

Firearms

306.1 PURPOSE AND SCOPE

The purpose of this policy is to establish procedures for the use and reporting of incidents involving the discharge of firearms by Department employees.

306.2 WHEN FIREARMS MAY BE DISCHARGED

Firearms may be discharged by sworn personnel, either on or off duty, in the performance of a police duty only under the following circumstances:

- A. When training at a Department approved range. Officers may use their Department issued duty pistol while off duty to practice Department taught marksmanship and reloading skills as long as it is done in a safe manner and in accordance with law.
- B. To kill a seriously injured animal or a dangerous animal that is attacking the officer or another person or persons, or which if allowed to escape, presents a danger to the public.
- C. With the approval of a supervisor, an officer may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical. If circumstances permit, an officer should attempt to contact a possible owner prior to euthanizing the animal.
- D. An officer may use a firearm (deadly force) to protect themselves or others from what the peace officer reasonably believes to be the use or imminent use of deadly physical force.
- E. An officer may use a firearm (deadly force) to stop the escape of a fleeing felony suspect when the officer has reasonable cause to believe that the person has committed, attempted to commit, is committing or is attempting to commit a felony involving the use or a threatened use of a deadly weapon.
- F. An officer may use a firearm (deadly force) if the officer has reasonable cause to believe that there is an imminent risk of serious bodily injury or death to another person if the suspect is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.
- G. An officer may use a firearm to provide suppressive fire in an effort to suppress (stop/withhold/prevent) an imminent risk of serious bodily injury or death to the officer or another person. Suppressive fire is defined as the firing of a round(s) at a person or the immediate area (extreme close proximity) of a person who poses an imminent risk of serious bodily injury or death to an officer or another person. Suppressive fire is designed to stop, withhold or prevent a person from inflicting serious bodily injury or death to an officer or another person or to stop the person from fleeing to another position of advantage where the individual would objectively and realistically continue to inflict serious bodily injury or death to an officer or other person. Officers are strongly cautioned that they will be held accountable for every round fired; however, suppressive fire may be necessary if a person (e.g., active shooter/killer) is trying to cause serious bodily injury or death or is trying to gain or maintain a tactical and/or

Sahuarita Police Department

Policy Manual

Firearms

positional advantage to cause serious bodily injury or death. Officers will ensure any use of suppressive fire conforms to this and the SPD Use of Force policy. Warning shots are not allowed per SPD policy and suppressive fire is not an application of a warning shot or shots.

306.3 FIREARM DISCHARGE PROHIBITIONS

- A. An officer shall not fire a warning shot(s).
- B. An officer shall not fire at a moving or fleeing vehicle, unless the officer is shooting at the threat within or upon the vehicle in accordance with section 306.2(d), (e) or (f) of this policy.

306.4 DRAWING, DISPLAYING, AND HANDLING OF FIREARMS

An officer shall not draw or display a firearm except under the following conditions:

- A. For general maintenance, storage, or authorized training;
- B. When the officer reasonably believes it may be necessary to use a firearm in conformance with other provisions of this policy, such as, but not limited to, when entering a structure, area, or approaching a vehicle or situation in which there exists a possibility of death or serious bodily injury to the officer or other persons.
- C. While on or off duty and when conducting a police related function associated with firearms use, storage, or possession, officers and members shall not handle a firearm in a manner that could result in an accidental discharge, injury, inappropriate brandishing, or damage.
- D. Absent it being associated with a lawful justice system process or procedure, officers and members will not allow non-SPD members to have access to their SPD firearm(s) or any other firearm approved for SPD law enforcement use or any firearm taken in or controlled as evidence, found property, or safekeeping by the SPD.
 - 1. Exceptions to subsection "D" are:
 - (a) Providing an allied law enforcement officer or other qualified person temporary control of an SPD firearm to address an imminent life threatening emergency.
 - (b) Allowing a person lawful and safe possession and control of a personally owned rifle that the officer or member has attained department approval to carry and use while on duty in place of a department issued patrol rifle.
 - (c) Allowing for appropriate and department approved training of civilians in the use of a firearm (Citizen Police Academy, firearms safety training, etc.). Appropriate and department approved training is training approved at the rank of a commander or superior officer prior to such training, handling or possession of a firearm.

