


Policy & Procedures Manual	Ref: Accreditation Chapter 1	
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CHAPTER 1.34

WEAPONS

PURPOSE

This policy will provide uniformity and establish guidelines for the use of department issued and approved personal weapons.

POLICY

Members of the department shall carry only those weapons that are approved. Members shall demonstrate competency, proficiency, attain certification and successfully qualify with weapons as required by established written directives. Members shall maintain full control of any weapon in their possession at all times.

The CMHA Police Department does not require members to have department issued or approved personal weapon to be readily accessible while off-duty.

DEFINITIONS

A **department issued weapon** is a weapon that includes, but is not limited to, firearms, ammunition, OC spray, the ASP Baton, and TASER, that is owned by the CMHA Police Department and issued to a member.

A **department approved personal weapon** is a firearm, identified by the CMHAPD, that meets recognized industry safety and performance standards necessary for law enforcement purposes and may be used for on or off duty use.

PROCEDURES

- I. Responsibilities
 - A. Members shall carry only those weapons, holsters and magazine pouches approved by the Chief of Police.
 - B. Members shall remain in compliance with all applicable laws and ordinances and within the terms of their certifications and commissions.
 - C. Sworn members shall carry the department issued firearm as the weapon while on duty.
 1. Members may request permission in writing to carry a personal weapon while on duty depending on the nature of the member's assignment.
 2. Members may carry the department issued firearm or a personal weapon while off-duty in a manner that does not violate established law, ordinances, or written directives of the department.
 - D. Members shall not carry, brandish, or otherwise use a department issued weapon while working for a secondary employer. The secondary employment must otherwise be consistent with all applicable CMHA Police Department policies and procedures.

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- E. Members assigned to basic patrol shall wear the approved holster attached to a duty rig.
 - 1. The duty belt and accessories shall be of the same finish and pattern.
 - 2. Members shall be responsible for maintaining the duty rig, holsters and magazine pouches in a neat and presentable manner.
 - 3. Nylon duty gears shall not be worn with the Class-A uniform.
- F. Members shall not carry a second firearm while on duty except as authorized in writing by a member of Command Staff.
- G. A list of department approved firearms for off-duty use shall be maintained by the designated Range OIC.
 - 1. Members shall demonstrate proficiency and qualify with the personal firearm in accordance with OPOTA standards before carrying the weapon off-duty.
 - 2. Members shall submit a *Request Permission to Carry Personal Weapon*, through the chain of command that documents attainment of firearm proficiency and qualification regarding the personal firearm they intend to carry while off-duty.
 - 3. Members shall requalify annually with the approved personal weapon.
- H. Members shall present the authorized firearm(s) and holster(s) for inspection during the designated yearly firearms qualification and as required by a supervisor.
- I. Weapons and holsters issued by the department shall be annually inspected and serviced by the Range OIC.
- J. Firearms found to be unsafe shall be immediately removed from service and shall not be authorized for duty use until the appropriate repairs are made and inspected by the Range OIC.
 - 1. The Range OIC shall issue a replacement if the department issued weapon is nonfunctional.
- K. Members shall be accountable and liable if a department issued weapon becomes unserviceable due to loss, damage, or circumstances determined to have been caused by officer misuse or neglect.
 - 1. Members shall reimburse CMHA the cost of any repair or replacement for the weapon.
 - 2. A determination of misuse or neglect shall be the subject of an investigation and may be the basis for discipline.
- L. Firearms and intermediate weapons shall be safely stored in accordance with applicable laws and ordinances.
- M. Reckless or irresponsible storage of a firearm or intermediate weapon shall be considered a violation of departmental policy and applicable state statutes and municipal ordinances.
- N. Department weapons not assigned to members shall be kept in a secure space at Headquarters.
- O. Supervisors shall monitor compliance with current certifications and advise members under their command that they are not to carry or use weapons for which certifications have expired.
- P. Supervisors shall be responsible for ensuring compliance of this order.

