



# POLICY & PROCEDURES

## HOLMEN POLICE DEPARTMENT

SUBJECT: **FIREARMS REGULATIONS & PROFICIENCY** NUMBER 1.9

SCOPE: ALL DEPARTMENT PERSONEL

ISSUED: 03/01/2012

DISTRIBUTION: POLICY & PROCEDURE MANUAL

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### **PURPOSE**

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The purpose of this document is to establish a policy to regulate the use of firearms and ammunition by sworn personnel of the Holmen Police Department. The procedures for training officers in the use of firearms and testing their proficiency with firearms will also be addressed in this policy.

### **POLICY**

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It is the policy of the Holmen Police Department that officers shall only utilize firearms that have been approved for use, are mechanically sound, and are properly maintained. Only firearms that have been registered with the Holmen Police Department, inspected for serviceability, and with which an officer has demonstrated proficiency may be used, on or off duty, by officers pursuant to their authority as a law enforcement officer.

Certified instructors of the Holmen Police Department will establish handgun and shotgun training and qualification programs for the department, maintain records of same and ensure adequate supplies for these programs. Training programs shall include instruction pertaining to the appropriate use of force and deadly force, as well as the actual use of firearms.

### **DISCUSSION**

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Firearms are a necessary piece of equipment for all police officers. Proper training and demonstrated proficiency are necessary to ensure the safety of officers and the public should an officer be forced to use a firearm.

### **DEFINITIONS**

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- A. **Duty Firearm:** An officer's primary firearm, which is owned by the Village of Holmen, shall be the weapon each officer will be currently qualified with.
- B. **Secondary Firearm:** A secondary firearm is one owned by the officer. The officer may carry this firearm on duty, in addition to his/her duty firearm. Handguns carried off duty should be easily concealed and if used for both on and off duty the firearm must be registered with the dept. and the officer must qualify with it.

## I. PROCEDURE

### A. Firearms Instructor

1. The Chief of Police will have certified firearms instructors for the department.
2. The Firearms Instructor(s) shall be responsible for:
  - a. Instructing and testing officers' knowledge of the lawful use of force, including deadly force.
  - b. Establishing a procedure for firearms qualification and training of all sworn personnel to ensure proficiency in the safe handling and use of firearms.
  - c. Registration, physical inspection and repair of all department issued firearms.
  - d. Maintaining records of firearms training for all sworn personnel
  - e. Maintaining adequate supplies for department firearms training

### B. Authorized Firearms

1. Sworn officers shall only utilize firearms which have been authorized, registered and approved by the Firearms Instructor(s) and Chief of Police for on duty use when exercising their authority as a law enforcement officer. Officers wishing to utilize a firearm not currently authorized for use by the department may submit a request to the Chief for approval of the firearm. This policy does not regulate the use of privately owned firearms by sworn personnel for non-law enforcement activities such as hunting, recreational or other sporting activities.
2. Officers who are currently qualified with a firearm through the department may utilize any firearm of the same type that is currently registered with the department.
3. Duty Firearms
  - a. All Sworn Personnel: Sworn personnel will be issued a firearm approved for use by the Chief of Police.
  - b. Non-Uniformed Personnel: Non-uniformed personnel may elect to use a secondary firearm which has been approved for use by the Chief of Police as their duty firearm for non-uniformed duties. These personnel must still maintain and qualify annually with a duty firearm meeting the criteria of paragraph a. (above) and shall utilize this firearm whenever performing duties in uniform.
4. Secondary Firearms  
Officers may carry a secondary firearm in addition to their duty firearm while on duty, or may carry their duty firearm or secondary firearm while off duty, providing the officer meets the following criteria:
  - a. Secondary firearms must be approved and registered by the firearms instructors or the Chief of Police.
  - b. The officer qualifies yearly with the secondary firearm(s).
5. Shotguns
  - a. The department maintains department owned shotguns for use on duty. When the shotgun is removed from the squad, it shall remain in the officer's possession at all times.
6. Patrol Rifle
  - a. Officers may use on-duty department approved rifle. It must be of a style, caliber and make approved by the Chief. Minimum initial training must be completed prior to approval.
  - b. Officers may carry a personally owned rifle so long as its use is approved by the Chief. Qualification will be the same as department issued rifles.
    1. Personal rifles must be cleaned monthly and inspected by the dept. armorer. Additionally personal rifles will be armored yearly by the department
    2. Damage done to personally owned rifles on duty will be the responsibility of the department so long as the damage is not caused by negligence or

improper use of a weapon. Normal wear to parts and damage due to negligence is the responsibility of the owner of the firearm.