Firearms

306.5 POSSESSION OF FIREARMS AT CERTAIN FACILITIES

- A. Officers may be called to locations where a request is made to secure firearms before entering. Officers shall evaluate the circumstances of such requests and utilize their best judgment.
 - 1. No officer is obligated to surrender a firearm unless entering a secured facility.
- B. Examples of such secured facilities are a county jail, a juvenile detention facility, and any similar facility where access is controlled. Absent such control, the removal of firearms before entry is at the officer's discretion.
 - 1. Officers that are disarmed of lethal and less lethal weapons are less able to protect themselves and others when confronted with life threatening or dangerous assaults.
- C. With the two exceptions listed below, firearms are not allowed in the SPD Temporary Detention Facility (TDF).
 - 1. Uniformed and/or non uniformed officers are needed to respond to an emergency in the TDF in which a firearm may be needed to address the emergency (e.g., an officer calls for emergency assistance, "officer needs help.").
 - 2. An officer may retain their concealed and secured back-up firearm on their person if such firearm is not readily recognizable by typical movement or performance of TDF functions by the officer. (e.g., concealed and secured in the officer's pant pocket, ballistic vest, etc.). Firearms carried on an officer's ankle are not considered concealed and secured for carrying or keeping in the TDF.

306.6 PROCEDURE WHEN WEAPON OR FIREARM IS DISCHARGED

- A. Any employee who accidentally or intentionally discharges a department issued or approved weapon or firearm, on or off duty, shall make a verbal report to an on-duty supervisor immediately or as soon as circumstances permit.
- B. Dependent upon circumstances, an employee may be directed to write and submit a memorandum documenting the complete circumstances surrounding an accidental or intentional firearm discharge.
- C. Intentional firearm discharges fired at a person(s) in situations typically described as an "officer-involved shooting" shall be investigated and documented by assigned department investigators or investigators requested by the Chief of Police from another law enforcement agency.
- D. All firearm discharges, whether accidental or intentional, shall be addressed with an inquiry or administrative investigation in order to determine any possible liability or training issues, violations of policy or violations of law. Each firearm discharge shall receive a disposition after the appropriate inquiry or administrative investigation and such disposition shall be determined by the Chief of Police or his/her designee.

Firearms

306.7 FIREARMS QUALIFICATION AND POLICY ACKNOWLEDGEMENT

It is a goal of the SPD to have officers complete firearms training three or more times each year. Officers must qualify a minimum of once a year demonstrating proficiency in accuracy, safe handling, and reloading with each firearm they carry or use as a police officer. Such qualification(s) shall be done under the instruction and supervision of a certified SPD firearms instructor.

