



# SAN ANTONIO POLICE DEPARTMENT GENERAL MANUAL



## Procedure 309 – Weapons

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### **.01 INTRODUCTION**

This procedure provides officers with the guidelines necessary for the safe carrying and handling of approved firearms and intermediate weapons. The procedure also sets guidelines for the types of authorized weapons, ammunition, and holsters officers may carry, and provides for the approval or non-approval of all authorized weapons.

### **.02 POLICY**

- A. Officers shall carry only approved weapons while on-duty or off-duty. The only time firearms not approved by the Department may be carried is for the purpose of participating in sporting/leisure activities (i.e., hunting, shooting competitions, etc.).
- B. While on-duty, officers shall carry one primary handgun and if approved on SAPD Form #60-RCF, *Request to Carry Firearm*, may carry one concealed/secondary handgun. No more than two handguns may be carried by on-duty officers.
- C. Off-duty officers choosing to carry a handgun approved on SAPD Form #60-RCF, *Request to Carry Firearm*, shall do so in accordance with this procedure.
- D. Officers shall strictly abide by SAPD Rules and Regulations 3.31, *DISPLAYING OR DISCHARGING FIREARMS*.
- E. Officers working inside a police facility may store their firearms in a secure area instead of carrying the firearms on their person, in accordance with Section .05.
- F. Officers are responsible for the safekeeping and appropriate use of their firearms and intermediate weapons.
- G. All officers, when in uniform, shall carry at least one (1) approved intermediate weapon.
- H. All officers having been issued an Electronic Control Devices (ECD) shall carry it when in uniform.
- I. All officers having been issued a shoulder weapon shall carry it when on duty.
- J. Officers must have their handguns, shoulder weapons and intermediate weapons registered with the Firearms Proficiency Control Officer (FPCO).
- K. Officers seeking authorization to carry an intermediate weapon which they have not completed training with at the SAPD Training Academy must present a certificate of training from a department-approved organization which provided the training and demonstrate proficiency in the use of the intermediate weapon to the Training Academy Commander or his designee.
- L. Department-issued rifles and shotguns are assigned to the duty station the officer works. Whenever an officer is promoted or transfers from their duty station, the City rifle or shotgun shall be returned to the Department armorer for an inventory check and inspection. This does not include transfers when an officer stays at the same shift/assignment, but gets different relief days. After the weapon is inventoried and inspected, the appropriate duty station will be contacted and advised the firearm is ready for re-issuance.



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- M. Suppressors (also called silencers) or any type of device attached to or part of the barrel of a firearm, which reduces the amount of noise generated by a firearm are prohibited from being used on all Department issued and personally-owned firearms, authorized to be carried, on- or off-duty by officers. Any Unit needing to make use of a suppressor (as described above) must seek permission through their chain of command and have written approval from the Chief of Police or his designee prior to making use of such type of device.

### **.03 TERMINOLOGY** *(For specific use within this procedure, see Glossary)*

Approved Ammunition	Approved Case	Approved Handgun
Approved Holster	Armorer	Approved Firearms
Department-Issued Firearm	Electronic Control Devices	Firearm
Firearms Proficiency Control Officer	Intermediate Weapon	Personally Owned Firearm
Primary Handgun	Proficiency	Qualifying
Ready Room	Secondary Handgun	Shoulder Weapon
Training	Weapon	

### **.04 ARMORY AND SUPPLY OFFICE/READY ROOM**

- A. The Armory and Supply Office is located at the Training Academy and is supervised by the Firearms Proficiency Control Officer (FPCO).
- B. Access into the Armory and Supply Office is restricted to armory personnel and the Training Academy Commander or designees.
- C. Access into all areas of the Ready Room is restricted to personnel assigned to the Armory and Supply-Office and Unit/Shift Directors and/or their designees. In case of an emergency, a supervisor may obtain a key for the Ready Room at the Security Desk, which is located at Police Headquarters.

### **.05 FIREARM SAFETY RULES**

- A. Always treat firearms as if they are loaded.
- B. Never let the muzzle of any firearm cover anything you are not willing to destroy.
- C. Keep your finger off the trigger and outside the trigger guard until you are willing to shoot.
- D. Be sure of your target and beyond.
- E. Officers are responsible for the proper operation and safe handling of all firearms.
- F. Firearms are not loaded or unloaded in any police facility except for maintenance, repair, cleaning, inspection, or processing as evidence by Crime Scene Unit investigators, or under the supervision of Training Academy Range Staff.
- G. Loaded firearms, other than the officer's primary handgun and concealed/secondary handgun, are not carried into or stored in any police facility.
- H. Firearms are not left unsecured in a police facility, but are stored in a locked area not accessible to the public.
- I. Officers, both on-duty and off-duty, must carry handguns in an approved holster while carrying the handguns on their person:
1. Officers working in casual dress code or covert/undercover assignments, as well as off-duty officers, may carry handguns in a container such as a purse, briefcase, fanny pack, carrying bag, etc.



