



California State University, Los Angeles
Department of Public Safety

NUMBER: IV-2 APPROVED: _____
Joseph Curreri, Chief of Police

EFFECTIVE: July 31, 2013

SUPERSEDES: 11/26/2012 Reviewed/Revised: July 31, 2013

SUBJECT: **Care, Use, and the Approval of Weapons**

I. PURPOSE:

To provide guidelines for the carrying and use of authorized weapons to sworn personnel.

II. POLICY:

Only those weapons explicitly authorized by this order will be carried or used in the manner specified.

III. DEFINITIONS:

- A. Reportable Discharge of a Firearm . Any accidental or intentional discharge of a firearm, except at an approved range.
- B. Primary Duty Firearm. A Department issued approved Glock 22, 40 caliber handgun.
- C. Back-up Weapon: A second weapon carried concealed on an officer's person while on-duty that is of a .380, .38, .357, .40, or .45 caliber and approved by the Chief of Police.

IV. PROCEDURE:

A. Firearms

1. The provisions of the Use of Force policy, Department Order IV-1, apply to the application of any deadly force and shall be followed as specified.
2. The provisions of this policy apply to any officer, off duty or on duty, acting under color of authority as described in California Penal Code Section 830.2.
3. Sworn personnel will carry a firearm at all times while on duty.
4. An approved second firearm may be carried as a "back-up" firearm with written authorization from the Chief of Police [Appendix B & D required].

- a. A "Request to Carry Personal Firearm, Holster, or Impact Weapon [Appendix B] must be submitted to the Chief of Police and approved prior to an officer carrying any personally owned weapon.
- b. For the purposes of this order, a back up firearm is one other than the primary department issue firearm, or authorized personal duty firearm, which is carried as a secondary weapon.
- c. Back up firearm authorizations will be kept in the employee's Department Training File (Appendix B) with a copy maintained by the Department's Range Master.
- d. Employees carrying back-up firearms will qualify at least bi-yearly, in a course of fire approved by the Training Manager which consists of the following, and in conjunction with the bi-annual MP5 qualifications:
 - 1) 5 shot weapons (25 rounds) (.38/.357 Cal)
 - 2) 6 shot weapons (30 rounds) (.38/.357 Cal)
 - 3) Compact or sub-compact .380 / 9mm semi-autos (3 full magazines plus one round)
- e. Only Department approved ammunition will be carried in the back up firearm.
- f. The back up firearm shall be carried in a holster that securely holds same, either by pressure or retention strap, but must meet the minimum standards of a level one retention holster. Pressure retention is not defined as bodily pressure holding the weapon in place.
- g. The back up firearm shall be carried in such a manner that it is not visible to the public.
- h. The back up firearm shall not be used as a substitute for the primary duty firearm, but shall only be drawn when the officer is unable to deploy his primary firearm, or he/she has experienced a malfunction with the primary weapon which cannot be cleared in a timely / lifesaving manner given the particular emergency. The use of the back up firearm shall conform to the same standard as the primary duty firearm.
- i. Failure to meet the requirements set above, shall immediately suspend the officer's privilege to carry the back up firearm. This suspension shall remain in effect until the officer complies.
- j. The back up firearm is and optional item of safety equipment. As such, the cost of the firearm, ammunition (duty and training), holsters, speed loaders, etc., will not be reimbursed or supplied by the Department.

5. The Department issued firearm will be carried on duty. That firearm shall be the Glock .40 caliber, Model 22.
 - a. Semi-automatic personal duty firearms shall fire the first round double action.
 - b. Associated costs for ammunition, leather or web gear, qualification ammunition, etc., for personal duty firearms are the responsibility of the individual employee. All ammunition must be approved by the Range Master and the Chief of Police [approved list maintained by the Range Master]. The Department will supply ammunition for personal duty firearms of the same caliber as the issue duty weapon.
 - c. A listing of all approved weapons for off-duty use will be approved by the Chief of Police and maintained by the Range Master.
 - d. No weapon will be approved to be carried that has not been inspected and authorized in accordance with this order.
6. Officers may request to carry a personal firearm, which is more concealable than their primary duty firearm, when assigned to work special details, such as plainclothes details or investigations, where a concealable firearm would be appropriate. Officers may also carry these weapons when performing functions in business attire, such as court appearances. This firearm shall be identified as a "Concealment Duty Firearm" If a personal firearm is authorized by the Chief of Police/designee, a copy of the written authorization will be kept in the employee's Department Training File. (Appendix B)
7. No employee shall carry any Department or personal firearm on duty or concealed off duty which has been modified or altered from its factory condition without the written approval of the Director or his designee. All approved modifications or alterations shall have been performed by the appropriate certified armorer. Certification of the weapons safety by the appropriate certified armorer may be required at the discretion of the Chief of Police. This certification will be at the requesting employee's expense. The Department's "Firearm Repair Request" [Appendix C] will be utilized for any modification requests.
8. Employees may personally replace the grips on privately owned firearms with any grips that allow total function of the firearm with no interference of any kind or designs that would present an unprofessional appearance (metal butt plates on revolvers are prohibited). The "Firearm Repair Request" is required.
9. Employees may replace or add aiming devices to their personal firearms which enhance and/ or aid in sight acquisition and/or illumination under low light conditions with the written approval of the Chief of Police, provided the attachment of such devices does not alter or inhibit the mechanical function of the firearm. Examples are: Trijicon" nightsights, other self-illuminating sights, etc... The "Firearm Repair Request" is

required. Department weapons will not be modified in any such manner, either at the employee or Department's expense.