- A. Qualification and proficiency shall be done in accordance with AZ POST standards where required (e.g., AZ POST handgun qualification).
 - 1. Officers shall receive training that consists of the follow elements (skills) at least once a year:
- B. De-escalation (verbal, visual and physical)
- C. Critical decision making (shoot and don't shoot scenarios)
- D. Stress shooting (inducing a level of stress to simulate closer to real life incidents)
- E. Low light and day light shooting
- F. Police combat shooting skills such as in battery, out of battery and tactical reloading, dealing with multiple adversaries, close quarters tactics, shooting platforms, and moving targets
 - 1. Firearms instructors should seek to incorporate more than one of these elements (skills) in firearms training exercises and sessions. Some of these elements (skills) can be accomplished at an actual firearms range or through scenario training, Simmunitions, or MILO (shooting simulator)
- G. At least once a year, officers must receive training on SPD the Use of Force policy (Lexipol 300) and Firearm policy (Lexipol 306) and posses a clear understanding of these policies. These tasks, to include testing of understanding, typically can be completed during annual duty firearm qualification.
 - 1. Documentation for the annual instruction and understanding of these policies may be recorded through attendance forms, written tests results, or the Lexipol acknowledgement system.
- H. Firearms Qualification Courses
 - 1. Officers are required to minimally qualify at least once a year with any traditional firearm (pistol, rifle, etc.) which has been approved for them to carry (utilize) as a duty weapon. When qualifying with a particular firearm, officers will be allowed a maximum of four attempts to pass a particular qualification.
 - (a) After a failed second attempt on a particular course, the officer will receive remedial training in the fundamentals of shooting. (Master grip, trigger control, sight alignment, stance, etc.)
 - (b) Firearms instructors will determine what types of remedial training is necessary.
 - (c) After the second attempt, the officer will be provided a rest period before being given an additional opportunity to shoot the qualification course a 3rd or 4th time.

Sahuarita Police Department

Policy Manual

Firearms

2. If an officer of any rank does not qualify with their duty handgun, a commander will be contacted to determine if the officer will return to their regular or a modified duty assignment. If a commander or superior officer fails to qualify, another commander or superior officer will determine if the commander or superior officer will return to their regular or a modified duty assignment.
 - (a) In cases where it takes an officer a fourth time to qualify, the officer of any rank shall be assigned to a remedial training session within two weeks in order to enhance their shooting skill set.
3. In cases where officers fail to qualify with a traditional firearm other than their duty handgun (i.e., rifle, shotgun, etc.) after a fourth qualification attempt, a commander will be contacted to determine if the officer will return to their regular or a modified duty assignment. A commander may have the officer remain in their regular duty assignment; however, may direct the officer not to use the alternate firearm(s) they did not qualify with. If it is a commander or superior officer that fails to qualify, another commander or superior officer will determine if the commander or superior officer will return to their regular or a modified duty assignment.
 - (a) In cases where it takes an officer of any rank a fourth time to qualify, the officer shall be assigned to a remedial training session within two weeks in order to enhance their shooting skill set.
4. Commanders made aware of an officer or superior officer who has failed to qualify after three attempts at a firearms qualification course shall enter a DEENS note into the officer's DEENS file about the difficulty with the qualification. If a commander or superior officer does not qualify after three attempts at a firearms qualification, the Chief of Police shall be notified and shall enter a DEENS note in the commander's or superior officer's DEENS file about the difficulty with the qualification.

306.8 APPROVED DEPARTMENT FIREARMS/MODE OF CARRY

- A. Officers shall only carry or use firearms issued or approved by the Department for law enforcement duties and purposes. Officers shall only utilize ammunition issued by the Department for handguns (primary and back-up) utilized for law enforcement duties and purposes. This includes firearms used while on duty as a primary weapon (firearm), as a back-up/secondary firearm, or as an off-duty firearm. Officers are responsible for the safe handling, care and security of all firearms and weapons issued to them or approved for on or off-duty use. In accordance with the SPD Use of Force Policy, Lexipol 300; 300.3 (a), To better assure that weapons of different types are not confused and possibly misapplied, officers shall only, for purpose of deployment, physically handle one weapon (lethal, less lethal, etc.) at a time. What is meant by purpose of deployment is the handling of a weapon for use, threatened use, or readying for use against another person.
- B. Officers must demonstrate proficiency via an applicable department-approved firearms qualification course, prior to carrying or using any firearm under peace officer authority or for a law enforcement duty or purpose. A Department Firearm & Alternate

Sahuarita Police Department

Policy Manual

Firearms

Equipment Approval form must be completed and signed by the chief of police or a commander prior to an officer carrying or using any non-department issued firearm or related firearm safety equipment for a law enforcement duty or purpose.