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2. Handguns carried in containers are not required to be in a holster when such containers are designed to secure the handgun in a manner which would prevent:
  - a. The handgun from becoming readily accessible to unauthorized persons;
  - b. Accidental discharges; and
  - c. Exposure of the handgun to the public.
- J. Officers working covert/undercover assignments may carry their handguns in accordance with Section .06 of this procedure.
- K. While in a police vehicle, a shoulder weapon is carried in the vehicle transport mode:
  1. A shotgun will be transported with chamber empty, action closed, safety on; magazine tube loaded and stored in an approved shoulder weapon case inside the trunk of the police vehicle or in the vehicle mounted weapon rack. The additional rounds will be stored on the stock pouch, side saddle, or in a “GO” bag.
  2. An AR-15 will be transported with chamber empty, bolt closed, safety on, magazine inserted and stored in an approved shoulder weapon case inside the trunk of the police vehicle, along with one additional 30 round magazine loaded with 28 rounds; or secured in a vehicle mounted weapon rack.
  3. Exigent circumstances involving officer and public safety may necessitate the need for an officer to have the shoulder weapon in the vehicle in other than the vehicle transport mode.
- L. Shoulder weapons, when carried to and from a police facility, are carried in vehicle transport mode, in an approved shoulder weapons case.

### **.06 GENERAL RULES FOR CARRYING FIREARMS: SWORN OFFICERS**

- A. **Uniformed Officers:** Officers wearing the regulation uniform or the officer’s unit-specific uniform shall conform to the following:
  1. The Department-issued S&W M&P40 is the only approved primary handgun for uniformed officers to carry:
    - a. The S&W M&P40 will be carried in an approved holster on the equipment belt.
    - b. The S&W M&P40 will be carried with a round in the chamber and the magazine fully loaded.
    - c. Two fully-loaded magazines will be carried in a magazine pouch on the equipment belt.
  2. Upon successful completion of an approved handgun mounted weaponlight course, officers may utilize the light-bearing version of the approved duty holster along with an approved handgun-mounted weaponlight in accordance with Section .08 of this procedure.
  3. If approved, one concealed/secondary handgun may also be carried in accordance Sections .05 and .08 of this procedure.
  4. If approved, the officer may carry one (1) patrol rifle and/or one (1) patrol shotgun in accordance with Sections .05 and .08 of this procedure.
  5. Officers assigned to the Special Operations Unit may receive approval from their Division Commander to carry another approved handgun as their primary handgun.



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6. Officers of the rank of Captain or above—while wearing a garrison belt—will carry in an approved holster either the City issued S&W M&P40 or an optional primary handgun, in accordance with Section .08 of this procedure.

**B. Business/Relaxed Dress:** On-duty officers wearing business/relaxed apparel shall conform to the following:

1. Officers shall carry one primary handgun. Officers are encouraged to carry their department issued S&W M&P40 handgun.
2. Officers carrying the Department issued S&W M&P40 shall carry the handgun in an approved holster in accordance with Section .05 of this procedure.
3. Officers carrying the Department issued S&W M&P40 shall also carry a sufficient amount of reserve ammunition to allow for the complete reloading of their primary handgun.
4. If approved, officers may carry a handgun other than the Department issued S&W M&P40 as a primary handgun in accordance with Sections .05 and .08 of this procedure. Additionally, officers approved to carry a handgun other than the S&W M&P40 as a primary handgun shall carry it in an approved holster in accordance with Section .08 of this procedure.
5. If approved, one concealed/secondary handgun may also be carried in accordance with Sections .05 and .08 of this procedure.

**C. Casual Dress:** On-duty officers wearing casual dress apparel shall conform to the following:

1. Officers shall carry one primary handgun concealed on their person; Officers are encouraged to carry their Department issued S&W M&P40 handgun.
2. Officers carrying the Department issued S&W M&P40 shall carry the handgun concealed on their person in an approved holster in accordance with Section .05 of this procedure.
3. Officers carrying the Department issued S&W M&P40 shall also carry a sufficient amount of reserve ammunition to allow for the complete reloading of their primary handgun.
4. If approved, officers may carry a handgun other than the Department issued S&W M&P40 as a primary handgun in accordance with Sections .05 and .08 of this procedure. Additionally, officers approved to carry a handgun other than the S&W M&P40, as a primary handgun, shall carry it in an approved holster in accordance with Section .08 of this procedure.
5. Officers under this section may carry their primary weapon either on their person or in a container such as a purse, briefcase, fanny pack, carrying bag, etc. in accordance with Section .05 of this procedure.
6. If approved, one concealed/secondary handgun may also be carried in accordance with Sections .05 and .08 of this procedure.

**D. Covert/Undercover Assignments:** On-duty officers working in these assignments shall conform to the following:

1. Officers shall carry one primary handgun, either concealed on their person, or in such a manner which makes the handgun readily available and which is under the officer's immediate control. Additionally, the handgun shall be carried in accordance with Section .05 of this procedure.
2. Officers carrying an approved handgun other than the Department issued S&W M&P40 as their primary weapon shall do so in accordance with Section .08 of this procedure, and shall have prior written authorization through their chain of command, from the Office of the Chief of Police or his designee.



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3. Shoulder weapons, whether issued by the Department or personally owned, will only be carried by an officer who has received written approval from his chain of command, including his Division Commander and the FPCO.
  4. The Chief of Police or his designee (supervisory officer) may authorize, in writing, officers working undercover assignments to carry an authorized weapon in a manner other than in an approved holster or approved case.
  5. If approved, one concealed/secondary handgun may also be carried in accordance with Sections .05 and .08 of this procedure.
  6. The Unit/Shift Director or his designee (supervisory officer) may authorize officers working undercover assignments not to carry a firearm for a specific assignment which may place the officer in greater danger than being armed.
- E. **Off-Duty Officers:** Off-duty officers may carry approved handguns and are subject to the following requirements:
1. The handgun(s) should be carried concealed in a safe and secure manner by officers while off-duty. Additionally, the handgun shall be carried in accordance with Section .05 of this procedure.
  2. Officers who carry firearms while off-duty will be subject to the same policies, procedures, rules and regulations pertaining to officers while on-duty.
  3. Having a Handgun License (HL) does not relieve officers from complying with this procedure.
  4. Should officers choose to open carry while off-duty, they **must** also display their badge and use an approved weapon and holster in accordance with Subsection .02 of this procedure.

