

UPPER MERION TOWNSHIP POLICE DEPARTMENT
POLICY AND PROCEDURES

No. 420

Supercedes: NA

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Dated: June 26, 2002

WEAPONS REGULATIONS

- I. **PURPOSE:** To set forth guidelines and regulations for the type of weapons and ammunition authorized by the Upper Merion Township Police Department, and to ensure proper training and qualification procedures for all personnel.
- II. **POLICY:** It shall be the policy of the Upper Merion Township Police Department that only weapons and ammunition approved by the department shall be carried and/or used by police officers. Officers shall be trained and qualify with a weapon before approval is granted to carry and/or use the weapon.
- III. **CROSS-REF:** Policy #410, USE OF FORCE.
- IV. **PROCEDURE:**
- A. GENERAL
1. Officers who are authorized by law to carry firearms shall exercise extreme caution in the use and handling of firearms. The following safety rules shall apply:
 - a. All firearms shall be considered loaded until properly cleared and checked.
 - b. The muzzle shall always be pointed in a safe direction.
 - c. Fingers should be kept off the trigger and outside the trigger guard until the firearm is authorized for use and the shooter is on target.
 - d. A person utilizing a firearm should be sure of his/her target and backstop.

- e. When unloading any firearm:
 - (1) Place the safety in the “on” position, if available.
 - (2) Point the muzzle in a safe direction and use a clearing barrel, if available. When unloading a firearm in the police station a clearing barrel must be used.
 - (3) Keep fingers outside the trigger guard.
 - (4) Carefully remove the ammunition and leave the action open.
 - (5) Visually and physically check the chamber and the magazine to ensure that the firearm is empty.
 - (6) During range training/qualifications, firearms will be unloaded at the direction of the firearms instructors.

- f. When loading any firearm:
 - (1) Place the safety in the “on” position, if available.
 - (2) Point the muzzle in a safe direction and use a clearing barrel, if available. When loading a firearm in the police station a clearing barrel must be used.
 - (3) Keep fingers outside the trigger guard.
 - (4) Properly load the firearm with ammunition.
 - (5) Holster or secure the firearm.

- g. Cleaning firearms:
 - (1) Sidearms will be cleared, as per section IV-A-1-e of this policy, before cleaning them in the range building. The range building is the **only** township owned facility approved for cleaning weapons.
 - (2) Immediately after cleaning and reassembly of the sidearm, officers will decock and return the sidearm to the holster.
 - (3) Weapons may not be reloaded in any room where weapons cleaning is taking place.
 - (4) Department shotguns and rifles will be cleaned by firearms instructors.

- 2. Officers will not handle their firearms unnecessarily. Except for maintenance, inspection, or during training, officers shall not draw or display their firearm unless circumstances create reasonable cause to believe that it may be necessary to use the weapon in conformance with department policy. An officer may discharge a firearm under the following circumstances:
 - a. When deadly force is authorized (refer to Policy #410, USE OF FORCE).
 - b. During range training/qualifications.
 - c. To destroy an animal that represents a threat to public safety, or as a humanitarian measure where the animal is seriously injured.

- 3. Officers are responsible for the security of their firearms. Firearms not being carried or in the immediate physical control of the officer shall be secured in a manner that makes them inaccessible to anyone but the officer.

4. Officers may carry their approved firearm within the provisions of State law. When carrying the firearm off duty it must be concealed.
5. It shall be prohibited for any officer to appear in public in an intoxicated condition while carrying a firearm. No officer shall carry a firearm while under the influence of any intoxicant.
6. Carrying a firearm while on suspension or during a leave of absence, where the officer's official law enforcement authority is suspended, is prohibited.
7. While on and off duty, police officers shall carry only firearms approved by the department. Authorized firearms are those with which the law enforcement officer has qualified and received departmental training on proper and safe usage, and that are registered and comply with departmental specifications.
8. Officers shall secure and store their weapons, both on and off duty, in such a way as to deter unauthorized persons from gaining control over the weapon.
9. Officers shall immediately report any loss or theft of a weapon to the department.

B. AUTHORIZED LETHAL WEAPONS:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- g. Any weapons utilized by members of MSWAT-CR in accordance with the standard operating procedure of the team, provided that the officer qualifies with the weapon according to team requirements.
- h. Officers who desire to carry a personal firearm off duty must first obtain written approval from the Chief of Police. The firearm must be registered

with the department by make, model and serial number. All firearms intended for use as an off duty weapon shall be inspected and approved by a certified firearms instructor prior to qualification. Refer to section IV-F of this policy for review, inspection and approval procedures for on and off duty firearms. Refer to section IV-I of this policy for qualification procedures for on and off duty firearms.