10. An officer shall not discharge a firearm in the performance of their duties except under the following circumstances:
 - a. Only when the officer reasonably believes that the action is in defense of human life, including the officer's own life, or in the defense of any person in immediate danger of serious physical injury;
 - b. To destroy seriously injured or dangerous animals when another disposition is impractical; and/or
 - c. At an approved firearms range.
11. An officer generally should not discharge a firearm under the following circumstances:
 - a. At persons known to be or suspected of being juveniles (persons under 18 years of age) except:
 - 1) In necessary self-defense from death or serious bodily injury, or;
 - 2) In necessary defense of another person from death or serious bodily injury.
 - b. At a moving or fleeing vehicle except:
 - 1) In necessary self-defense from death or serious bodily injury, or;
 - 2) In necessary defense of another person from death or serious bodily injury. Officers should make every reasonable effort to move away from a moving vehicle, and not intentionally place themselves in the path of moving vehicles.
12. Officers shall not fire warning shots.
13. Officers will not surrender their firearms in a hostage situation.
14. Officers will not unnecessarily display their firearm. There are many situations in which officers may draw their firearm when making apprehensions and/or certain types of calls, even though the officer is not confronted with existing deadly force. The situation must be judged in terms of the individual(s) to be apprehended and/or the circumstances of the call.

Whenever an officer displays a firearm other than at an approved range, that officer must submit a "Use of Force Report" [Appendix 2, IV-1] to the Chief of Police detailing the circumstances of the display.
15. The placement of one's finger on the trigger of any firearm greatly increases the potential for its discharge. Therefore, the following general rules governing that placement have been established:

- a. When handling any firearm, whether on or off duty, employees of this Department generally should not place their finger on the trigger of the firearm in their possession except under the following circumstances:
 - (1) When the firearm is actually being fired or pointed directly at an identified target.
 - (2) During training exercises when all involved firearms have been examined and certified clear and safe by the training supervisor.
 - (3) During a Departmental firearm inspection when the firearm has been personally cleared prior to handling by the inspecting individual.
 - (4) During a personal inspection/function check at the Department's designated load barrel, or in the safest manner and place possible as determined by the circumstances at the time, when no other disposition is available and/or practical, and the inspection/function check is necessary.
 - b. Staging of the trigger of any authorized firearm, loaded or unloaded, is generally prohibited except under the circumstances as listed in "a (2)" through "a (4)" above.
16. Care of Firearms:
- a. Whenever a firearm is unattended, it will be securely locked in a safe place. Firearms shall not be left unattended in the passenger compartment of any vehicle.

Exception: Department shotguns, M-4s and MP-5s may be secured and locked in shotgun/rifle rack located in the passenger compartment of Department police vehicles.
 - b. Department firearms and personal duty firearms will be kept clean, and in good service prior to reporting for duty.
 - c. Any malfunction of a department owned firearm will be immediately reported to a supervisor in writing on the department *Firearm RepairRequest* form (Appendix C). A copy of the *Firearm RepairRequest* form will be kept on file by the department range master or armorer. The disposition of the repair request will be noted on the form (i.e.: firing pin replaced on 9-20-97).
 - d. No unauthorized repairs or modifications will be made to any Department firearm or personal duty firearm.
17. Firearms Safety:
- Each employee shall ensure that reasonable measures are taken to minimize the accessibility of firearms. Sworn department members can obtain weapons locks from the Department Crime Prevention Specialist should they not possess one. Per 12035(b) P.C., felony

charges can be filed against an employee if a minor gains access to, and discharges a firearm causing great bodily harm and/or death to himself/herself and/or another due to the employee's failure to use reasonable measures to secure the firearm. Reasonable measures as outlined in 12035(b) P.C. are:

- a. "The person who keeps a loaded firearm on any premises which is under his/her custody or control keeps the firearm in a locked container or in a location which a reasonable person would believe to be secure."
 - b. "The person who keeps a loaded firearm on any premises which is under his/her custody or control has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises."
18. 50 rounds of practice ammunition will be provided to each officer, each month, when the officer provides at minimum, a range card from a range that reflects that they have expended the issued ammunition. For those officers who expend the rounds but not at a range that provides range cards, officers will be required to return 50 expended rounds in the box issued. For the purposes of this order, a range card is a form of documentation that reflects that the officers shot at the range on a given date. It may contain a score or the fact that the officer paid a range fee.

B. SPECIAL FIREARMS

1. Heckler & Koch MP-5 semi-automatic 9mm carbine.
 - a. The Department MP-5 is provided to the officers to augment their primary duty weapon, not to replace it. It is the policy of the Department that all qualified officers has access to the MP-5 in the field during the performance of their law enforcement duties and that they may deploy the weapon when the situation requires it. All use of the MP-5 shall conform to the guidelines of the Departmental Weapons Policy / Use of Force Policy.
 - b. Training: See Department Order IV-1, Firearms Training
 - c. Ammunition: Only Department authorized and issued ammunition will be used in the MP-5.
 - d. Check-out Procedure - Patrol:
 - (1) MP-5's assigned to patrol shall be kept in the marked patrol cars in the locked security rack or secured in the Department Gun Cabinet. At the beginning of an officers shift, he/she shall determine which MP-5 is assigned to him/her. All the MP-5's will be marked with a Department ID number for this purpose (in addition to the serial number). The officer shall advise the communications operator of the vehicle number and MP-5 number as soon as practical, prior to leaving the police parking

area. The communications operator shall indicate the MP-5 number on the daily equipment log.

