

*Maryland-National Capital Park Police*  
*Prince George's County Division*

## DIVISION DIRECTIVE

TITLE <b>FIREARMS</b>			PROCEDURE NUMBER <b>PG401.0</b>
SECTION <b>Operational Procedures</b>	DISTRIBUTION <b>A</b>	EFFECTIVE DATE <b>11/22/04</b>	REVIEW DATE <b>12/01/06</b>
REPLACES <b>PG401.0 – “Firearms”, issued 10/01/01</b>			
RELATED DIRECTIVES <b>PG400.0, 607.0, 718.0, 1500.0, 1722.0</b>	REFERENCES <b>CALEA 1, 16, 33, 84</b>	AUTHORITY <b>Commander Larry M. Brownlee, Sr.- Division Chief</b>	

### I. PURPOSE

This directive establishes policy on the use of Division issued and/or approved weapons, training, reporting, and firearms inspection procedures.

### II. POLICY

One of the greatest trusts placed in a police officer is the responsibility for the proper use of firearms, based on sound judgment and discretion. An officer who discharges a weapon in a public place takes many risks, and is answerable for the act to the law, his/her superiors, and to his/her own conscience.

### III. REGULATIONS

A. Officers shall exercise the utmost care and caution when handling or discharging their firearms. In accordance with legal and moral responsibilities, it is Division policy that an officer may discharge a firearm only under the following conditions:

1. Defense of Self or Others

Officers may discharge firearms to defend themselves or other persons from what the officer reasonably perceives as an immediate threat of death or grievous bodily injury.

2. Apprehension

Officers may discharge firearms to apprehend a subject only when the officer has knowledge, not mere suspicion that the subject has inflicted, or threatened to

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inflict, death or grievous bodily injury to any person, and may endanger life or inflict other grievous bodily injury unless apprehended without delay.

3. Firearms may be discharged at an approved range.
4. Firearms may be discharged to kill animals that are seriously injured or pose a threat to human safety.

**B. Prohibited Use of Firearms**

1. Warning shots are prohibited.
2. When less force could reasonably be used.
3. When innocent persons would be severely and unduly endangered.
4. Officers shall not discharge a firearm from or at a moving vehicle, unless the occupants of the other vehicle are using or threatening to use deadly force against the officer, and the safety of innocent persons would not be jeopardized.

**IV. REPORTING**

- A. When an officer discharges a firearm while on duty or off duty, except at an approved range, he/she shall immediately notify the senior duty officer. The senior duty officer will respond to the scene (response is optional for authorized discharges involving animals) and comply with the appropriate reporting/investigative procedures, as required.
- B. Whenever an officer discharges a firearm, except at an approved range, he/she shall submit a detailed written report relating all circumstances pertaining to the incident to the senior duty officer as soon as possible. The Use of Force Report will fulfill all the reporting/investigative requirements for an animal destruction.
- C. When required by this section, the senior duty officer shall make an immediate investigation as to the justification of the use of the firearm, and submit a detailed written report to the Division Chief, including, if warranted, a Complaint Against Police Practices. As soon as possible, the senior duty officer shall notify the affected Area Operations Assistant Chief, and supply him/her with all available information related to the incident.
- D. Whenever an officer discharges his/her firearm at an alleged suspect, the senior duty officer will call out the on-call Investigator to handle the criminal investigation (e.g., the collection of evidence, interviewing witnesses, and processing the scene). Investigative personnel will handle any felony arrest arising out of the incident.

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- E. If the discharge of the weapon occurs off of park property, outside of Prince George's or Montgomery Counties, the senior duty officer will be responsible for notifying the law enforcement agency having jurisdiction, and coordinating the investigation with that agency's personnel. If the discharge occurs off of park property, but within either Prince George's or Montgomery Counties, the senior duty officer will be responsible for notifying the respective county police department.

**V. INVESTIGATION**

- A. When an officer's use of a firearm results in the injury or death of any person, or should an initial investigation of an officer's use of a firearm indicate misuse of that weapon, the member may be placed on administrative leave, (in accordance with Division Directive PG1500.0 – “Law Enforcement Officers’ Bill of Rights”), pending a thorough investigation of all circumstances surrounding the incident.
- B. Should the initial investigation indicate that the officer had justification for discharging a weapon, the Division Chief may return the member to duty, pending final investigation and disposition.

