

EAST RANGE POLICE DEPARTMENT

Duty Firearms

POLICY
300

Rev 03/10/2025

I. PURPOSE AND SCOPE

This policy establishes procedures for the acquisition, use and documentation of training in the use of duty firearms. The Chief of Police or designee shall approve all duty firearms before they are acquired and utilized by any member of this office.

II. AUTHORIZATION TO CARRY FIREARMS

Only licensed personnel who have met all state standards and have been authorized by the Chief of Police shall have the peace officer privilege to carry a firearm both on- and off-duty (Minn. R. 6700.0200 and Minn. R. 6700.0300).

The Chief of Police or designee may suspend the peace officer privilege to carry a firearm during the period of a suspension from duty or other removal from active duty.

III. SAFE HANDLING OF FIREARMS

- A. The intent of this policy is to promote proper firearm safety on- and off-duty. Employees shall maintain the highest level of safety when handling firearms and shall consider the following:
1. Officers shall not unnecessarily display or handle any firearm.
 2. Officer shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Firearms Supervisor.
 3. Any member who discharges his/her weapon negligently or intentionally, on- or off- duty, except during training or recreational use, shall make a verbal report to his/her supervisor as soon as circumstances permit and, if the occurrence was on-duty, shall file a written report with the Chief of Police prior to the end of shift. If off-duty, as directed by the supervisor.
 4. Shotguns or rifles removed from vehicles or equipment storage room shall be loaded and unloaded outside buildings and vehicles.
 5. Officers shall not place or store any firearm or other weapon on Office premises except where the placer of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing a prisoner, but shall place all firearms in a secured location. It shall be the responsibility of the releasing officer to make sure that persons from outside agencies do not enter the jail section with any firearm.
 6. Any weapon authorized by the Office to be carried on- or off duty that is found by the officer to be malfunctioning or needing service shall not be carried and shall be promptly presented to the Chief of Police for inspection. Any weapon

determined to be in need of service or repair during an inspection by the Chief of Police will be immediately removed from service. If the weapon is the officer's primary duty weapon, a replacement weapon will be issued to the officer until the duty weapon is rendered serviceable.

IV. STORAGE OF FIREARMS AT HOME

Officers shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control in a manner that will keep the weapon inaccessible to children and irresponsible adults (Minn. Stat. 609.666 and Minn. Stat. 609.378 Subd. 1 (c)).

V. AUTHORIZED WEAPONS

No duty firearms will be carried that have not been thoroughly inspected by the Firearms Supervisor during a regularly scheduled range date. Except in an emergency or as directed by a supervisor, no duty firearm shall be carried by a member who has not qualified with that weapon at an authorized office range.

All other weapons, including but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law that is not covered elsewhere by office policy, may not be carried by personnel in the performance of their official duty without the express written authorization of the Chief of Police.

The exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

VI. DUTY WEAPONS

The authorized Office-issued handgun is the Smith & Wesson MP .40 cal.

Only issued or approved shotguns and rifles are authorized for on-duty use.

The following additional handguns are approved for on-duty use:

1. Any other .40 caliber semi-automatic handgun.

VII. AUTHORIZED SECONDARY FIREARMS

A. Officers desiring to carry a secondary firearm are subject to the following restrictions:

1. The firearm shall be in good working order and on the office's list of approved firearms.
2. Only one secondary firearm may be carried at a time.
3. The purchase of the firearm and ammunition shall be the responsibility of the officer.

4. The firearm shall be carried out of sight at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
5. The firearm shall be inspected by the Firearms Supervisor (Chief of Police) prior to being carried and thereafter shall be subject to inspection whenever deemed necessary.
6. Ammunition shall be the same as office issue. If the caliber of the firearm is other than office issue, the Chief of Police or the authorized designee shall approve the ammunition.
7. Prior to carrying the secondary firearm, personnel shall qualify under range supervision and thereafter shall qualify in accordance with the office qualification schedule. Officers must demonstrate proficiency, safe handling, and that the firearm functions properly.
8. Personnel shall provide written notice of the make, model, color, serial number and caliber of a second firearm to the Chief of Police.

