



Town of Lexington

Police Department

Subject: Firearms	
Effective Date: 11-1-2011	Review Date: Annually
By Order of: Chief Mark J. Corr	

Policy & Procedure

41C

GENERAL CONSIDERATIONS AND GUIDELINES

Police officers are issued firearms and are trained in their use, for self-protection and for the protection of the public in the community in which they serve. The use of a firearm is the highest degree of force a police officer may apply and the decision to use a firearm is the most critical judgment a police officer is called upon to make.

The moment an officer discharges a firearm the action is irreversible. It is too late to ponder whether or not the action is legally and justifiably correct. On the other hand, an officer who hesitates and acts indecisively is potentially risking injury or death to themselves and/or another person. If a life-threatening situation should arise, then officers must be prepared to act decisively and correctly.

A thorough and continuing firearms training program will be provided to every officer of the Lexington Police Department. The training programs are designed to develop the necessary skills to effectively use firearms and to teach the safety precautions associated with firearms handling. Included in these training programs shall be instruction on when and how to use a firearm. This Department will follow training and qualification standards set by the Massachusetts Police Training Council (MPTC).

Every Lexington Police Officer shall be issued, or authorized to carry specific firearms. Strict criteria shall be adhered to when determining the types of firearms and ammunition officers will be permitted to use while performing law enforcement activities.

Officers shall ensure each and every firearm they are issued and or authorized to carry are properly secured either at the Police Station, or at home when not being carried by the officer pursuant to **M.G.L. Ch. 140, sec 131L** (proper storage / securing of a firearm)

Less lethal weaponry and munitions are not a substitute for or interchangeable with the patrol rifle or Department issued firearm. Less lethal equipment should only be deployed under the special circumstances outlined in policy **41B - Use of Force** and in training.

PROCEDURES

A. Issued and Authorized Firearms

1. Definitions

- a. **Service firearm**- any firearm issued by the Department for regularly assigned duties. Officers may carry service firearms at any time.
- b. **Authorized firearm**- a personally owned firearm meeting Department standards and inspected by the Department Firearms Instructor/Armorer. Authorized firearms may be carried when service firearms are not required, or as back-up weapons.
- c. **Off duty firearm**- a personally owned firearm meeting Department standards, inspected by the Department Firearms Instructor/Armorer, and approved by the Chief of Police for off-duty use.

2. Service Firearms

- a. Uniformed patrol officers, including patrol supervisors, who perform regular patrol duties shall be issued:

Glock semi-automatic pistol, models 22 or 23.

- b. Officers who regularly perform non-patrol duties for example: administrative duties, prosecutor and detectives, may be issued:

Glock semi-automatic pistol, model 27.

3. Authorized Firearms for Duty Use

- a. Officers who wish to have personal firearms approved for duty use must submit a written report describing the firearm in detail to the firearms instructor. The firearm will then be inspected and a report of the findings presented to the Chief of Police. The Chief shall have the discretion to authorize the firearm for duty.
- b. Officers may carry authorized firearms as the sole firearm when performing non-patrol duties, including: court, desk duty, plain-clothes assignments, extra paid details, in-service training or other similar assignments.
- c. Firearms which meet the following criteria shall be considered for authorized duty use:

- i. Smith & Wesson, Ruger or approved equivalent make, double action revolver, 38 or 357 caliber with a barrel length of 2" to 4".
 - ii. Glock, Smith & Wesson, or approved equivalent make, semi-automatic pistol capable of double action firing 9mm, 40 caliber, or 45 caliber with barrel length of 3.5 to 4.5.
4. Off Duty Firearms
 - a. Off duty police officers who carry personal firearms for protection or to enable him/her to take unanticipated action as a police officer will be indemnified from civil actions (as they may pertain to the firearm and ammunition used) by the Town of Lexington only if the following conditions are satisfied:
 - i. A written report describing the firearm in detail has been submitted to the Firearms Instructor/Armor and is on file prior to the incident;
 - ii. The firearm is inspected and a report of the findings presented to the Chief of Police;
 - iii. The Chief approves the weapon for off duty use only; and
 - iv. The off duty action involving the firearm arises out of the proper performance of law enforcement duties.
 - b. Firearms that meet the following criteria shall be considered for off-duty use:
 - i. Smith & Wesson, Ruger or equivalent make, double action revolver, 38 or 357 caliber with 2" to 4" barrel.
 - ii. Glock, Smith & Wesson, Walther or approved equivalent make semi-automatic pistol capable of double action firing, 9mm, .380, or 32 calibers with barrel length of 3" to 4.5"
5. Unauthorized firearms. Any officer who uses, for any reason, a firearm that is not issued, authorized for duty use or approved as an off duty firearm does so at their own risk and should not anticipate being indemnified by the Town of Lexington.
6. Although officers have a constitutional right, when properly licensed to carry many types of firearms they are strongly encouraged to carry only those firearms that:
 - a. Meet Department standards;
 - b. Have been inspected by a Firearms Instructor/Armor;
 - c. Have been approved for on or off-duty use by the Chief of Police; and
 - d. The officer has obtained passing qualification scores.