**VI. DEPARTMENT ISSUED AND/OR APPROVED WEAPONS**

- A. Carrying of Weapon
  - 1. On Duty
    - a. Officers working in uniform shall carry the issued weapon, magazine, ammunition, and holster at all times when on duty.
    - b. Officers assigned to plain clothes assignments or duties may carry their approved, off duty weapon while on duty, with the approval of the Area Operations Assistant Chief.
    - c. Officers may carry their approved, off-duty, semi-automatic weapon as a secondary weapon, provided that:
      - 1) The officer is currently qualified with the weapon;
      - 2) The weapon is approved by the Range Master/Department Armorer;
      - 3) The weapon is carried in an approved holster, designed to both securely hold the weapon in the holster and secure the holster to the wearer; and
      - 4) The weapon is concealed on the officer's person.
    - d. Shift supervisors shall, as part of their weapons inspection of issued weapons, inspect any secondary weapon and holster worn by an officer under his/her command, to insure that the officer is in compliance with this directive.
  - 2. Off Duty

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- a. Off duty officers shall carry their service weapon or approved off duty weapons while traveling in Prince George's and Montgomery Counties, and are subject to all Division regulations and guidelines pertaining to the carrying and use of firearms.
  - b. In the event that an officer is suspended from the Division, or the officer's authorization to carry a Division firearm is temporarily or permanently suspended or revoked, the officer's authorization to carry an off duty weapon shall be automatically and concurrently rescinded.
  - c. Officers dressed in civilian attire shall wear their weapon in a manner that conceals it from public view.
  - d. Weapons shall be carried in a holster when off duty. The holster should be attached securely to the officer's person or clothing, and should be secured in a readily available place which is protected from public access.
  - e. When circumstances render carrying a firearm impractical (e.g., athletic activity), it will be secured in a readily available place that is protected from public access.
3. Off Duty Firearms are not Required:
- a. When outside of the counties;
  - b. When traveling into or from a jurisdiction prohibiting the carrying of firearms (no firearms will be carried where the law prohibits such action);
  - c. When in the process of leaving the counties for more than 24 hours while in Prince George's or Montgomery Counties.

**B. Issued Weapon**

1. The Division issued weapon is the Glock 23-.40 caliber or Beretta 96D-.40 caliber. It is the responsibility of each officer to maintain the issued weapon in a clean and serviceable condition.
2. Officers are not authorized to do modifications, alterations, or repairs on Division issued weapons. All approved modifications, alterations, or repairs shall be done through the Division Armorer.
3. Grip(s) and/or grip adapter(s) are permissible, provided they do not interfere with the safe operation of the weapon.

**C. Off Duty Weapon**

1. Officers who carry off duty weapons may carry either the issued weapon or a .38 caliber revolver, 5-or 6-shot, with a barrel length of four (4) inches or less, but not less than two (2) inches, or a semi-automatic pistol of .40 caliber, 9mm or .380 caliber. The semi-automatic must be capable of double action, and have a total capacity of at least eight rounds. All semi-automatic pistols must have a device which de-cocks the weapon from single action to double action, if single action is

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available. A slide-locking device, capable of keeping the slide open for inspection purposes, is also required.

Only officers hired by this Agency before July 1, 1988 may carry a revolver as an off duty weapon.

Final approval of off duty weapons shall rest with the Range Master.

2. Physical alterations, affecting the safety and/or operation of an off duty weapon, shall render it unacceptable.
3. Grip(s) and/or grip adapter(s) are permissible, provided they do not interfere with the safe operation of the weapon.
4. Officers are limited to one off duty weapon. The make, model, and serial number shall be recorded by the Range Master. Should this weapon become unavailable, the issued weapon must be carried, pending qualification with a replacement.
5. All approved off duty weapons, other than Glock or Beretta models, shall be inspected by an approved, certified Armorer/Gunsmith, to insure their proper and safe working order.

An off duty weapon certification form shall be submitted to the Range Master/Armorer no later than October 31 of each year. Failure to do so will result in the suspension of the officer's authority to carry the weapon off duty. Officers will be provided with a list of approved certified Armorers or Gunsmiths, or they may submit the name of a gunsmith for approval, prior to having their weapons inspected.

6. Any off duty weapon that malfunctions two or more times during any one qualification trial will be immediately suspended from approval, until such time as it is re-certified to be in working order, as per Section VI.C.5 above.

**VII. AMMUNITION**

A. The approved duty ammunition for firearms will be:

1. The approved ammunition for Division issued semiautomatic handguns are .40 caliber weapons- 165 grain "Hydra-Shok", .40 caliber S&W cartridge, JHP manufactured by the Federal Cartridge Company.
2. The approved ammunition for off-duty semi-automatic handguns chambered for 9mm weapons – 147 grain "Hydra-Shok", 9mm cartridge manufactured by the Federal Cartridge Company.
3. The approved ammunition for off-duty semiautomatic handguns chambered for .380 caliber will be either Federal Cartridge Company, "Hydra-Shok", .380 ammunition, or other .380 ammunition having a hollow point bullet weighing between 85 and 100 grains with a muzzle velocity of at least 950 feet per second.