VIII. AUTHORIZED OFF-DUTY FIREARMS

- A. The carrying of firearms by licensed officers while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Licensed Officers who choose to carry a firearm while off-duty, based upon their authority as a peace officer, will be required to meet the following guidelines:
 1. The firearm shall be of good quality and workmanship and approved by the Office.
 2. The purchase of the firearm and ammunition shall be the responsibility of the officer.
 3. The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
 4. It will be the responsibility of the officer to submit the firearm to the Firearms Supervisor (Chief of Police) for inspection prior to being carried. Thereafter the firearm shall be subject to periodic inspection by the Firearms Supervisor (Chief of Police). Prior to carrying any off-duty firearm, the officer shall demonstrate to the Firearms Supervisor (Chief of Police) that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
 5. The officer will successfully qualify with the firearm prior to it being carried and thereafter once annually. The range qualification dates will be specified by the Firearms Supervisor (Chief of Police).
 6. A complete description of the firearm shall be contained on the qualification record approved by the Firearms Supervisor (Chief of Police).
 7. If any member desires to use more than one firearm while off-duty, he/she may do so, as long as the officer meets all the requirements set forth in this policy for each firearm used.
 8. Officers shall only carry office-authorized ammunition.
 9. When armed, whether on- or off-duty, officers shall carry their badge and office identification.

IX. AMMUNITION

Officers shall carry only Officer-authorized ammunition. Officers shall be issued fresh duty ammunition in the specified quantity for all Office-issued firearms during the officer's first scheduled qualification each year. Officers carrying personally owned authorized firearms of a caliber differing from Office-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above at their own expense. Replacements for unserviceable or depleted ammunition issued by the Office shall be dispensed by the Firearms Supervisor (Chief of Police) when needed in accordance with established procedure.

X. ALCOHOL AND DRUGS

Weapons shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs that would tend to adversely affect the officer's senses or judgement.

XI. LASER SIGHTS

- A.** Laser sights may only be installed on a weapon carried on- or off-duty after the sights have been examined and approved by the Firearms Supervisor (Chief of Police).
 - 1. Any approved laser sight shall only be installed in strict accordance with manufacturer specifications.
 - 2. Once approved laser sights have been properly installed on any weapon, the officer shall qualify with the weapon to ensure proper functionality and sighting of the weapon prior to carrying it.
- B.** Except in an approved training situation, an officer may only activate a laser sight when the officer would otherwise be justified in pointing a weapon at an individual or other authorized target.

XII. DUTY FIREARMS PROFICIENCY

All licensed personnel shall successfully complete Office training regarding the use of force, deadly force and the use of firearms before being issued a firearm or being authorized to carry a firearm in the course of their duties (Minn. Stat. 626.8452 and Minn. Stat. 626.8463).

An Officer failing to demonstrate a minimum level of proficiency with any duty firearm he/she is authorized to use may not carry or use the duty firearm until he/she participated in the remedial duty firearm course provided by the Office.

All licensed personnel shall participate in annual Office training regarding use of force, deadly force and the use of firearms (Minn. Stat. 626.8452 Subd. 3).

XIII. ANNUAL QUALIFICATION

All licensed personnel are required to qualify annually and show weapons proficiency with the duty weapon on an approved range course or as directed by the Chief of Police.

XIV. NON-QUALIFICATION

- A.** If an officer is unable to qualify for any reason, including injury, illness, duty status or scheduling conflict, that officer shall submit a memorandum to his/her immediate supervisor prior to the end of the required shooting period.
- B.** Members who fail to demonstrate duty firearms proficiency as required by law, or who fail to qualify over a six-month period will be relieved from field assignment and appropriate disciplinary action may follow.
- C.** Licensed members who fail to qualify on their first shooting attempt shall be provided remedial training until proficiency is demonstrated and will be subject to the following requirements:
 - 1.** Additional range assignments may be required until consistent weapon proficiency is demonstrated.
 - 2.** Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained.
 - 3.** No range credit will be given for the following:
 - (a)** Unauthorized range make-up.
 - (b)** Failure to qualify after remedial training.

XV. MAINTENANCE AND REPAIR

Personal and Office-owned duty firearms shall be inspected annually to determine the safety and functioning of the weapon.

Firearms carried on-duty shall be maintained in a clean, serviceable condition. Since the use of personally owned weapons is at the option of the individual officer, that officer will be responsible for the furnishing, maintenance and repair of such weapon.

XVI. CARRYING FIREARMS OUT OF STATE

- A.** Qualified active full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC 926B and C):
 - 1.** The officer shall carry his/her Officer identification card whenever carrying such weapon.
 - 2.** Qualified retired officers shall also carry certification of having met firearms qualification within the past 12 months.
 - 3.** The officer is not the subject of any current disciplinary action.

4. The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
5. The officer will remain subject to this and all other Office policies (including qualifying and training).
6. Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

XVII. REFERENCES and REVISIONS

a. REFERENCES

- i. X

b. REVISIONS

- i. 04/19/2016 – initial policy
- ii. 03/10/2025 – ERPSB Approval Date