- (2) Barring exigent circumstances the officer shall inspect the MP-5 at the beginning of the shift in a manner which is consistent with the approved MP-5 training.
- (3) The officer shall also inspect and test the weapon's "Sure-Fire" light attachment, if so equipped, at the beginning of the shift.
- (4) The officer shall also inspect and test the operation of the MP-5 security rack and locking mechanism at the beginning of the shift.
- (5) The officer shall report any malfunctions or needed repairs to the weapon, accessories or security rack, to the Watch Commander as soon as practical. If applicable, the officer shall complete a *Firearm Repair Request* form.
- (6) Should a MP-5 need repair and is pulled out of service, the Watch Commander may issue the officer another MP-5 from another vehicle or from the armory.
- (7) The officer shall include the MP-5 number on the "driver's tour of duty equipment record" form, which shall be turned in at the end of the shift.
- (8) At the end of the shift the officer shall insure that the MP-5 is properly secured in the rack and the vehicle is properly secured.

e. Check-out Procedure - Detectives:

- (1) A MP-5 will be permanently assigned to the Detective division. It may be checked out to other authorized officers (not assigned to Detectives) at the discretion of the ranking Detective, the Watch Commander or the on-duty Command Officer.
- (2) The Detectives shall conduct an inspection of the MP-5, its accessories and the security rack in the same manner as indicated for patrol. Detectives shall report malfunctions or needed repairs in the same manner as patrol.

f. Check-out procedure - others:

Officers/Detectives may check-out weapons for qualification and/or training at the range by notifying the on-duty Watch Commander. The Watch Commander may determine which MP-5 shall be used for the range. The MP-5 will be logged in and out on the daily equipment log.

g. Transporting and Security of the MP-5:

- (1) The MP-5 safety lever shall be in the "safe" position whenever the weapon is not tactically deployed.
- (2) Generally, the MP-5 will be secured and transported in the vehicle's locked ceiling mounted security rack. When practical, a sling should be attached to the weapon when it is in the rack.

- (3) When an MP-5 is secured in a Department vehicle gun rack, the magazine should be removed from the weapon, and kept in a separate location when the vehicle is unattended to help prevent theft.
 - (4) If the MP-5 is equipped with a gun case, it may be stored in the vehicles' trunk when the weapon is in the rack. Officers may use the gun case when carrying the weapon in a non-tactical situation. When in the case, the safety shall be on, the chamber shall be empty and the magazine shall be removed. The MP-5 may also be transported and/or stored in the case in the trunk of the vehicle.
 - (5) MP-5's may be stored in the station's armory safe or in the Watch Commander's gun cabinet.
- h. Vehicle maintenance:
- (1) The MP-5 shall be removed from any vehicle when the vehicle is sent to any shop for repairs. The MP-5 may be secured in another vehicle's gun rack, in the station's armory, or in the Watch Commander's gun cabinet. Magazines shall be stored in the same manner as these high capacity magazines are restricted to law enforcement only.
 - (2) The MP-5 shall also be removed from a vehicle that is being sent to the car wash, if it is driven by a civilian or non-authorized officer.
- i. Cleaning and maintenance of the MP-5:
- (1) It is mandatory that the MP-5 be cleaned after every range qualification, as prescribed by the H & K MP-5 Manual.
 - (2) The MP-5 shall not be disassembled by non-trained personnel beyond what is recommended by the H & K Manual.
 - (3) All minor repairs and maintenance on the MP-5 shall be done only by a trained MP-5 Instructor or Armorer.
 - (4) The MP-5 weapons shall be inspected quarterly, and if cleaning is required it should be done at the discretion of the MP-5 Instructor / Amorer.
2. AR-15 Rifle (.223)
- a. The primary use of the AR-15 Rifle is in situations that require superior fire power against suspected armed suspects. And ONLY in situations where it is beyond the capabilities of normal patrol weaponry.
 - b. The AR-15 is to be considered a defensive weapon to be used only when necessary to protect human life, or to prevent serious bodily injury.
 - c. All use of the AR-15 shall be in accordance with required training programs by department designated rifle officers.

- d. An officer will deploy the AR-15 only when it is a situation that requires superior fire power against suspected armed suspects.
 - 1) Long distance
 - 2) Multiple suspects
 - 3) Suspects utilizing body armor
 - 4) High powered or capacity weapons
 - 5) The incident involves or may involve a weapon capable of inflicting death or serious bodily injury.
- e. A member of this Department shall not brandish an AR-15 in the performance of duty except under circumstances known, or reasonably believed to be, potentially dangerous.
- f. After any deployment the AR-15:
 - 1) The officer will return the weapon to his or her unit, securing it in an appropriate manner.
 - 2) If the weapon is fired, the Department's Use of Force policy will be in effect, which includes the Use of Force Form requirement.
 - 3) If the AR-15 is not fired, the officer will complete a Use of Force Form and submit same per protocols.
- g. AR-15 Rifle Maintenance
 - 1) On an annual basis, the Range Master will check each rifle and .223 caliber ammunition and magazines to be used by patrol officers. The rifle will be disassembled, cleaned and visually inspected. The weapon will then be reassembled, and placed in the locked armory.
 - 2) Should a rifle malfunction, become inoperable and/or become jammed with live ammunition, the following procedure is to be followed:
 - (a) The officer shall engage the rifle safety (safety is on).
 - (b) The officer shall notify the Range Master and will attempt to correct the problem if it can be done safely.
 - (c) If the malfunction cannot be safely corrected, the rifle shall be red-tagged and placed in the armory locker.
 - (d) In each case of a malfunction, the officer will submit a memo addressed to the Range Master detailing the circumstances of the malfunction.
 - (e) The Range Master will have the malfunctioning rifle rendered safe and repaired.
- h. AR-15 Rifle Qualification Training
 - 1) All officers who are authorized to use the AR-15 weapons will receive orientation training for the rifle [classroom and range day] to be determined by the Range Master.
 - 2) Training will include a qualification course that each officer must successfully complete in order to deploy the weapon.