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4. The approved ammunition for the Division issued shotgun will be 12 gauge 00 Buckshot and 12 gauge rifle slug.
5. All personnel, rank of Lieutenant and above, and those officers authorized to wear civilian attire, shall carry 27 rounds of issued ammunition, of which at least 13 shall be carried in the approved or issued ammunition carrier while on duty.
6. All personnel, rank of Sergeant and below, shall carry 34 rounds of issued ammunition, of which at least 22 shall be carried in the approved or issued ammunition carrier while on duty.

NOTE: Air weight or magnesium frame weapons are not designed for high pressure loads, and their use as an off duty weapon is not recommended.

- B. Reloaded or re-manufactured ammunition will not be used in any Division issued firearm.
- C. Reloaded or remanufactured ammunition may be used in approved off-duty semiautomatic handguns and shotguns for training purposes only.

**VIII. QUALIFICATION**

A. Issued Weapons

1. All officers shall annually qualify with the Division issued weapon on both a day and night course of fire, as determined by the Range Master, and shall be required to fire a minimum score as set by the corresponding course requirements.

If an officer fails to qualify with the issued weapon on the first day of qualification, the officer will be rescheduled on the next available day for another qualification attempt.\* The officer will not be permitted to wear or carry any weapon until the officer posts a passing score on the qualification course. In the event the officer's weapon is taken, the officer's Area Operations Assistant Chief shall be notified and advised of the officer's rescheduling on the next day for re-qualification.

Certified firearms instructors shall oversee any proficiency testing of officers.

2. Any officer who fails to shoot a qualifying score on the first relay will be required to attend additional training as determined by the department.
3. Officers shall be able to demonstrate knowledge of safety procedures and functions of the issued weapon.
4. Issued weapons will be inspected by a Range Officer, with respect to general condition, prior to firing on the range.

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**B. Off Duty Weapons**

1. All officers shall annually qualify with the approved Division off duty weapon on a course of fire, as determined by the Range Master, and shall fire a minimum score of 75%. If an officer fails to qualify with an off duty weapon on the first day of qualification, the officer shall not be authorized to carry the weapon. An officer may attempt to re-qualify with the off duty weapon at any of the firearms training sessions that he/she attends during the next year.

Certified firearms instructors shall oversee any proficiency testing of officers.

2. Officers shall be able to demonstrate knowledge of safety procedures and functions of the off duty weapon.
3. Off duty weapons will be inspected by a Range Officer, with respect to general condition, prior to firing on the range.
4. Officers qualifying with .38 special revolvers or .380 semi-automatics shall supply their own ammunition.

**C. Shotguns**

1. All officers have the option, on an annual basis, to qualify with the Division issued shotgun on a course of fire, as determined by the Range Master. Officers will be required to fire a minimum score as set by the corresponding course requirements.
2. All officers are required on an annual basis to demonstrate the safe handling and unloading of the shotgun. This will be required whether or not the officer chooses to fire a qualification course of fire.
3. Certified firearms instructors shall oversee any proficiency testing of officers.

**IX. INSPECTION**

- A. All personnel shall routinely inspect issued weapons for cleanliness, safety, and functionality. Any defects should be reported to the immediate supervisor so that repairs can be made.
- B. Supervisors shall conduct periodic firearm inspections for personnel under their supervision. Firearms are to be inspected for cleanliness and operational safety by certified firearms instructors and/or armorers.
- C. All Division weapons (shotguns, rifles, etc.) shall be inspected annually by the Division Armorer.
- D. Personnel who have damaged issued firearms through abuse, carelessness or misuse, or who have failed to properly maintain the firearm, shall be reported to the affected Area Operations Assistant Chief, in writing, by the inspecting supervisor.

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- E. Officers shall be required to replace a weapon lost or damaged through negligence, at their own expense.

**X. SAFETY**

- A. Weapons shall never be left unattended or in an unsecured place where they are accessible to other persons.
- B. Whenever a weapon is not being carried by the officer, the weapon must be secured with the issued trigger lock or in the issued Pelican case or other security device, rendering the weapon inoperative or inaccessible.
- C. Whenever personnel are cleaning weapons or magazines, safety glasses **must be worn**.
- D. **FAMILY MEMBERS SHOULD BE MADE AWARE OF THE WEAPON'S POTENTIAL DANGER!**

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