B. Ammunition

1. The following type of ammunition shall be issued or authorized by the Chief of Police.
 - a. Revolver 38 caliber, jacketed hollow point
 - b. Semi-Auto 32 caliber, .380 caliber, 9mm caliber, 40 caliber, 45 caliber, jacketed hollow point less lethal projectile **ONLY**
 - c. Shotgun
 - d. Ruger Mini-14 jacketed hollow point .223 caliber
 - e. Less lethal Super-sock™ or similar munitions
2. Officers shall **only** use issued ammunition in Service firearms.
3. Officers shall **only** use authorized ammunition in “Authorized” and approved “Off-Duty” firearms.
4. Officers using unauthorized ammunition do so at their own risk and should not anticipate being indemnified by the Town of Lexington.

C. Firearms Qualification

1. Every officer must qualify with each firearm that has been issued, authorized for duty use, or approved for off-duty use. Failure to qualify will result in the following actions:
 - a. Officers failing to qualify with an issued service firearm will be temporarily assigned to administrative duties. The officer will be given additional instruction and practice and given a reasonable opportunity to qualify with the firearm. Officers failing to qualify will be required to practice weekly or as required by the Firearms Instructor. Qualifying with a service firearm is a required skill for police officers.
 - b. Officers failing to qualify with an authorized for duty firearm will lose the authorization to carry the firearm until passing qualification scores are achieved.
 - c. Officers failing to qualify with an approved for off-duty use firearm will result in the firearm being classified as unauthorized.
2. All officers shall qualify at least once per year with the issued firearm and any firearm authorized for on and off-duty use. Range qualification will take place during daylight hours. When possible, low light – nighttime familiarization with firearms will be provided annually.
 - a. The Massachusetts Police Training Committee (MPTC) requires that officers handle their issued service firearm and any other firearms they may use multiple times per year for familiarization and training.

- i. This will be accomplished by participating in a yearly (daylight) qualification that requires multiple “courses” to be run through with all weapons (issued Glock, Patrol Rifle and Less Lethal Shotgun).
 - ii. A low light – nighttime familiarization will also take place to provide further familiarity and training with these same firearms.
 - b. During each qualification or familiarization at the range, Firearms Instructors will observe officers safe handling procedures with each firearm. Instructors will further discuss the proper handling and safety features of department firearms as well as authorized on-duty and off-duty firearms when used for qualification.
- 3. Qualification shall take place at an approved range under the direction of a Firearms Instructor. Each officer will be expected to achieve a skill level currently required by the Massachusetts Police Training Committee (MPTC).
- 4. **Shotgun/Less Lethal & Patrol Rifle.** All patrol officers and detectives will be required to qualify at least once per year with Department long arms using Massachusetts Municipal Police Training Committee standards an/or other appropriate training course selected by the Department.
- 5. Qualifying Scores
 - a. Issued Firearm **Score**
 - Expert 94 - 100
 - Sharpshooter 88 - 93
 - Marksman 80 - 87
 - Non Qualified 79 or lower
 - b. Authorized Firearms for On and Off-Duty Use
 - Type** **Score**
 - 6-shot Revolver 80 or higher
 - 5-shot Revolver 80 or higher
 - Semi-Automatic 80 or higher
 - c. Less Lethal 80 or higher
 - d. Patrol Rifle 80 or higher
 - e. Qualification scores are based on Massachusetts Municipal Police Training Committee standards and/or an industry standard for long arms. Officers will be awarded clasps for scores achieved during

daytime issued firearm qualification scores. The clasps may be worn above the nametag on each uniform.