### **.07 GENERAL RULES FOR CARRYING FIREARMS: CIVILIAN / NON-SWORN MEMBERS**

- A. Non-sworn members shall strictly adhere to COSA Administrative Directive 4.80, *Violence in the Workplace*.
- B. In accordance with COSA Administrative Directive 4.80, *Violence in the Workplace*, non-sworn members are not prohibited from handling weapons during the course and scope of their duties, when authorized by appropriate authority and in a work related capacity.

### **.08 SPECIFICATIONS FOR APPROVED FIREARMS, AMMUNITION, AND HOLSTERS**

- A. The Training Academy Commander or his designee shall determine the types of firearms, ammunition, holsters, and shoulder weapon cases officers are approved to carry both on- and off-duty, subject to the approval of the Chief of Police.
- B. Officers who choose to carry personally-owned handguns shall submit the handguns for approval. Officers who submit handguns which are not approved by the FPCO may submit a written appeal to the Training Academy Commander requesting a review of the denial. The decision of the Training Academy Commander shall be final.
- C. The FPCO will approve officers to carry firearms only after the following conditions have been met:
  1. The firearm has been inspected and has been found to meet the type and caliber of firearm authorized by this procedure;
  2. The firearm has been found to function properly while being fired during the Department's qualification course;
  3. The officer requesting to carry the firearm has passed the firearms shooting qualification course, along with any other necessary training courses required by the Department with the firearm; and



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4. SAPD Form #60-RCF, *Request to Carry Firearm*, has been completed and approved by all applicable personnel for all firearms other than the Department issued S&W M&P40 handgun.
- D. **OPTIONAL HANDGUNS AS PRIMARY WEAPON:** For a handgun under this section to be considered for approval, it must conform to the following:
1. Only four (4) models of handguns will be considered as options for approval for on-duty officers to carry as a primary weapon: GLOCK Model 23/27, S&W M&P40C, or S&W M&P40 Shield;
  2. Must be chambered to fire the Department issued duty round;
  3. Must have a factory unaltered trigger press weight of not less than five (5) pounds;
  4. Both the slide and receiver must be black in color; and
  5. The handgun must not be equipped with a magazine drop safety.
  6. Officers approved to carry an optional handgun as a primary weapon while on-duty shall carry at least one extra fully-loaded magazine to allow for a complete re-load of the weapon.
  7. Officers approved to carry an optional handgun as a primary weapon must carry the handgun in a holster designed for the make and model of the firearm that provides at least one mechanical, retention device and makes the firearm readily available. Shoulder holsters must be in a vertical carry configuration.
  8. Officers approved to carry an optional handgun and as a primary weapon under this section shall carry the weapon in accordance with Section .05 of this procedure.
- E. **HANDGUNS FOR CONCEALED/SECONDARY OR COVERT/UNDERCOVER CARRY:** For a handgun to be considered for approval under this section, it must be either:
1. A double-action revolver with a caliber designation not less than .38 caliber, nor more than .45 caliber, that holds at least five (5) rounds of ammunition; or
  2. A semi-automatic handgun with a caliber designation not less than .380 caliber, nor more than .45 caliber, with a minimum magazine capacity of five (5) rounds of ammunition.
  3. Officers approved to carry a handgun under this section must carry the handgun in a holster that is designed for the make and model of the firearm that provides at least one mechanical, retention device and makes the firearm readily available. Shoulder holsters must be a vertical carry configuration. Concealed holsters may consider the garment providing concealment as the retention device.
  4. Officers approved to carry a concealed/secondary weapon under this section shall carry the weapon in accordance with Section .05 of this procedure.
- F. **SHOULDER WEAPONS:** For a shoulder weapon to be considered for approval it must be, or have, as part of its associated equipment:
1. A 12-gauge pump shotgun with a barrel length of 18 to 20 inches with a minimum five (5) round magazine tube and a manual-of-arms matching to the department-issued patrol shotgun. The weapon must have been produced and assembled by a reputable manufacturer.
    - a. The shotgun shall have a 1, 2, or 3 point sling.
    - b. The shotgun may have bead, rifle, or “Ghost Ring” sights permanently affixed to the weapon.