C. Ammunition

1. The Firearms instructor(s), subject to the approval of the Chief of Police, shall select ammunition to be issued and/or authorized by the department based on the ammunition's ability to afford a strong probability of incapacitating a suspect without an unreasonable hazard of over-penetration and/or ricochet. The types of ammunition authorized for use shall be specified.
2. Only ammunition issued or authorized by the department shall be utilized by officers in firearms carried pursuant to their authority as law enforcement officers.
3. Ammunition for duty, qualification and department- sponsored training for firearms using a department issued firearm shall be provided by the department. Officers who elect to use an approved secondary firearm shall be required to provide their own ammunition. The type of ammunition is still subject to the approval pursuant to the criteria of paragraph 1 above.
4. Ammunition for on- and off-duty use will be replaced with new ammunition annually, whether issued by the department or at the officer's expense. Ammunition of the type issued by the department will be provided by the department for all training and qualification. Ammunition authorized by the department but provided by the officer will be provided by the officer for all training and qualification.
5. Whenever an officer wishes to utilize a firearm or ammunition not currently authorized by the department, the officer must submit a request that the firearm and/or ammunition be evaluated by the Firearms instructor(s). The Firearms instructor(s), subject to the approval of the Chief of Police, will evaluate the proposed firearm and/or ammunition for quality, reliability, safety and ability to perform its intended function.

D. Firearms Qualification and training

1. The Firearms instructor(s) shall conduct ongoing training for all department issued firearms. All training will consist of skills testing and qualification courses of fire.
2. All sworn personnel shall demonstrate proficiency with firearms by qualifying with each firearm they are required or elect to use on or off duty.
  - a. Secondary Firearm: All personnel who elect to carry a secondary firearm shall qualify annually with their secondary firearm(s). A training date(s) will be set by a firearms instructor for qualification of secondary firearms. Officers will attend this training on their own time or while on duty.
  - b. Additional Secondary Firearm: Officers who wish to qualify with and be authorized to use more than one secondary firearm shall be required to make arrangements for an annual qualification and inspection of these firearms with the Firearms instructor(s).
3. Firearms Proficiency Standards
  - a. All live fire courses are considered qualification courses of fire. Officers must show proficiency to pass all qualification courses of fire.
  - b. The qualifying course of fire for handguns may vary to cover as many possible situations or conditions the officer may confront.
  - c. The qualifying course of fire for shotguns and rifles will also cover as many situations and conditions as possible.
4. When qualifying with Department, issued handguns, officers shall wear the duty equipment normally worn for duty by the officer.
5. All sworn personnel shall qualify with their designated duty firearm. Officers who fail to demonstrate minimum proficiency with their duty firearm shall immediately receive remedial training and shall re-fire the qualification course the same day. If the officer still

does not qualify with his/her duty firearm, the officer shall be assigned administrative duties pending additional remedial training and until such time as the officer qualifies with his/her duty firearm. The officer will not be allowed back on the street until he/she is qualified. Disciplinary action may be taken for failure to attain minimum firearms qualification standards with an officer's duty firearm.

6. Officers who do not qualify due to scheduling conflicts, or who cannot qualify due to a weapon's malfunction, shall continue in their present duty assignment. Arrangements shall be made with the Firearms instructor(s) to qualify as soon as possible.

F. Off-Duty Use of Firearms

1. Officers are prohibited from carrying firearms when:
  - a. The officer's mental or physical capabilities have been impaired by the use of alcohol, medications or a combination thereof; or
  - c. The officer anticipates his/her mental or physical capabilities may become impaired by the use of alcohol, medications or a combination thereof.
2. When carrying a handgun off duty, the officer will have on them a department issued badge and identification card.

G. Care and Maintenance of Firearms

1. Care and maintenance of firearms, whether owned by the department or the officer, is the responsibility of the officer using the firearm. Annual inspection of department owned firearms will be the responsibility of the department. Annual maintenance of any personally owned firearms is the responsibility of the officer. Verification of this must be turned in annually. If the department has a certified armorer for the officer's personal firearm, the department may provide annual maintenance. Routine maintenance and cleaning should occur frequently to insure the firearm is mechanically operational. Any malfunction or damage to a department-owned firearm shall be reported to the Firearms instructor(s) immediately.
2. Firearms instructors shall inspect firearms during training and qualification to insure the firearms are not altered, damaged or unserviceable for any reason. Firearms found to be altered, damaged or otherwise unserviceable shall not be utilized for on- or off-duty use until they have been repaired.
3. There will be no unapproved markings of any kind placed on the duty weapons or accessories. Magazines may be inconspicuously marked; however, the mark must not be permanent.
4. Firearms damaged in the line of duty will be repaired or replaced by the department, provided the firearm was properly registered and the officer currently qualified with the firearm when the damage occurred.

Chief of Police  
Shane Collins