- C. Any handgun carried by an officer in accordance with a department duty, function, or law enforcement purpose shall be loaded with a magazine, have a round in the firing chamber and be carried in a safe and secure manner. Magazines shall be carried in one of the two following ways: fully loaded to capacity or minus one round from full capacity (according to the officer's choice). Primary duty pistols (handguns) shall be fully secured in a department-issued or approved duty holster.
- D. Handguns used on or off duty for law enforcement purposes shall be limited to the following calibers, approved by the department, and shall be a revolver or semi-automatic pistol in good working order. Calibers 9mm, .380, .38, .40, or .45. Officers must pass the Department's applicable firearms qualification course, once a year with any firearm they use in accordance with a police duty or function.
 - 1. Ammunition carried by officers while serving or acting in a law enforcement capacity shall fall within the following brands and types:
 - (a) Brands: Blazer, Federal, Hornady, Remington, Speer, and Winchester
 - (b) Handgun ammunition shall be a jacketed hollow point:
 - 1. 9mm: 115-150 grain
 - 2. 40 caliber: 165-180 grain
 - 3. 45 caliber: 180-230 grain
 - 4. .380 caliber: 90-110 grain
 - 5. .38 caliber: 125-160 grain
 - (c) Rifle ammunition shall be soft point between 55-77 grain
 - (d) Shotgun rounds shall be buckshot or rifled slug, 1 oz.
- E. On duty primary weapons (handguns) shall be limited to 9mm, .38, .40, or .45 calibers. Officers shall use only a handgun issued or approved by the Department associated with any police duty or function. Officers requesting to use a primary duty weapon (handgun) other than the Department issued handgun must first complete a Department Firearm & Alternate Equipment Approval form, receive approval from the chief of police or a police commander, and qualify with the weapon via the department's regular duty weapon (handgun) qualification course. All costs of the alternate weapon, magazines, sight or light systems, holsters, magazine pouches, etc. shall be the employee's responsibility. Not all makes or models of handguns in the approved calibers will be approved.
- F. Uniformed or non-uniformed officers are limited to one primary duty weapon (firearm) that must be designated on the Firearms & Alternate Equipment Approval form. Any change from the designated primary duty weapon to another primary duty weapon must be approved in advance by the chief of police or a police commander and documented via the Firearms & Alternate Equipment Approval form.

Sahuarita Police Department

Policy Manual

Firearms

- G. Officers will typically only be allowed to use Department-issued shoulder weapons (rifles/shotguns) while on duty, unless approval to carry a personally owned rifle has been obtained by the Chief of Police via the Department Firearm & Alternate Equipment Approval form (a different requirement than that listed in 306.8H for handguns). Rifles and shotguns shall be secured in a police vehicle via an electronic security mount or rack, a secured case, or locking mechanism within a trunk or secured area of a police vehicle. Rifles and shotguns shall be kept fully loaded with no round/cartridge in the firing chamber until tactically deployed by an officer.
- H. Officers electing to use a non-Department issued primary duty weapon are limited to the below manufacturers and any applicable stipulations of this policy. Individual models must be approved by the chief of police or a police commander prior to use or deployment.
 - 1. Colt
 - 2. Glock
 - 3. Kimber
 - 4. Sig Sauer
 - 5. Smith & Wesson
 - 6. Staccato

306.9 ALCOHOL AND DRUGS

- A. Firearms shall not be carried or used by any member, either on or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, has taken any combination thereof that would tend to adversely affect or impair the member's senses or judgment.

306.10 FIREARM REPAIR OR MODIFICATION

- A. Any Department issued firearm shall only be repaired, modified, or altered in any way by an authorized Department armorer. The list of Department authorized armorer's will be maintained by the Administrative Services Lieutenant.

306.11 POLICY ISSUANCE OR REVIEW

03/27/2024 - Reviewed by Lt. Michael Falquez - SP115

04/10/2025 - Reviewed by Lt. Michael Falquez - SP115