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- c. The shotgun may also have a non-magnifying optical sight in addition to the iron sights.
  - d. The shotgun may have a retractable stock, and/or pistol grip.
  - e. The officer must provide either a side-saddle, stock-pouch or like designed device affixed to the weapon that has the capability to hold any additional rounds issued for duty carry.
  - f. Any personally-owned shotgun shall conform to all specifications required by the Training Academy and must be inspected and approved by the FPCO and/or the Armorer prior to use.
2. An AR-15 style rifle in 5.56 mm/.223 caliber only, with a barrel length of 16 to 20 inches (with or without flash suppressor), and manufactured by a reputable major manufacturer. This means the continuous barrel length (portion measured from the bolt face, with bolt closed, to the muzzle) must be a minimum of 16 inches. The barrel length excludes any device which is either permanently or temporarily affixed to the barrel, and:
- a. Must have a metal receiver.
  - b. Must have a minimum of two-30 round magazines, each magazine shall be loaded with 28 rounds. Each magazine shall have that number (28) marked with an indelible marker on the outside of each magazine.
  - c. May have a 1, 2, or 3 point sling.
  - d. Must have adjustable iron sights affixed to the receiver.
  - e. Optics –May have a non-magnifying optical sight in addition to the adjustable iron sights.
    1. ***Upon completion of an 8 hour proficiency course officers may utilize:***
      - i. Magnifier*** – a magnifier is a magnification device that can be affixed to the patrol rifle behind the officer's existing non-magnified red dot sight. The magnifier cannot exceed five power (5x) of magnification. The magnifier must be attached to the patrol rifle with a side flip mounting system. The patrol rifle must have functional iron sights affixed to the rifle at all times.
      - ii. Variable powered optic 1-4*** – A variable powered optic is defined as: an optic that the power of magnification can be changed from no power, or non-magnified up to a higher power of magnification not to exceed four power (4x). The tube body of the optic must measure at least 30mm in diameter. It must be manufactured by a reputable manufacturer, designed for Law Enforcement use. It must have an illuminated sight reference (ie Dot, chevron, crosshair). It must have a reticle that remains visible with or without battery power. The Officer should use a cover or flip up lens protection for his/her optic while in transport. It must have a quick detach mounting system to attach the optic to the patrol rifle to allow for removal if necessary. The patrol rifle must have functional iron sights affixed to the rifle at all times.
  - f. A quick detachable mount for the non-magnifying optical sight is optional, but preferable for electric powered optical sights.
  - g. Must have a factory unaltered trigger press weight of not less than 4 pounds.
  - h. May have a fixed or adjustable stock.
  - i. The officer must provide a magazine pouch, coupler, drop pouch, or like designed device that can hold at least one (1) 30 round magazine loaded with 28 rounds.
  - j. Shoulder weapons shall conform to all specifications required by the Training Academy and must be inspected and approved by the FPCO and/or the Armorer prior to use.



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- k. Officers must provide a shoulder weapon case that conforms to Section .08 of this procedure.
- G. **AMMUNITION:** Officers shall carry only approved ammunition.
1. **Handguns:**
    - a. Officers shall carry and fire only Department issued duty ammunition in their Department issued handguns and/or in personally-owned optional handguns approved for use as a primary duty weapon under Section .08 of this procedure.
    - b. Non-department issued ammunition must be inspected, approved, and registered by the FPCO prior to an officer attempting to shoot any qualification courses with the ammunition or carry it on duty. This applies to ammunition used for all personally-owned handguns.
    - c. Any additional ammunition officers choose to carry in emergency response equipment designed for primary weapons or shoulder weapons must be new, non-reloaded ammunition of the same manufacturer, brand, caliber, weight, and velocity as Department issued duty ammunition.
    - d. Officers are responsible for providing their own duty ammunition for all personally-owned handguns. This includes the ammunition needed for the Department's training and qualification courses.
  2. **Shoulder Weapons Training:**
    - a. Officers approved to carry shoulder weapons (Department issued and personally-owned) will be provided with Department issued training ammunition for the weapons when participating in Department-provided rifle/shotgun schools (40 hours) and rifle/shotgun in-service classes (8 hour re-qualification). This includes ammunition for officers to carry in the weapons while on-duty.
  3. **Shoulder Weapon Qualification and Duty Ammunition:**
    - a. Officers approved to carry Department issued shoulder weapons will be provided with the ammunition needed.
    - b. Officers approved to carry personally-owned shoulder weapons will be provided with the ammunition needed.
    - c. Any additional ammunition officers choose to carry in emergency response equipment designed for primary weapons or shoulder weapons must be new, non-reloaded ammunition of the same manufacturer, brand, caliber, weight, and velocity as Department issued duty ammunition.
- H. **HOLSTERS:** Holsters and cases shall be inspected and approved by the FPCO prior to being carried by officers. For a holster to be considered for approval, it must be a holster that is designed for the make and model of the firearm that provides at least one mechanical, retention device, and makes the firearm readily available. Shoulder holsters must be a vertical carry configuration. Concealed holsters may consider the garment providing concealment as the retention device.
1. Uniformed officers shall utilize the Safariland Model 6360 ALS Duty Holster to carry the S&W M&P40.
  2. Upon successful completion of an approved handgun mounted weaponlight course uniformed officers may utilize the light bearing version of the Safariland Model 6360 ALS Duty Holster to carry the S&W M&P40.
- I. **SHOULDER WEAPONS CASES:** Cases shall be inspected and approved by the FPCO prior to being carried by officers. For a case to be considered for approval, it must be a case that is designed for the make and model of the shoulder weapon that provides the ability to carry extra magazines and associated equipment, and makes the weapon readily available.