- 3) Training and qualification will be conducted by Department approved Instructors.
 - 4) An officer who fails to qualify and/or fails to attend one or more training /qualification session within a calendar year will be removed from the program.
 - 5) Qualification will be held at minimum once a year. Each designated officer must qualify to standards established by the Range Master.
 - 6) Each designated officer must know all the procedures for the loading and unloading of the Colt AR-15.
 - 7) In addition, each officer shall be familiar with the nomenclature use, and care of the rifle before use of the weapon on duty.
- i. Miscellaneous
- 1) The in-service rifles will be loaded with department issued ammunition. The approved ammunition will be .223 caliber rounds, in 20 and 30 magazines only.
 - 2) A rifle will not be left in the vehicle when stored or parked at any on or off-campus repair facility.
 - 3) Rifles in the armory locker will be unloaded and the action will be open.
 - 4) Unless deployment is necessary, the AR-15 will be kept in the officer's patrol unit.
3. Other specialized firearms.

Officers assigned to specialized units such as the CSU Critical Response Unit receive special training in the use of special firearms and may be required to deploy such weapons while in the performance of their duties. While using alternative/special firearms, those officers assigned to specialized units will fall under the policy and procedures for that unit applying to firearms. These firearms may include, but are not limited to:

- (1) 37/38mm Shoulder Gas Gun.
- (2) L8-37mm Multi-Launcher.
- (3) Shotgun - Loaded With Lethal and Non-Lethal Rounds (bean bag or rubber rounds).
- (4) MP-5 A2 or A3

4. Personal AR- 15 Rifles.

- a. Officers may purchase and possess personally owned AR-15 rifles for duty use. Officers must have written approval by the Chief of Police prior to the purchasing and registering of the AR-15 rifle. In addition, a Request to Carry Personal Firearm must be completed and approved by the Chief of Police and the rifle shall be inspected by the Department Armorer. The personally owned AR-15 rifle policy is set forth by Department Order IV-2 Care, Use, and the Approval of Weapons.
- (1) Penal Code Section 12280 (e) Subdivisions (a), (b), and (c) shall not apply to the sale to, purchase by, importation of, or

possession of assault weapons or a .50 BMG rifle by the Department of Justice, police departments, sheriffs' offices, marshals' offices, the Department of Corrections and Rehabilitation, the Department of the California Highway Patrol, district attorneys' offices, Department of Fish and Game, Department of Parks and Recreation, or the military or naval forces of this state or of the United States, or any federal law enforcement agency for use in the discharge of their official duties.

Penal Code Section 12280 (f) (1) Subdivisions (b) and (c) shall not prohibit the possession or use of assault weapons or a .50 BMG rifle by a sworn peace officer member of those agencies specified in subdivision (e) for law enforcement purposes, whether on or off duty.

Penal Code Section (2) Subdivisions (a), (b), and (c) shall not prohibit the delivery, transfer, or sale of an assault weapon or a .50 BMG rifle to, or the possession of an assault weapon or a .50 BMG rifle by, a sworn peace officer member of an agency specified in subdivision (e) if the peace officer is authorized by his or her employer to possess or receive the assault weapon or the .50 BMG rifle. Required authorization is defined as verifiable written certification from the head of the agency, identifying the recipient or possessor of the assault weapon as a peace officer and authorizing him or her to receive or possess the specific assault weapon.

- a) For this exemption to apply, in the case of a peace officer who possesses or receives the assault weapon prior to January 1, 2002, the officer shall register the assault weapon pursuant to Section 12285 on or before April 1, 2002, and in the case of a peace officer who possesses or receives the assault weapon on or after January 1, 2002, the officer shall register the assault weapon pursuant to Section 12285 **not later than 90 days after possession or receipt**. In the case of a peace officer who possesses or receives a .50 BMG rifle on or before January 1, 2005, the officer shall register the .50 BMG rifle on or before April 30, 2006. In the case of a peace officer who possesses or receives a .50 BMG rifle after January 1, 2005, the officer shall register the .50 BMG rifle **not later than one year after possession or receipt**.
- b) The peace officer must include with the registration, a copy of the authorization required pursuant to this paragraph.

b. Personal AR-15 Maintenance

- (1) Personal AR-15 maintenance will follow that of the department issued AR-15 maintenance policies. However, any cost for parts shall be at the officer's expense.