D. Firearm Rules and Regulations

1. Officers shall not alter or modify any issued firearm or ammunition in any way without the express written permission of the Chief of Police. In addition, officers shall not alter or modify any firearm **after** it has been inspected and tested by the Firearms Instructor/Armorer. Exception: handgrips may be changed with the approval and at the direction of the Firearms Instructor/Armorer.
2. All officers must keep their firearms clean and in workable condition at all times. The Firearms Instructor, Patrol Supervisor, or Commanding Officer will make scheduled and unannounced inspections.
3. All officers will be responsible for the safe handling of their firearms at all times. Whenever a firearm is not under the officer's direct control, it must be properly secured to prevent accidents or unauthorized handling (M.G.L. Ch. 140, sec 131L).
4. Reports that are submitted to the Firearms Instructor/Armorer describing a firearm should include the following information:
 - a. The make, model, serial number and caliber of the firearm.
 - b. The condition of the firearm; new or used.
 - c. A description of any modifications or repairs that have been made to the firearm.
5. A record of all firearms that are issued, authorized for duty use, or approved for off-duty use shall be kept on file with the Firearms Instructor. To maintain these records, a written report shall be submitted to the Firearms Instructor whenever an officer sells, trades, replaces or losses a firearm authorized for on- or off-duty use. Once per year, the Firearms Instructor / Armorer will submit a summary report to the Captain of Administration.

E. Range Rules

1. Discharging firearms at the police range shall be restricted to police personnel or individuals escorted by police personnel, **and** when under the supervision of a Firearms Instructor, unless specific authorization to do otherwise has been given by the Chief of Police or a designee.

2. **Firing Range Safety Rules**

- a. Never handle, point or look over the sights of any firearm handed to you, without first opening it to be sure it is not loaded. Likewise, never hand anyone an automatic without first removing the magazine and drawing back and locking the slide. If the firearm is a revolver, open the cylinder whether or not the firearm is loaded.
- b. Always assume your firearm is loaded. Always remove the magazine and work the slide to insure that the firearm is unloaded and safe. Always open the cylinder of a revolver to ascertain if the firearm is loaded.
- c. Never load or cock a firearm on the range unless you are on the firing line. Never un-holster a firearm on the firing line unless the line is clear (no one is down range or in front of the firing line in any way).
- d. When on the firing line, do not turn around with a loaded firearm in your hand. Always point the muzzle down range.
- e. No one is to go forward of the firing line unless all firearms are holstered and the command is given to move forward.
- f. Never point a firearm at anything or anyone you do not intend to shoot.
- g. If a misfire or malfunction occurs, keep the firearm pointed down range, count to five, then signal the firearms instructor for assistance.
- h. After a malfunction, check the firearm for obstruction of barrel and chamber. Never try to shoot an obstruction from the barrel.
- i. The use of eye and ear protection is mandatory. If available, ballistic vests should be worn.
- j. Distractions that are not part of the training program are prohibited. Distractions include game playing, pranks, yelling or other behavior that may interfere with the firearms training or preparation for shooting.
- k. No firing is allowed on the range unless a firearms instructor is present or permission is granted from the Chief of Police.
- l. On the firing line – **the Firearms Instructor is in command.**

3. Safety rules are common sense. A police officer should know his/her firearm and know how to handle it safely. The officer should know how to take care of the firearm:

- a. Keeping it clean and free from dirt and foreign matter;
- b. Making sure that its barrel has no obstructions;
- c. Keeping it in perfect condition so that it is ready to function properly when it is needed.

F. Patrol Rifle & Less Lethal

1. All officers assigned to marked patrol cruisers will take custody of a patrol rifle at the beginning of their duty shift, inspect the rifle and secure it in the assigned cruiser.

41C Firearms

2. It is mandatory that patrol rifles be removed from the cruiser at the end of the duty assignment for re-inspection. The patrol rifle must be unloaded with the action open and should be returned to the gun locker located in the guardroom. At shift change, an exchange of the patrol rifle may take place between officers provided the receiving officer immediately inspects the rifle; the preferred exchange is from the rifle cabinet and guardroom.
3. Whenever a patrol rifle is left in a police cruiser during a duty shift, officers must insure that the mechanism or key release for the gunlock is kept secure.
4. The decision to use a patrol rifle rests with the assigned officer. It should not be routinely removed for calls where it may be inappropriate or where it may be a possible hindrance. The patrol rifle will not be displayed unnecessarily.
5. Less Lethal equipment will be kept locked in the trunk of each cruiser and will be inspected every shift by the officer assigned to the patrol cruiser.