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- J. HANDGUN MOUNTED WEAPONLIGHTS: Handgun mounted weaponlights shall be inspected and approved by the FPCO or his designee prior to being carried by officers.
1. For a handgun weapon-mounted light to be considered for approval it must:
    - a. Provide LED illumination of at least 120 lumens
    - b. Manufactured to fit the S&W M&P40.
    - c. Designated by Safariland to fit the light bearing version of the Model 6360 ALS Duty Holster.
    - d. May be operated by either toggle switch or pressure pad.
  2. Officers must successfully complete an approved handgun mounted weaponlight course administered by the FPCO or his designee prior to carrying a handgun mounted weaponlight. Officers wishing to attend this course are responsible for providing the weaponlight, holster, and any ammunition needed to complete the course.
  3. Officers carrying a handgun mounted weaponlight shall carry a separate hand-held utility light, in working order, as their primary illumination tool.
  4. Officers carrying the handgun mounted weaponlight shall utilize it solely as an extension of the weapon in conformance with Section .05 of this procedure.
  5. If an officer decides not to carry the handgun mounted weaponlight on his weapon, he must transition back to the standard non-light bearing holster authorized under this procedure. **SAFETY ISSUE: *The handgun mounted weaponlight holster is not to be used without the weaponlight on the weapon. The manufacturer will not guarantee the retention level if used with the weaponlight not mounted on the weapon.***
- K. The information regarding an officer's authorized weapons, ammunition, and holsters shall be registered with the FPCO or his designee on SAPD Form #60-RCF, *Request to Carry Firearm*.

### **.09 GENERAL INFORMATION FOR PERSONALLY-OWNED HANDGUNS OR SHOULDER WEAPONS**

- A. All personally-owned firearms, carried on or off-duty by officers, must be approved by the FPCO, and registered with the Department prior to the officer carrying the firearms. Officers shall register personally-owned firearms with the FPCO or his designee by completing SAPD Form #60-RCF, *Request to Carry Firearm*.
- B. Officers who sustain loss, theft, or damage to their personally-owned handguns, shoulder weapons, holsters, or shoulder weapon cases may receive reimbursement for the cost of replacement or repair in accordance with the current Collective Bargaining Agreement.
- C. The Department will not provide officers with replacement handguns or shoulder weapons when personally-owned handguns or shoulder weapons are taken into custody for evidence, or when repairs or modifications are conducted.
- D. The FPCO or his designee will check all firearms officers want to carry for stolen in the NCIC/TCIC files, and document the results on SAPD Form #60-RCF, *Request to Carry Firearm*, prior to approving and registering the firearms.
  1. Any firearms found to be stolen will be impounded into the Property Room.
  2. The FPCO (supervisor) or another supervisor will ensure the officer in possession of a stolen firearm writes a report indicating the circumstances of his possession of the firearm. The report will be forwarded to the officer's division commander and the Office of the Chief.



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3. The FPCO (supervisor) or the supervisor notified of a stolen firearm will ensure an offense report is written regarding the stolen firearm. The original report will be routed to the Records Office and copies will be forwarded to the follow-up unit, the officer's division commander, and the Office of the Chief.

### **.10 OBTAINING APPROVALS TO CARRY SHOULDER WEAPONS**

- A. Officers shall receive written approval on SAPD Form #60-RCF, *Request to Carry Firearm*, from their division commander prior to attending shoulder weapon training and carrying a shoulder weapon.
- B. A Patrol Division Commander shall request officers for the Shoulder Weapon Program (Department-issued weapons) based on availability within a specific district or section.
- C. Upon written approval on Form #60-RCF, *Request to Carry Firearm*, from the FPCO, an officer may be approved to carry one (1) personally owned rifle and/or one (1) personally owned shotgun with the approval and registration by the Department for police use. Only one (1) shoulder weapon will be Department-issued.
- D. Officers will be allowed to carry only approved shoulder weapons (Department-issued or personally-owned), while on-duty.
- E. Officers shall carry shoulder weapons in accordance with the guidelines listed in their SOP, as well as this procedure.

### **.11 PREPARATION, HANDLING, AND DEPLOYMENT OF HANDGUNS AND SHOULDER WEAPONS**

- A. Preparations, handling, and deployment instructions for all authorized weapons shall be incorporated into the firearms training courses established by the Training Academy Commander and/or the Special Operations Unit staff. Division Commanders who authorize the carrying of shoulder weapons shall ensure preparations, handling, and deployment guidelines for these weapons are included into their SOP manuals.
- B. The Department issued S&W M&P40 handgun and other semi-automatic handguns are carried with a live round in the chamber and all magazines fully loaded.
- C. Revolver handguns shall be carried with a live round in each chamber of the cylinder. Revolvers shall not be carried in the cocked position.

### **.12 LESS LETHAL MUNITIONS**

- A. Less lethal munitions are extended range impact projectiles designed to safely incapacitate potentially dangerous person(s) from a distance that minimizes the danger to agents and citizens. Projectiles are fired or launched for the purpose of causing blunt trauma, which is used to encourage compliance and overcome resistance with a reduced likelihood of causing death. The department authorizes the use of approved 12-gauge, 40 mm, and 37 mm less lethal devices
- B. Prior to firing less lethal rounds from either a 12-gauge shotgun or 37mm launcher, officers shall:
  1. Unload all ammunition from the weapon;
  2. Visually and manually inspect the breech and magazine or cylinder of the weapon to ensure that all ammunition has been removed from the weapon;
  3. Load the less lethal munitions into the weapon, visually inspecting each round prior to insertion, ensuring that the ammunition which is being loaded is the correct less lethal munitions; and
  4. Whenever possible, a second officer shall observe and verify all stages of the unloading of the weapon and the loading of all less lethal munitions.



