



Request for Council Action

TO: Mayor and City Council
THROUGH: Tim Murray, City Administrator
FROM: Andy Bohlen, Chief of Police
MEETING DATE: February 12, 2019
SUBJECT: Approve Changes to Current Firearms Policy #302

Background:

As the Police Department continues to review our operating policies, the police department is seeking approval for one amended policy.

Policy #302 (Firearms Policy) – The amended policy reflects a change in the firearms policy relating to our current firearms. The department has moved away from the Remington 870 shotgun for a lethal weapon platform. Additional language was added to address back up weapons and range procedures.

Recommendation:

Approve changes to Firearms Policy #302

Attachments:

- Copy of Policy #302

Faribault Police Department

Policy # 302	Subject: Firearms
Issued by: Chief Andy Bohlen	
Personnel: Sworn Personnel	Date Issued: December 5, 2018

Purpose

The Faribault Police Department works to ensure quality training and safe use of firearms.

Policy

Carrying a firearm is a unique and extraordinary requirement of a police officer. All officers must be armed with an approved firearm while on duty. Exceptions must be approved by the Chief of Police or designee. Officers driving a marked squad car, on-duty or off-duty, must be armed with an approved firearm. Court time and training time are considered on-duty time, unless firearms are prohibited at a certain location.

Weapons personally owned by officers for hunting, collecting, survival or sport are not covered by this policy.

Procedures

A. Approved On-Duty Firearms

The issued weapon is the Smith & Wesson M&P 2.0 handgun.

Authorized long guns include the Smith & Wesson M&P 15.

- Other weapons may be utilized at the direction or discretion of the Chief of Police or designee based upon specialized assignment or designation

B. Approved Backup Firearms

Officers have the option of carrying a secondary firearm. Secondary weapons must be concealed. This firearm is to be purchased and maintained at the officer's expense and is subject to the following:

1. Initial inspection by a department firearms training officer
2. Qualification demonstrating proficiency, accuracy and reliability
3. Approval by the Chief of Police or designee.

A back up firearm may be carried in lieu of the primary duty weapon when an officer is assigned to training or otherwise assigned to a plainclothes detail.

C. Off-Duty Firearms

Firearms may be carried off-duty at the discretion of the officer. The make model and caliber of firearm carried off duty is at the discretion of the officer and things taken into consideration should include practicality, safety, reliability, proficiency and accuracy.

D. Authorized Ammunition

Only current department issued ammunition, approved by the Chief of Police or designee, is authorized for section A. and section B. firearms. Ammunition utilized in section C. firearms will be at the discretion of the officer carrying the firearm and should be an expanding type projectile of first manufacture quality not including reloaded or practice ammunition. Training ammunition will only be provided for department issued firearms.

E. Firearms in Public

Officers must not brandish or remove a firearm from a holster other than in the performance of duty, for maintenance, or at a range or other safe location. Officers in plain clothes carrying a firearm must either conceal it or ensure that a badge or police identification is clearly visible to the public.

F. Qualifications

Recognizing the responsibility and liability attached to the privilege of carrying a firearm, training in this area will be intense and frequent. The firearms training officers and Chief of Police will schedule bi-annual proficiency training and will designate specific courses of fire for department qualification. Officers will be required to attend and achieve a passing score at each session.

If an officer fails to do so, initial remedial training will be provided on-duty and at department expense. If an officer is unable to qualify after reasonable remedial sessions, they will be placed in a non-enforcement position which does not require carrying a firearm for a period of 60 days. During this time, it is the responsibility of the officer to arrange for additional remedial training on his or her own time and at his or her own expense including ammunition and targets. The department will continue to provide for the cost of the firearms training officer only.

If qualification is not obtained during this 60-day period, the officer is subject to dismissal.

G. Range Procedures

1. All visitors must have approval of the Chief of Police or a firearms training officer (either the Rice County LEC indoor range, or the Faribault Rifle and Pistol Club).
2. Safety is the department's first priority. The following are in effect:

- a. All firearms must be holstered or unloaded and carried with cylinder open or the slide locked back.
 - b. No one shall go forward of the firing line without specific permission from the firearms training officer.
 - c. A written report must be made of any unusual incident or accident, and must be reported to a supervisor immediately.
3. Range rules:
- a. Authorized personnel only may use the range.
 - b. Probationary officers must be accompanied by a firearms training officer when using the range, or receive prior permission from a supervisor or firearms training officer.
 - c. Hearing and eye protection is mandatory.
 - d. Anyone using the range is responsible for cleaning up any materials used including brass, and securing the area.
 - e. Officers will adhere to any other posted rules.

H. Storage

Authorized firearms shall be secured while both on-duty and off-duty so that unauthorized persons may not have access to them. Authorized firearms shall be carried on the officer's person or secured in a locked gun box, locked gun locker, gun locking device such as a shotgun lock in a patrol vehicle or locked drawer. Firearms, whether loaded or unloaded will not be left unattended in any area of the police building. Refer to Minnesota Statutes Section 609.666 (Negligent Storage of Firearms).

I. Additional Requirements

1. Officers are responsible for maintaining security for all weapons in their custody, on and off-duty. High retention holsters are issued for uniformed duty.
2. The Chief of Police or designee must approve any modifications, alterations, or installation of any part in a firearm used on or off-duty in relation to this order.
3. Officers are responsible for keeping firearms clean and in proper working order at all times. Any supervisor or firearms training officer may inspect an officer's duty firearm at any time. Officers are assigned to a specific squad car and are responsible for the rifle carried in that vehicle.
4. Except for training or to dispatch an animal that is sick, injured or dangerous, any discharge of a firearm by an officer on duty shall immediately be reported to a supervisor and the Chief of Police, who will notify the State of Minnesota of the incident within 30 days, per Minnesota Statutes Section 626.553, Subdivision 2. In addition, the officer shall complete a written report prior to the end of the officer's shift.