- (2) Personal AR-15 Rifle Qualification will follow that of the existing Department Issued AR-15 Qualification Training.
- (3) Personal owned Ar-15 Rifles will be inspected by the department Range Masters annually same as the department issued AR-15 Rifles.
- (4) No modifications, attachment, or accessories, other than the following, will be permitted without prior approval of the Chief of Police and inspection by the department Range Masters.

c. Authorized Personal Owned AR-15 attachment and accessories:

- (1) Employees may replace or add aiming devices to their personal AR-15 which enhances and/ or aids in sight acquisition and/or illumination under low light conditions provided the attachment of such devices does not alter or inhibit the mechanical function of the firearm. Examples are: Trijicon” nightsights, or self-illuminating iron sights, red dot optics, and magnifiers to enhance/ aid target acquisition.

d. Supplemental Sighting System:

- (1) Use of a supplemental sighting system must be suitable for tactical, close-quarter engagement and allow immediate access to the iron sights should the system fail.

- (2) Authorized red optics and magnifiers are:

Aimpoint
Eotech
Trijicon
Leupold

Due to high expense of the optics, check with the Range Master prior to purchasing. Any other manufactures has to be authorized by a department Range Master.

- (3) Dedicated weapon lights are authorized for illumination under low light conditions.

- a) Current approved weapon lights are:

Surefire
Streamlight

Due to the high expense of the weapon light system, check with the Range Master prior to purchasing. Any other manufactures has to be authorized by a department Range Master.

- (4) Employees may personally replace the grips on the personally owned AR-15 rifles with any grips that allow total function of the firearm with no interference of any kind or designs that

would present an unprofessional appearance. The "Firearm Repair Request" is required. In addition, a vertical fore-grip is approved for personal preference and handling of the rifle.

- (5) Employees may personally replace the butt stock of their personally owned AR-15 rifles with any butt stock to aid in sight and optic alignment. The butt stock will be from a reputable manufacture and will allow total function of the firearm with no interference of any kind.
- (6) Employees shall not make any modifications to the rifle that will change the mechanical function of the rifle. Employees shall not make modifications to the internal parts of the rifle. This includes the bolt and trigger groups (fully automatic and burst groups are prohibited).
- (7) The Ar-15 rifle shall be equipped with a sling system suitable for tactical deployment where the weapon may be retained "hands free" yet ready for immediate use.
- (8) Personally owned AR-15 rifles will have the identical operation and mechanical function as the department issued AR-15 rifles. Officers must demonstrate, show proficiency, and qualify with any rifle accessories that he/she adds to the personally owned rifle prior to deploying the rifle on-duty.
- (9) Authorized AR-15 rifle Manufactures:
 - Bushmaster
 - Colt
 - Heckler and Kock
 - LaRue Tactical
 - LWRC
 - Noveske Rifleworks
 - Rock River Arms
 - Smith and Wesson
 - Stag Arms

Any other AR-15 type rifles has to be authorized by the Range Master and Approved by the Chief of Police prior to deploying the weapon on duty. No weapon will be approved for carry that has not been inspected and authorized by a department Range Master in accordance with this order

e. Transports and Storage of Personal AR-15 Rifles:

- (1) Care of Firearms:
 - a) Whenever a firearm is unattended, it will be securely locked in a safe place. Personally owned AR-15 rifles will be locked and secured in the rifle rack or stored in a rifle bag and secured in the locked trunk of a police vehicle while on duty.

- b) Personally owned AR-15 rifles will be kept clean, and in good service prior to reporting for duty.
- c) Any malfunction of a department owned firearm will be immediately reported to a supervisor in writing on the department *Firearm RepairRequest* form (Appendix C). A copy of the *Firearm RepairRequest* form will be kept on file by the department range master or armorer. The disposition of the repair request will be noted on the form (i.e.: firing pin replaced on 9-20-97).

f. Firearms Home Safety:

- (1) Personally owned AR-15 rifles will be stored in secured gun safe/ locker at their residence, department armory, or weapons safes with the department. During transport (to and from work, training, range qualification), the officer will transport the rifle in a rifle bag.
- (2) Each employee shall ensure that reasonable measures are taken to minimize the accessibility of firearms. Sworn department members can obtain weapons locks from the Department Crime Prevention Specialist should they not possess a weapons lock. Per Penal Code Section 12035(b), felony charges can be filed against an employee if a minor gains access to, and discharges a firearm causing great bodily harm and/or death to himself/herself and/or another due to the employee's failure to use reasonable measures to secure the firearm.
- (3) Reasonable measures as outlined in 12035(b) P.C. are:
 - a) "The person who keeps a loaded firearm on any premises which is under his/her custody or control, keeps the firearm in a locked container or in a location which a reasonable person would believe to be secure."
 - b) "The person who keeps a loaded firearm on any premises which is under his/her custody or control has no reasonable expectation, based on objective facts and circumstances, that a child is likely to be present on the premises."

g. Retirement/ Lateral/ Termination of Employment:

- (1) Upon retirement, lateral, or termination of employment, the rifle will remain the property of the officer and he/ she shall be responsible to abide by federal and state laws on assault rifle ownership that are active at the time of retirement.