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- C. When deploying less lethal munitions, the preferred target areas are the arms, shoulders, thighs, knees, or shins of the subject. The operator should not intentionally target the head/neck, thorax, heart, groin, or spine of the subject.

### **.13 FIREARMS QUALIFICATION AND REGISTRATION OF FIREARMS**

- A. The Texas Commission on Law Enforcement (TCOLE) mandates certified Texas peace officers qualify with all firearms they carry, either on or off-duty, at least once every calendar year.
- B. HANDGUNS: Qualifying with a Department issued S&W M&P40 handgun, and personally-owned handguns:
  - 1. All officers must qualify each calendar year with their assigned Department issued S&W M&P40 handgun. All officers shall qualify wearing the Sam Browne duty belt which conforms to the regulation uniform code when qualifying with their duty handgun.
  - 2. Officers wanting to qualify with a handgun, other than their Department issued S&W M&P40 must have the handgun, holster, and ammunition approved in accordance with Section .08 of this procedure.
  - 3. To qualify with handguns, officers must score a minimum of seventy percent (70%) on the Department's established course of fire as administered and scored by the FPCO or his designee.
  - 4. Officers are afforded two (2) attempts on a given day at qualifying with the Department issued S&W M&P40 handgun on the day and time of an officer's scheduled Departmental in-service qualification period, or at such other time as scheduled by the FPCO.
  - 5. Officers are afforded two (2) attempts on a given day at qualifying with personally-owned handguns. Personally-owned handgun qualifications will be scheduled according to the dates and times established by the FPCO or his designee.
- C. Failure to Qualify with a Department Issued Handgun:
  - 1. In addition to not scoring a minimum of seventy percent (70%) on the established course of fire, unsafe behavior or failure to demonstrate the proper functioning or handling of a handgun are also grounds for failure to qualify.
  - 2. Officers who fail to qualify during their scheduled departmental in-service qualification period or who do not qualify during a calendar year with a Department issued handgun will:
    - a. Surrender their Department issued handgun to the FPCO;
    - b. Surrender their Department issued shoulder weapon to the FPCO, if assigned to a Department Shoulder Weapon Program. The officer will be removed from the Department Shoulder Weapon Program until further notice by a Patrol Division commander;
    - c. Not be allowed to qualify with any other firearm until they have qualified with their Department issued handgun; and
    - d. Not be allowed to carry any firearm, on- or off-duty.
  - 3. The FPCO shall immediately notify the Training Academy Commander when an officer fails to qualify after two attempts with his Department issued handgun
  - 4. Officers failing to qualify are prohibited from wearing the police uniform or working off-duty employment in city facilities or outside employment, which requires an extension of police services, until they qualify.



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5. When scheduled, the officer will be given two (2) new attempts to qualify and must score a minimum of seventy percent (70%) on the Department's established course of fire as administered and scored by the FPCO. The FPCO shall immediately notify the Training Academy Commander when an officer fails to qualify after the fourth attempt.
6. In the event an officer fails to qualify after the fourth attempt, the Training Academy Commander contacts the Office of the Chief of Police to place the officer on special assignment to the Training Academy. The officer will attend a sixteen (16) hour firearm remediation course at the Training Academy.
7. Upon completion of the firearms remediation course, officers are given two (2) final attempts to qualify and must score a minimum of seventy percent (70%) on the Department's established course of fire as administered and scored by the FPCO.
8. Officers who qualify on one of their two (2) final attempts are released from special assignment and returned to their assigned units. The officer will resume his police duties and may resume working off-duty employment in city facilities and outside employment. All officers who are assigned to the remediation course shall be required to attend quarterly remedial firearms training.
9. Officers who fail to qualify on their final attempts are retained on special assignment, with a recommendation for termination sent to the Chief of Police.

### D. Failure to Qualify with Personally-Owned Handguns

1. Officers who fail to qualify after the second attempt on a given day will not be approved to carry the handgun.
2. Additional attempts to qualify may be scheduled with the officer by the FPCO or his designee.

### E. SHOULDER WEAPONS: Qualifications to carry a Shoulder Weapon

1. The Training Academy Commander shall post on the SAPD Intranet (S.A.M. Resources, Training Academy On-Line Registration) the dates and times when shoulder weapon training courses will occur.
2. Division commanders who have approved officers to attend shoulder weapon training will schedule their officers for shoulder weapon training and provide the FPCO with the original SAPD Form #60-RCF, *Request to Carry Firearm*.
3. Officers shall pass the Basic Patrol Rifle Course or the Basic Patrol Shotgun Course administered and scored by the FPCO or his designee prior to being approved to carry a shoulder weapon. The FPCO, his designee and/or the Certified Firearms Instructor assigned to the Special Operations Unit will issue the officer written notification on SAPD Form #60-RCF, *Request to Carry Firearm*, advising the officer if he is authorized to carry a shoulder weapon.
4. Officers shall qualify annually with all Department issued and/or personally-owned shoulder weapons as mandated by TCOLE.
5. All officers assigned to a Department Shoulder Weapon Program shall be required to qualify with the Department issued S&W M&P handgun. The qualification score shall be based on the annual in-service qualification course of fire. Additionally, all officers will be required to fire a qualification course of fire on the first day of the designated rifleman/shotgun 40 hour school. Those officers, who fail to qualify will not be permitted to participate in the school and will be returned to their duty assignment.



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6. Shoulder weapon qualification criteria for officers assigned to the SWAT Detail shall be determined by the Certified Firearms Instructor assigned to the Special Operations Unit, with approval from the FPCO and the Commander of the Tactical Support Division.

