified.
 - c. Remedial Training – the officer’s days off shall be adjusted either voluntarily or in accordance with the MOU to align with a member of the Range staff to ensure consistency in their remedial training. The officer shall complete eight training sessions while on duty. A sixth and seventh opportunity to pass the Department Firearms Proficiency Shoot shall be given to the officer upon completion of the eighth training session. If the officer passes the Department Firearms Proficiency Shoot his or her command will be notified and they will be returned back to their field assignment or allowed to participate in the field component of their respective assignment.
 - d. Follow-up Training – officers that qualified on their sixth or seventh opportunity to pass the Department Firearms Proficiency Shoot shall attend monthly handgun training for the remainder of the current shift and the duration of the next shift. The handgun training will be available on the SDPD menu training website and mandatory attendance will be monitored by their supervisor.
 - e. Sixth or Seventh Test Opportunity Failure – the officer shall remain out of any field assignment or prohibited from engaging in the field component of his or her respective assignment and shall repeat the Remedial Training process stated in section VII, B, 3, c.

An eighth and ninth opportunity shall be given to the officer upon completion of the second Remedial Training process.

- f. Eighth or Ninth Test Opportunity Pass – the officer will be returned to field assignment or allowed to participate in the field component of his or her respective assignment and shall complete the Follow-up Training process stated in section VII, B, 3, d. Additionally, the officer shall contact the Range staff and schedule two training sessions per month until successfully passing the next yearly scored firearms proficiency shoot.
- g. Eighth or Ninth Test Opportunity Failure – the officer shall remain out of any field assignment or prohibited from engaging in the field component of his or her respective assignment and shall complete the Remedial Training process stated in section VII, B, 3, c. a third time. A tenth and eleventh opportunity shall be given to the officer upon completion of the third Remedial Training Process.
- h. Tenth or Eleventh Test Opportunity Pass – the officer will be returned to field assignment or allowed to participate in the field component of his or her respective assignment and shall complete the training process stated in section VII, B, 3, f.
- i. Tenth or Eleventh Test Opportunity Failure – the officer shall remain out of any field assignment or prohibited from engaging in the field component of his or her respective assignment and shall complete the Remedial Training process stated in section VII, B, 3, c. a fourth time. A twelfth and thirteenth opportunity shall be given to the officer upon completion of the fourth Remedial Training Process.
- j. Twelfth or Thirteenth Test Opportunity Pass – the officer will be returned to field assignment or allowed to participate in the field component of his or her respective assignment and shall complete the training process stated in section VII, B, 3, f.
- k. Twelfth or Thirteenth Test Opportunity Failure – the officer shall remain out of any field assignment or prohibited from engaging in the field component of his or her respective assignment and shall complete the Remedial Training process stated in section VII, B, 3, c. a fifth time. A fourteenth and fifteenth opportunity shall be given to the officer upon completion of the fifth Remedial Training Process.

- l. Fourteenth or Fifteenth Test Opportunity Pass – the officer will be returned to field assignment or allowed to participate in the field component of his or her respective assignment and shall complete the training process stated in section VII, B, 3, f.
 - m. Fourteenth or Fifteenth Test Opportunity Failure- the officer shall remain out of any field assignment or prohibited from engaging in the field component of his or her respective assignment and will be returned to their command for appropriate discipline.
4. Failure to attend a Department shoot without a legitimate reason and/or failure to maintain firearms proficiency may result in disciplinary action, which may also include revocation of police powers.
 5. Officers who plan any type of firearms training for their units shall receive prior approval of the training program from the Rangemaster.
- C. Officers who are temporarily assigned or transferred to investigative duties shall demonstrate proficiency with the handgun and holster they will use during the investigative assignment. Officers shall contact the Firearms Training Unit to schedule a proficiency shoot. They will be required to satisfactorily complete this shoot prior to the beginning of the new assignment.
- D. Extended Absence from Duty
1. Upon returning to duty after an extended absence, each officer authorized to carry a firearm shall demonstrate familiarity with their duty firearm and pass a Department proficiency shoot.
 2. An extended absence is defined as an absence from duty, for a period of 120 days or more.
 3. If the officer fails to achieve a passing score in two attempts, the officer will be placed in a non-field assignment and given remedial training, as outlined in Section VII, B, 3, a – m of this Procedure.
 4. Officers who have been removed from full-duty for more than 120 days, but less than one year, shall demonstrate familiarity with their duty firearm and pass a Department proficiency shoot prior to returning to full-duty as stated in Section VII, D, 1–3 of this procedure.
 5. Officers who have been removed from full-duty and have not qualified in the Department firearms proficiency shoot for more than one year from the time of the medical restriction, shall not carry a firearm on duty or carry a Department-issued firearm off-duty until they demonstrate

familiarity with their duty weapon and pass a Department proficiency shoot.

6. Officers with medical restrictions shall notify Firearms Training Unit personnel of their restrictions prior to beginning any training, monthly allotment training or Departmental shoots.

VIII. CIVILIAN MEMBER FIREARMS PROCEDURES

- A. The Chief of Police, at his or her discretion, may authorize civilian members of the Department to carry firearms during the course of their duties and within the scope of their City employment. Possession of a valid Concealed Weapons Permit issued by the County of San Diego does not, by itself, authorize a civilian member to carry a loaded and concealed firearm while acting within the scope of their City employment and duties.
 1. Civilian members may not carry a firearm during the course of their duties and while employed by the Department unless directly approved by the Chief of Police.
 2. Civilian members shall not be issued Department firearms and/or ammunition, unless directly approved by the Chief of Police. They must also have a valid Concealed Weapons Permit issued by the County of San Diego to carry a concealed weapon on their person.
- B. Civilian members of the Department who receive approval from the Chief of Police to carry firearms during the course of their duties shall conform to the following procedures:
 1. Civilian members shall obtain and complete the required 832 P.C. training prior to receiving approval to carry a firearm in the course of their duties.
 2. Civilian members assigned to specific duties shall conform to all firearms qualification standards as outlined in the In-Service Firearms Training section of this procedure.
 3. Civilian members authorized by the Chief of Police to carry firearms, shall carry only Department-approved firearms and ammunition. The list of the approved firearms and ammunition is maintained at the Firearms Training Unit.
 4. The authorization to carry a firearm during the course of City employment shall only be for the duration of the specific assignment and/or duties that justify the approval of the original authorization.

C. Civilian members of the Department authorized to carry a firearm shall not discharge a firearm in the performance of their duties except under the following circumstances:

1. During firearms training at the Firearms Training Unit.
2. When the civilian member has a reasonable belief that a subject or attacking animal poses an imminent threat of death or serious bodily injury to the member or another person.
 - a. Accordingly, when a civilian member has discharged a firearm, his or her immediate supervisor will document the firearm discharge with a BlueTeam entry and forward it to the next chain of command.

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