C. IMPACT WEAPONS:

1. Only Department approved impact weapons will be carried on duty. Approved impact weapons are as follows:
 - a. Expandable ASP type baton (primary issue impact weapon), which is mandatory for wear and carrying while on-duty.
 - 1). Patrol personnel will be issued the 26" ASP expandable baton and baton scabbard.
 - 2). Detectives will be issued the 16" ASP expandable baton and baton scabbard for carrying in plain-clothes. Detectives will also be issued a 26" ASP expandable baton and scabbard that will be worn when in uniform.
 - b. The side handle or straight baton of 26" in length is optional and can be carried while on duty, but will not replace the mandatory assigned ASP.
2. Requests for permission to carry impact weapons other than those listed will be submitted to the Chief of Police. Exceptions may be granted on an individual basis. Consideration may be given for officers assigned to special details where other impact weapons may be more appropriate (i.e., patrol officers may carry a personally owned or department issued shorter ASP baton only when working plain-clothed assignments, and only approved by a sworn department manager). Proof of training by a certified instructor is required. The requesting officer is responsible for their ongoing training for the non-issue impact weapon. Examples are:
 - a. Detectives: A.S.P. or the *Handler 12*
 - b. C.R.U. Members: Extended Riot Batons or the O.P.N. (Orcutt Police Nunchucku).
3. The request will be submitted on the, "Request to Carry Personal Firearm, Holster, and/or Impact Weapon", form (Appendix B). If the request is approved, a copy of the approval will be placed in the requesting officer's Department Training File.
4. Officers will have their primary impact weapon readily available at all times by carrying it on the Sam Brown duty belt or in the case of a detective, on the belt containing the equipment they carry while on duty.
5. Only officers who have been certified and authorized to carry an ASP or other baton may carry such impact weapon. Only techniques taught in the appropriate impact weapon training class will be utilized.
6. Whenever an officer inflicts injury by the use of a baton or other impact weapon, that officer will submit a report describing the circumstances of incident, before the end of his/her tour of duty. The officer shall follow guidelines established in the "Use of Force" written directive.
7. The injured person must be given medical attention as soon as possible. Procedures for the appropriate medical aid are established in the "Use of Force" directive.

8. Officers must attend and successfully complete an impact weapon/baton update class and in-service training on all less-than-lethal force weapons at least once every two years.

D. CHEMICAL AGENTS:

1. Those officers that have had “Chemical Agents” training and Oleoresin Capsicum training may carry “OC”, “Pepper Spray”, and/or Mace once certified and approved by the Department’s Defensive Tactics Force Options Instructor, Range Master, and the Chief of Police.
2. Department issued Chemical Agent canisters will be carried on officer’s duty belts when in uniform. Officers may carry, at their own expense, the reduced size OC canister or the ASP mounted OC canister provided the OC canister adheres to department standards and has been inspected by a Department Force Options Instructor or Range Master, and, the officer has submitted a request to carry the optional OC canister to the Chief of Police and such request has been approved and on file within the employee’s department file.
3. The manufacture date must be clearly displayed on the container.
4. Consideration may be given for officers assigned to special details where the smaller canister would be more appropriate and concealable instead of the full size 3 ounce canister. This approval will be made by the Chief of Police, at the recommendation of a Department sworn manager, and only authorized for the period of the special detail.
5. In utilizing a chemical agent the following factors should be considered:
 - a. Wind direction;
 - b. Potential effect on others; and/or
 - c. Physical/mental condition of suspect
6. Chemical agents may be used when an officer or other person is in immediate danger of physical attack, or the use of physical force is necessary and justifiable.
 - a. Chemical agents shall never be used indiscriminately.
 - b. Chemical agents may be used when there is a credible threat of violence coupled with a present ability to cause injury to an officer or any other person.
 - c. Chemical agents may be used when the officer determines that the force is reasonable to effect an arrest, to prevent escape, or to overcome resistance.
 - d. Chemical agents may be used to disperse crowds who are in violation of 404 P.C. (Riot) and 408 P.C. (Rout) and have refused to comply with a lawful order to disperse, in violation 409 P.C.
 - e. Chemical agents shall not be used once the suspect's violent activity is no longer likely to cause injury, property damage, or escape.
7. First Aid for Chemical Agents:

- a. Whenever possible the suspect shall be placed in an upright, seated position to allow maximum expansion of the lungs for breathing.
- b. While the suspect is in the vehicle the windows to the police vehicle shall remain open, unless the suspect continues to be physically uncooperative.
- c. As soon as practical, the suspect's affected area should be flushed with large volumes of water. The officer shall continuously monitor the suspect, until such time that the suspect is not experiencing difficulty breathing.
 - (1) A water faucet is generally available on the south side of the Public Safety Station near the holding facility for decontamination from exposure to "OC".
 - (2) The appropriate Fire Department may be called for medical assessment by the paramedics if the officer determines that there is a need.
- d. Whenever an officer uses "OC", a report detailing the circumstances of the incident will be submitted.
 - (1) A Crime/Arrest report, or Miscellaneous / Unusual Occurrence Report will satisfy this requirement.
 - (2) Use of Force Report (see Use of Force Directive).
- e. Whenever an officer uses a chemical agent, the officer will notify the Watch Commander as soon as possible. The Watch Commander will notify the on-duty Command Officer or the Chief of Police as soon as practical.

E. OTHER RESPONSIBILITIES:

1. The Police Lieutenant will:
 - a. Arrange for all necessary training and qualification;
 - b. Maintain the Department firearms through the supervision of the Range Master.
2. Police Officers:
 - a. Will attend all training and be familiar with these policies and procedures; and
 - b. Complete a "Weapons Authorization" form (Appendix D), one for each weapon authorized and approved. If any changes are made in an officer's approved weapons inventory, new form(s) will be submitted. This form will be maintained in the officer's training file and a copy with the Range Master's file.
3. Reportable discharge of a firearm:
 - a. Any discharge of weapon, on or off-duty, accidental or in the line of duty, other than the exceptions found in this order and the "Use of Force" written directive shall be reported.
 - b. The officer(s) involved will make a verbal report to the Watch Commander as soon as circumstances permit.