[REDACTED]

[REDACTED]

2. The police shotgun should not be used in place of the Expandable Baton as a less lethal weapon unless circumstances dictate the clear need for such action.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]
4. Any ammunition used by members of MSWAT-CR in accordance with the standard operating procedures of that team.
 5. Off duty ammunition: Only ammunition approved by the department in accordance with the provisions of this policy may be carried off duty.

F. REVIEW, INSPECTION AND APPROVAL PROCEDURES:

1. Departmentally approved firearms shall be reviewed on an annual basis by the certified firearms instructors for both on and off duty weapons.
2. Visual inspection of all authorized firearms shall be conducted on at least an annual basis by the certified firearms instructors. Visual inspection shall include an observation of the firearm's working condition and visible parts.
3. Approval of firearms for individual on and off duty use shall be at the discretion of the certified firearms instructors after having observed, at a minimum:
 - a. The officer's knowledge and safe-handling ability of each firearm approved for use.
 - b. Successful completion of an approved course of fire with a passing score.
4. Departmentally approved ammunition for use on and off duty shall be reviewed on an annual basis by the certified firearms instructors.
5. The following records shall be maintained by a firearms instructor designated by the Chief of Police. These records will be reviewed and updated on an annual basis:
 - a. Make, model, serial number, and caliber of all authorized weapons, both on and off duty, for each individual officer.
 - b. Course of fire documentation for each approved firearm for each officer.

G. LESS LETHAL EXTENDED RANGE IMPACT PROJECTILES:

1. The Sage 37mm and 40mm single shot launchers are the only less lethal weapon systems authorized for use by officers of this department.

[REDACTED]

3. Crowd Control munitions will only be utilized in the Sage 40mm weapon system.
4. Members of MSWAT-CR may use other less lethal devices when appropriate to the situation.
5. All officers will be trained and re-qualified annually with the Sage 37mm weapon system. Only properly trained and qualified officers may deploy and use this weapons system.
6. Only members of MSWAT-CR and the department's Less Lethal Instructors may use the 40mm weapons system. They will be trained and re-qualified annually on the 40mm weapons system.
7. Officers shall deploy and use the Sage 37mm weapon system only if they reasonably believe it to be justified based on their training and department policy.
8. Officers shall deploy the Sage 40mm weapon only if they reasonably believe it to be justified based on their training and department policy and after receiving approval from a police department supervisor or a member of the Command staff.

[REDACTED]

[REDACTED]

11. The Sage 37mm weapon system shall be secured in the appropriate weapons mount of designated police vehicles.
12. The Sage 40mm weapon system shall be housed in a secure area of the police station. It shall only be removed for use at the direction of a police department supervisor or member of the Command staff.

H. LESS LETHAL FORCE AND METHODS:

1. A police officer is not permitted to use a less lethal weapon(s) unless qualified in its proficient use as determined by training procedures.

2. The *CAS-21 Expandable Baton, Oleoresin Capsicum Chemical Spray (O/C Spray)* and the *Taser Model X26P* are the only authorized less lethal weapons.
3. The *CAS-21 Expandable Baton* is the only striking, persuasive instrument authorized for use by officers of this department. Only officers who have completed a department approved training course may carry and use the *CAS-21 Expandable Baton*. The *CAS-21 Expandable Baton* will be used in compliance with Pennsylvania Crimes Code use of force guidelines and the Upper Merion Township Police Department Use of Force Policy (#410).
 - a. The *CAS-21 Expandable Baton* is a multi-purpose police instrument. This instrument is capable of delivering tremendous striking power and, therefore, must be used with extreme care and only in situations when force of this nature is required.
4. *Oleoresin Capsicum (O/C)* is the only authorized chemical agent for use by officers of this department, with the exception of members of CMSWAT who may use other chemical agents in accordance with the standard operating procedures of that team. The type of *O/C* to be carried and used by officers shall be approved by the Chief of Police. Only officers who have completed a department approved training course may carry and use *O/C Spray*. Officers shall use *O/C Spray* in accordance with the department's Use of Force Policy (#410), and the following guidelines:

[REDACTED]

5. The *Taser X26P* is the only conducted electrical weapons authorized for use by officers of this department. Only officers who have completed a department approved training course may carry and use the *Taser Model X26P*. The *Taser Model X26P* will be used in compliance with Pennsylvania Crimes Code use of force guidelines and the Upper Merion Township Police Department Use of Force Policy (#410).
 - a. The *Taser* is a non-lethal conducted electrical weapon that uses propelled and fixed probes to conduct electrical energy to a subject posing a threat, or the potential of a threat, thereby overriding the central nervous system of the subject's body. This causes an uncontrollable contraction of the

muscle tissue, allowing the Taser to physically debilitate a subject regardless of pain tolerance or mental focus.