### F. Failure to Qualify with a Shoulder Weapon

1. Officers failing to qualify on any Departmental qualification courses with a shoulder weapon after two (2) attempts shall not be authorized to carry a shoulder weapon. The FPCO will issue the officer and their supervisor a written notification on SAPD Form #60-RCF, *Request to Carry Firearm*, advising the officer he is not authorized to carry a shoulder weapon.
2. The officer's division commander will be notified by the FPCO when an officer fails to qualify after two (2) attempts with a shoulder weapon.
3. Officers failing to qualify with a shoulder weapon shall surrender their Department issued shoulder weapon to the FPCO. The officer will be removed from the Department Shoulder Weapon Program until further notice by a Patrol Division commander.
4. With approval from the officer's division commander, the FPCO may reschedule a final qualification attempt for officers who have failed shoulder weapon qualification.

### G. Approval/ Denial and Registration of Firearms

1. Upon successful completion of the Department's established Firearms Qualification Courses with a handgun or shoulder weapon, the FPCO will register the firearm(s) with the Department in the following manner:
  - a. Complete SAPD Form #60-RCF, *Request to Carry Firearm*, indicating approval or denial for the officer to carry the handgun(s) and/or shoulder weapon. The FPCO or his designee and the officer requesting approval, shall sign SAPD Form #60-RCF, *Request to Carry Firearm*, indicating knowledge of approval or denial of the request;
  - b. The FPCO or his designee will give the officer a completed copy of SAPD Form #60-RCF, *Request to Carry Firearm*;
  - c. The officer will route a copy of the completed SAPD Form #60-RCF, *Request to Carry Firearm*, through his chain of command to his division commander. The officer's unit/shift director shall file a copy of the form in the officer's field file; and
  - d. The FPCO shall maintain and file the original SAPD Form #60-RCF, *Request to Carry Firearm*, and shall register the information on the firearm(s) in the police firearms computer program.
2. Officers who no longer choose to have a personally-owned weapon registered with the Department will submit a written report to the FPCO requesting the handgun, rifle, or shotgun be removed from the officers' approval list. Officers will also route a copy of the report through their chain of command.

### **.14 MAINTENANCE, REPAIRS, AND MODIFICATIONS OF FIREARMS**

- A. Only the Department Armorer, the Academy assigned FPCO, or certified range staff will conduct repairs, modifications, or change parts to department-issued firearms.
- B. Officers who desire to have any modifications or to change any parts to a firearm shall make a request in writing to the FPCO who shall have the final decision regarding modifications and the changing of parts to firearms.
- C. The Department will not be responsible for making repairs to personally-owned firearms, and will not reimburse officers for the cost of repairs or maintenance of personally-owned firearms.



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- D. In the event a personally-owned firearm becomes damaged or inoperative, the officer may opt to have a non-department armorer repair the firearm at his own expense. This repair must be reported to the FPCO in writing. The FPCO or his designee will inspect the firearm after the repair and prior to the officer carrying the firearm.
- E. Upon discovering unauthorized repairs, modifications, or parts to any Department-issued firearm, the FPCO notifies another Firearms Range staff member in order to verify the unauthorized repairs, modifications or parts, and;
  - 1. If the firearm is a Department-issued firearm, the Armorer, the FPCO, or his designee makes the required repairs or changes so the firearm meets Departmental specifications; or
  - 2. If the firearm is a personally-owned firearm, the Academy assigned FPCO or Academy assigned range staff shall document the incident on SAPD Form #60-RCF, *Request to Carry Firearm*, and advise the officer the firearm is not approved to be carried by the officer for police use; and
  - 3. The FPCO will submit a written report to the Training Academy Commander detailing the unauthorized repairs, modifications, or parts. The Training Academy Commander shall notify the officer's division commander for possible disciplinary action against the officer. All disciplinary action shall be handled in accordance with GM Proc. 303, *Disciplinary Procedures*.

### **.15 RESPONSIBILITIES**

#### A. Training Academy Commander:

- 1. Is the custodian of the departmental weapon ranges and establishes safety rules for these ranges and other weapon ranges utilized by the Department.
- 2. Ensures training and qualification courses are established and documented for authorized weapons.
- 3. Appoints the FPCO and his designees.
- 4. Notifies the Office of the Chief of Police, the Internal Affairs Unit, and the officer's division commander when:
  - a. An officer fails to qualify with their Department issued handgun; and
  - b. An officer's qualification is about to expire or has expired due to a lapse of time.

#### B. Firearms Proficiency Control Officer:

- 1. Is in charge of the departmental weapon ranges during firearm exercises;
- 2. Ensures all persons on the weapon ranges adhere to the range safety rules;
- 3. Inspects, approves, and documents all firearms, holsters, ammunition, and shoulder weapon cases officers are authorized to carry, both on- and off-duty, for police use;
- 4. Makes repairs, modifications, and changes parts on Department-issued firearms.
- 5. Establishes and maintains all firearms training, and records officers' training and the information on officers' weapons into the Police Firearms computer program;
- 6. The FPCO or his designee administers and scores the firearms qualification process for all officers; and
- 7. Notifies the Training Academy Commander in writing when;



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- a. An officer fails to qualify with their Department-issued handgun;
- b. An officer's qualification is about to expire or has expired due to a lapse of time; and
- c. An officer has made unauthorized repairs, modifications, or has changed parts on an authorized weapon.