- c. The Watch Commander will immediately notify the Director, and the on-duty Command Officer. Continuous attempts will be made until at least one of the two is notified.
 - d. Procedures in the “Use of Force” written directive shall be followed in all cases.
4. Training and qualification with weapons. Refer to the orders on training and Use of Force for details of training and qualification standards.

V. APPENDICES:

Appendix “A” - Penal Code Sections 196, 197, and 198.

Appendix “B” - Request to Carry Personal Firearm, Holster, and/or Impact Weapon

Appendix “C” - Firearm Repair Request

Appendix “D” –List of authorized off-duty weapons

Appendix “E” – Weapons Authorization Form

Appendix A

California Penal Code

196. Homicide is justifiable when committed by public officers and those acting by their command in their aid and assistance, either--

1. In obedience to any judgment of a competent Court; or,
2. When necessarily committed in overcoming actual resistance to the execution of some legal process, or in the discharge of any other legal duty; or,
3. When necessarily committed in retaking felons who have been rescued or have escaped, or when necessarily committed in arresting persons charged with felony, and who are fleeing from justice or resisting such arrest.

197. Homicide is also justifiable when committed by any person in any of the following cases:

1. When resisting any attempt to murder any person, or to commit a felony, or to do some great bodily injury upon any person; or,
2. When committed in defense of habitation, property, or person, against one who manifestly intends or endeavors, by violence or surprise, to commit a felony, or against one who manifestly intends and endeavors, in a violent, riotous or tumultuous manner, to enter the habitation of another for the purpose of offering violence to any person therein; or,
3. When committed in the lawful defense of such person, or of a wife or husband, parent, child, master, mistress, or servant of such person, when there is reasonable ground to apprehend a design to commit a felony or to do some great bodily injury, and imminent danger of such design being accomplished; but such person, or the person in whose behalf the defense was made, if he was the assailant or engaged in mutual combat, must really and in good faith have endeavored to decline any further struggle before the homicide was committed; or,
4. When necessarily committed in attempting, by lawful ways and means, to apprehend any person for any felony committed, or in lawfully suppressing any riot, or in lawfully keeping and preserving the peace.

198. A bare fear of the commission of any of the offenses mentioned in subdivisions 2 and 3 of Section 197, to prevent which homicide may be lawfully committed, is not sufficient to justify it. But the circumstances must be sufficient to excite the fears of a reasonable person, and the party killing must have acted under the influence of such fears alone.



**California State University, Los Angeles
Department of Public Safety**

Request to Carry Personal Firearm, Holster, and/or Impact Weapon

TO: Chief Curreri

FROM: _____

[Fill in only those areas that apply, approval in effect only if required training is maintained.]

I respectfully request to carry the following firearm for:

Concealment Duty Firearm, Back-up:

Make	Model	Caliber	Serial #
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I have qualified with the above firearm at the Alhambra Police Department shooting range, * L.A. Sheriff’s Department shooting range, at least two (2) times with the following scores:

Score	Rangemaster Signature	Identification #
Score	Rangemaster Signature	Identification #

* L. A. Sheriff’s shooting range, attach shooting cards to this form.

I request to carry the following ammunition in the above weapon:

Brand/Type	Grain/weight
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I request to carry the below listed impact weapon and have attached certification of completion of the necessary training, and will be responsible for ongoing training:

Brand/Type/Model	Length/Weight
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I will be using the following holster(s) to carry the listed weapon, they have been inspected and approved by the Police Lieutenant, or designee, as follows:

Brand	Model	Approval
Brand	Model	Approval

I Approve, Do Not Approve, the above listed request.

Comments: _____

Chief’s Signature: _____ **Date:** _____

Original: Employee Department Training File Copy: Requesting Employee

Appendix C



California State University, Los Angeles
Department of Public Safety

Firearm Repair Request

DATE

DEPARTMENT WEAPONS ONLY

SERIAL #

MP-5 PISTOL REVOLVER MANUFACTURER: _____

DESCRIBE MALFUNCTION OR DAMAGE: MODEL: _____ CALIBER: _____

REPORTING OFFICER:

SUPERVISOR:

REPAIR LOCATION (NAME, ADDRESS, PHONE):

WEAPON DELIVERED TO REPAIR LOCATION BY:

DISPOSITION OF REPAIR:

EMPLOYEE MAKING REPAIR [Print]:

SIGNATURE:

DATE COMPLETED:

WEAPON PICKED UP BY:

DATE RETURNED TO P.D.:

SUPERVISOR APPROVAL:

Appendix D

**OFF-DUTY
DOUBLE ACTION 45 CALIBER PISTOLS**

Model	Size Type	Barrel “	Finish	Misc. Info
<u>Smith & Wesson (S&W):</u>				
645	Full size	5”	Stainless Steel (SS)	
4506	Full	5	SS	
4563	Full	4.25	SS	
4566	Full	4.25	SS	
457	Mid	3.75	SS or Blue	
4513	Mid	3.75	SS	
CS45 Chief’s Special	Mid/small	3.25	SS	
SW99	Full	4.25	Blue	*same as
Walther P99				
SW99 Compact	Mid	3.50	Blue	*same as
Walther P99				
S&W/Walther P99	Full	4.25	Blue	
S&W/Walther P99	Mid	3.50	Blue	(Compact)

*Walther is now owned by Smith & Wesson and the SW99 is the same gun as the Walther P99. The S&W version has Walther markings in addition to S&W markings on the frame. They are now produced at the same factory and adhere to all S&W standards.