- b. Tasers shall be securely stored in a rack in the Roll Call Room. It is the responsibility of the shift supervisor to issue a Taser to all qualified officers at the beginning of each shift. All qualified officers must wear a Taser during their patrol shift. Tasers should also be worn, if available, by officers working security related off-duty details. The officer assigned the Taser will examine the weapon to determine if it is functioning properly. This officer will conduct a spark test on the weapon. The spark test will be conducted at a clearing barrel with the Taser cartridge removed from the weapon. The Taser will be carried in a department approved holster while on duty. At the end of the shift the Taser will be returned and secured in the rack in the Roll Call Room.
- c. Any officer responsible for the discharge of a Taser shall immediately notify the shift supervisor of his/her discharge of the Taser. The patrol supervisor on the scene is responsible to insure that all evidence is obtained and documented at the scene of the discharge. Expended cartridges are to be secured as evidence and retained for two years. The correct storage method after the cartridge has been expended is to place the probes back into the cartridge holes and cover with a biohazard sticker. Do not wrap the Taser wire around the cartridge or break it in anyway but simply put it into an evidence bag. If the Taser wire is wrapped around the cartridge some evidence would be lost. Items to be recovered include the probes, wires, cartridge, blast doors and a few of the afid tags (small round colored paper tags). All of these items will be placed into the evidence bag together.
- d. The Taser has a data port. It records the time and date when it was fired. This data protects officers from claims of excessive force by providing complete and accurate documentation of each firing. It is the responsibility of the officer deploying the Taser to fill out a Taser Deployment Form (Located in Agenda under Departmental Forms). It is the responsibility of the patrol supervisor to notify a department instructor of a Taser deployment, including the serial number of the weapon. The department instructor, as soon as practical, will download the deployment history of the weapon and put into the Taser file on agenda.

I. TRAINING AND QUALIFICATIONS:

- 1. The police department will schedule annual training sessions for on-duty and specialized firearms.
- 2. The police department will schedule annual training sessions for off-duty firearms, impact weapons, O/C Spray and the Taser.
- 3. The police department will schedule weapons qualifications as follows:

- a. Police duty weapons including department issued sidearms, shotgun and AR-15 on an annual basis.
 - b. Sage 37 mm and 40mm less lethal weapons system on an annual basis.
 - c. Off-duty weapons on an annual basis. The qualification course for approved off-duty firearms shall be comparable to the qualification course for department issued sidearms.
4. All weapons qualifications will be graded on a pass/fail basis. Police officers who fail to receive a passing score with their duty weapon(s), in accordance with department testing procedures, will be placed on special assignment, re-trained, and re-tested until a passing score is achieved. Failure to qualify during this special assignment may result in termination.
 5. A police officer shall not be permitted to carry any off-duty weapon or second weapon with which the officer has not been able to qualify during the most recent qualification period. Costs related to qualifications with these weapons are the responsibility of the officer.
 6. Police officers who have taken extended leave or suffered an illness or injury that could affect their ability to use firearms may be required to re-qualify before returning to full enforcement duties.
 7. Annual in-service training shall be conducted for all officers on the department's Use of Force and Deadly Force policies, and on the proper carrying, display, cleaning, loading and unloading of firearms.
 8. All training and qualifications required by this policy shall be conducted by certified instructors.
 - a. Records of in-service training and qualifications shall be completed by the certified instructors and maintained with each officer's training records.

J. FIREARMS INVENTORY AND AUDIT PROCEDURES:

1. It shall be the responsibility of the Range Director, or his/her designee, to maintain a current and accurate inventory of all department firearms assigned to patrol vehicles. The Range Director, or his/her designee, shall provide the Quartermaster with a current list of firearms including caliber, manufacturer, type, serial number and vehicle assignment.
2. It shall be the responsibility of the Quartermaster to conduct a monthly audit and accounting of all department firearms. The audit shall be recorded on a firearms inventory report form verifying that each firearm is accounted for and in the correct vehicle. Any discrepancies shall be reported immediately to the Captain of Police.

APPROVED: _____
Chief Thomas M. Nolan

DATE: _____

APPROVED: _____
Captain Jeremy Johnson

DATE: _____

TO BE REVIEWED: ANNUALLY

DISTRIBUTION: All Police Officers
Township Manager
File