### C. Armorer

1. Maintains the Armory and Supply Office and issues authorized supplies when needed.
2. Makes repairs, modifications, and changes parts on Department issued firearms.
3. When OC spray/gel canisters, or an ECD or related equipment are returned to the Armory by officers, the Armorer replaces the equipment and completes the appropriate section of SAPD Form 62-RFI, *Receipt for Issue/Replacement OC Spray/Gel and/or ECD*. The Armorer forwards a copy of the form to the Internal Affairs Unit.

### D. Section Commanders/Unit Directors:

1. Ensure officers under their command or direction carry only authorized weapons as defined in this procedure.
2. Maintain an inventory list of all shoulder weapons assigned to their personnel and unit.
3. When officers are transferred from their duty station, they ensure that any Department-issued rifles or shotguns assigned to them are returned to the San Antonio Police Department Armory, in a clean condition, to allow the armorer to inventory the equipment and to inspect the firearm.

### E. Supervisory Officers:

1. Ensure through periodic inspections that officers under their supervision carry only approved firearms, holsters, ammunition, and intermediate weapons as defined in this procedure, and all equipment is in proper working order.
2. Verify information on any approved firearms checked in or out of the Ready Room by officers is properly entered into the weapon's logbook.
3. When the Armory is closed, verify information entered in the appropriate section of SAPD Form 62-RFI, *Receipt For Issue/Replacement of OC Spray/Gel and/or ECD*, by officers returning OC spray/gel canisters or replacing an ECD or cartridges to the Ready Room and also verify information entered into the OC spray/gel and/or ECD logbook when officers check out replacement equipment.
4. Must have knowledge of all weapons carried by personnel under their supervision.

### F. All Officers

1. Carry only authorized weapons, ammunition, and holsters, on-duty or off-duty, in accordance with this procedure.
2. Maintain qualifications on all authorized weapons they carry, and ensure the weapons function properly at all times.



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3. Allow only the Department Armorer, the Academy assigned FPCO or the Academy Range Staff to make repairs, modifications, or changes of parts to any Department-issued
4. Officers carrying any Department-issued approved firearm or ECD which is damaged or inoperative shall immediately return the firearm or ECD to the Amory for inspection and/or repair. If the Armory is closed, a supervisor shall accompany the officer to the Ready Room to obtain a spare firearm or ECD to replace the damaged or inoperative department-issued firearm or ECD. A written report listing the malfunction or damage shall be attached to the firearm or ECD and a copy of the report is routed through the officer's chain of command to his Division Commander.
5. The loss or theft of a Department-issued or personally-owned approved firearm shall immediately be reported to the FPCO or his designee, Department Armorer, and a supervisory officer.
  - a. If the loss or theft occurred inside the city limits, the supervisory officer will ensure an offense report is written.
  - b. If the loss or theft occurs in another jurisdiction, the officer shall immediately notify the appropriate law enforcement agency and ensure a report is written by the agency.
  - c. The officer shall write an incident report under an SAPD case number detailing the loss or theft.
  - d. The officer routes a copy of his report documenting the loss or theft through his chain of command and to the Armorer.
6. Any officer who transfers from one duty station to another shall return their Department-issued rifle or shotgun to the armory, in a clean condition. The Armorer shall conduct an inventory of the equipment and inspect the firearm.
7. Any officer discharging a firearm accidentally or intentionally, except while training on a shooting range or while lawfully hunting wild game, shall immediately notify an on-duty supervisor and report the incident in writing, through his chain of command, to the Division Commander in accordance with Rule and Regulation 3.31, Subsection D.
  - a. The supervisor notified will review all the circumstances surrounding the firearm discharge to ensure all policy, training, weapon/equipment, and discipline issues are addressed.
  - b. Upon completion of his initial review, the supervisor will handle in accordance with GM Proc. 303, *Disciplinary Procedures*.
  - c. The officer's initial report and the supervisor's written review and recommendations are then forwarded through the chain of command for final review and disposition.
  - d. The Division Commander shall review the reports and recommendations, and based on the merits, substance, and gravity of the incident, will request further investigation, implement discipline in accordance with the current Collective Bargaining Agreement, or recommend no disciplinary action.
  - e. Regardless of the outcome, all reports with recommendations will be routed to the Internal Affairs Unit and will be maintained on file in accordance with the Department's retention schedule.
8. Any officer discharging an intermediate weapon accidentally or intentionally shall immediately notify an on-duty supervisor and report the incident in writing, through his chain of command, to his Division Commander; all requirements of Subsection .06 (a-e) will apply.



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9. Any officer who uses oleoresin capsicum (OC) spray/gel shall return the OC spray/gel canister, even if partially used, to the Armory or Ready Room to obtain replacement equipment prior to the end of his tour of duty. Fired ECD cartridges are replaced prior to the end of the officer's tour of duty.
  - a. If the Armory is closed, a Supervisor shall accompany the officer to the Ready Room to replace the used OC spray/gel canister or fired ECD cartridges.
  - b. SAPD Form #62-RFI, *Receipt for Issue/Replacement OC Spray/Gel and/or ECD*, shall be completed by the officer (and the supervisor when applicable).
    - (1) It is attached to the used OC spray/gel canister.
    - (2) For an ECD and/or cartridge, one copy of the replacement receipt shall be left in a designated receptacle in the Ready Room.