Glock:

21	Full	4.6	Matte black	
30	Small	3.78	Matte black	
36	Small	3.78	Matte black	

Heckler & Koch (H&K):

USP 45	Full	4.41	Blue or w/SS	
USP 45 Tactical	Full	5.09	Blue or w/SS	
USP 45 Expert	Full	5.2	Blue or w/SS	
USP 45 Elite	Full	6.2	Blue or w/SS	
USP Compact	Mid	3.80	Blue or w/SS	
Mark 23`	Full	5.87	Blue or w/SS	

SIG (Sig Sauer):

P220	Full	4.4	Blue or w/SS	
P245	Mid	3.9	Blue or w/SS	
Model	Size Type	Barrel “	Finish	Misc. Info

Beretta:

8045 (Cougar)	Mid	3.6	Blue or SS	
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**OFF-DUTY
DOUBLE ACTION 40 CALIBER PISTOLS (also known as 40 S&W)**

Smith & Wesson (S&W):

410	Full	4"	Blue or SS
4003	Full	4	SS
4006	Full	4	SS
4013	Mid	3.5	SS
4040	Mid	3.5	Blue
Sigma SW40	Full	4	Blue or w/SS
SW99	Full	4	Blue
SW99 Compact	Mid	3.50	Blue
S&W/Walther P99	Full	4.25	Blue
S&W/Walther P99 (Compact)	Mid	3.50	Blue

Glock:

22	Full	4.49	Matte black (Approved for On-duty)
23	Full	4.02	Matte black
27	Small	3.46	Matte black
35	Full	5.32	Matte black

Heckler & Koch (H&K):

USP 40	Full	4.25	Blue or w/SS
USP Compact	Mid	3.58	Blue or w/SS
USP P2000	Full	3.62	Blue or w/SS
USP P2000	Mid	2.48	Blue or w/SS (Subcompact)
P7	Full	4.13	Blue or w/SS

SIG (Sig Sauer):

226	Full	4.4	Blue or w/SS
229	Mid	3.9	Blue, or w/SS or all SS
239	Mid	3.6	Blue or w/SS
Sig Pro	Mid	3.9	Blue or w/SS

**OFF-DUTY
DOUBLE ACTION 40 CALIBER PISTOLS**

Model	Size Type	Barrel "	Finish	Misc. Info
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Beretta:

8040F (Cougar)	Mid	3.6	Blue, or w/SS
9000S	Small	3.5	Blue
96 series*	Full	4.9	Blue, or w/SS or all SS

(*96, FS, Brigadier, G, G-SD, Elite, Vertec, etc...)

**OFF-DUTY/SECOND WEAPON (Back up)
DOUBLE ACTION .380 CALIBER PISTOLS**

Any model .380 caliber pistol made by the following manufactures is authorized for off-duty use, or as backup weapons, upon inspection and certification by the Department Range Master as meeting the minimum Department standards, and approved by the Chief of Police:

Manufacturer:

Beretta

H&K

Walther

Sig Sauer

Glock

Smith & Wesson

**OFF-DUTY /SECOND WEAPON (Back up)
REVOLVERS**

The general rules on revolvers that will be approved for carrying as a backup or off-duty weapon are as follows:

- Weapon must be double action.
- Weapon barrel must not exceed 4” for off-duty carrying, and 2 ½” for on-duty back up purposes.
- Weapon must be mechanically sound, based on inspection by the Department Range Master.
- Must have good reputation as reliable and safe based on reliable reports.
- Weapon trigger pull can not be less than 3 pounds.
- Cylinder maximum is 6 rounds.
- Calibers authorized are .38 caliber and 357. (NO EXCEPTIONS)
- Revolvers meeting the above criteria will generally be approved based on a recommendation from the Department Range Master. S&W, Ruger, and Dan Wesson are manufactures known for their safety and reliability.

The Chief of Police may decline to approve any weapon specifically listed in this order, or not listed, based on learned information that the weapon is not safe or reliable.

WEAPON AUTHORIZATION

One Weapon Per
Authorization Form

Visio: "Weapon Authorization"
April 2000

**UNIVERSITY POLICE
CALIFORNIA STATE UNIVERSITY, LOS ANGELES**

Officer			
Department Issued / On-Duty <input type="checkbox"/>	Secondary / On-Duty <input type="checkbox"/>	Off-Duty <input type="checkbox"/>	Specialized <input type="checkbox"/>

Weapon Identifiers			
Make	Model	Caliber	Serial Number

Ammunition		
Make	Caliber	Specifications

Statement of Understanding

I have read and understand the contents of General Orders IV-1, Use of Force; IV-2, Care, Use and Approval of Weapons.

Signature of Officer	Date
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Safety Inspection

The above weapon has passed a safety inspection. The weapon and ammunition are on the list approved for use by this Department and the officer has passed a qualifying course of fire with the weapon.

Range Master	Date
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Other Information, if applicable

Approved [Chief of Police]	Date Approved
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