II. Intermediate Weapons

- A. Approved intermediate weapons are authorized to be carried by members of the department after successful completion of training.
- B. Authorized intermediate weapons include:
 - 1. Oleoresin Capsicum (pepper) spray
 - 2. Expandable baton
 - 3. Taser X26
- C. Training programs for intermediate weapons shall be as follows:
 - 1. Oleoresin Capsicum (pepper) spray 4 hours
 - 2. Expandable baton 8 hours
 - 3. Taser X26 16 hours
- D. Training programs shall meet the standards established by the Ohio Peace Officers Training Council (OPOTC).
- E. Members shall be tested at the conclusion of each intermediate weapon training program. The test shall be pass/fail which includes class attendance, participation and proficiency demonstrated by the member.
- F. Members shall re-certify every two years for all intermediate weapons except for the Taser which requires annual re-certification.
 - 1. The criteria for the re-certification course shall meet OPOTC and departmental standards.
- G. Permission to carry any intermediate weapon is automatically rescinded upon failure to re-certify.
- H. Members shall not carry, brandish, or otherwise use any department issued intermediate weapon while working for a secondary employer.
- I. The Commander of Administrative Operations shall maintain a list of members that are authorized to carry intermediate weapons. This list shall be updated as required.

III. Ammunition

- A. Ammunition for firearms and intermediate weapons shall be approved by the Chief.
- B. Ammunition shall be provided to members for practice and duty use.
- C. Ammunition for off-duty personal weapons shall be supplied by the individual member and must conform to departmental specifications and approved by the Range OIC.
- D. The Range OIC shall maintain a list of approved and authorized ammunition.

IV. Training

- A. The Range OIC shall conduct firearms and intermediate weapon training in accordance with standards approved by the OPOTC.
- B. Training records shall be maintained by the Range OIC or a designee in either written or computerized form.
- C. Members shall receive annual in-service training and demonstrate proficiency with all approved weapons they are authorized to carry. Proficiency training shall be conducted by an OPOTC certified range instructor.

- D. Sworn members who fail to meet proficiency requirements may be granted a grace period consisting of fourteen (14) business days - or until the next scheduled range date - to become proficient.
1. The sworn member shall be assigned to the next scheduled range date for remedial training and certification.
 2. Sworn members who fail to achieve certification after the grace period shall be placed on administrative leave without pay and given one (1) week to achieve certification.
 3. Sworn members failing to achieve certification within one (1) week shall be subject to discipline up to and including separation from the department for failure to maintain certification.
 4. Sworn members who fail to achieve certification and are subject to discipline shall immediately surrender all department issued weapons.
- E. Non-sworn members, that work in an armed capacity, and who fail to meet proficiency requirements may be granted a grace period consisting of fourteen (14) business days - or until the next scheduled range date - to become proficient.
1. The non-sworn member shall be assigned to the next scheduled range date for remedial training and certification.
 2. Non-sworn members who fail to achieve certification after the grace period shall be demoted to an unarmed position until such time the certification is achieved.
 3. Non-sworn members who fail to achieve proficiency and certification shall not carry a firearm while on-duty.
- F. The Range Officer shall be in charge of all aspects of range safety and training at the range. Specific rules of conduct shall be documented as training bulletins and maintained at the range facility.
- G. Hours of range attendance shall be posted in range bulletins.
- H. Failure to comply with training bulletins shall be grounds for disciplinary action.
1. Members may be excused from mandatory range training for reasons of illness as verified by a medical doctor.
 2. Any rescheduling of mandatory range training and qualification shall be determined by the Chief or his/her designee and will be evaluated on an individual basis.
- I. Members are presumed to understand this policy at all times. If members have any questions, they should immediately seek clarification from a supervisor.

By order of,

A handwritten signature in blue ink, appearing to read "Andrés González", is written over a large, diagonal watermark that says "SAMPLE POLICY This may not represent this agency's current procedure".

Andrés González, Chief of Police