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			Distribution: All
Title: FIREARMS		Section: Weapons	
Issued: 06/08/2010	Effective: 06/16/2010	Revised: 12/14/2015	
Rescinds: All Previous		Amends:	
CALEA References: 1.3.9a,b,c,d,e,f, 1.3.10, 1.3.11a,b,c, 1.3.12, 1.2.2			
Review: Annual	Authority: Chief Michael A. Keller <i>MJK</i>		

## I. Purpose

It is the purpose of this General Order to provide officers with guidelines associated with the use, maintenance, and safety of agency authorized firearms and the qualification requirements related to them.

## II. Policy

It is the policy of this law enforcement agency that officers shall adhere to the requirements established herein in order to ensure the safe handling and use of firearms.

## III. Definitions

- A. Authorized Firearm:** Any make, model, or caliber of firearm that meets this agency's designated requirements and specifications, and has been formally approved by the agency armorer, range master and Chief of Police for general or individual use by sworn law enforcement personnel. This includes duty handguns, backup/off-duty handguns, shotguns, and rifles used for law enforcement purposes.
- B. Duty Handgun:** The firearm(s) authorized by this agency to be carried by officers on duty.
- C. Backup/Off-Duty Handgun:** Any authorized handgun other than the duty handgun that is carried in authorized concealed manner.
- D. Firearms Qualification:** Periodic testing required of officers to determine their competency to carry authorized firearms.
- E. Restricted Duty:** In the context of this General Order, an assignment that does not require an officer to be armed.

## IV. Regulations

### A. General Firearms Regulations

1. Members of the Department shall not engage in the unsafe handling of a firearm. A member is responsible for and will be held accountable for any incident that occurs from the unsafe handling of a weapon [C].
2. All firearms will be properly secured at all times. When a member is not in uniform, firearms will be carried in a concealed manner at all times, except as provided in this General Order [B].

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3. When carrying a firearm off duty members will have in their possession their badge and police identification card at all times [B].

#### **B. Carry/Use Authorized Firearms/Equipment**

1. Prior to carrying any firearm, the firearm must be authorized and the member must successfully complete use of force training and qualify with the firearm [C].
2. Each member authorized to carry a firearm shall have their firearm with them while on duty or driving a marked police vehicle except as authorized by the Chief of Police or the respective Division Commander [B].
3. When taking official police action, on or off duty, a member shall use only firearms they are authorized and qualified to use [E].
4. Each authorized member shall carry and use only authorized ammunition [D].
5. Only approved holsters and magazines shall be carried by officers. Magazines for semi-automatic pistols must be of the same manufacturer as the pistol [B].
6. No member of the Department shall modify, or authorize modification of any firearm, which deviates from manufacturers specifications unless approved pursuant to the procedures of this General Order [D].
7. Members will not carry personally owned firearms, on or off duty, unless the firearm has been approved by the Chief of Police pursuant to the procedures in this General Order [A].
8. Any member who discovers a malfunction or defect in an authorized firearm shall immediately report the defect to the department armorer who will take the firearm out of service until repaired [A].

### **V. Procedures**

#### **A. General Provisions**

Rev. 03312012

1. Kansas law KSA 21-6301 and KSA 21-6302 exempts law enforcement officers from the restrictions found within the state statutes regarding the use and carrying of weapons to include firearms, therefore, officers are permitted to carry and use firearms consistent with this provisions in the General Order and General Order O2102 Use of Force (1.2.2).
2. Officers when on or off duty shall carry only authorized firearms.
  - a. The Chief of Police has the sole authority to authorize firearms for on or off duty carry by officers. Any firearm authorized by the Chief of Police for on or off duty carry must be manufactured by a reputable company, be of a suitable caliber, and be recommended in writing by the department armorer and range master (1.3.9a).



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- b. The department armorer will inspect and the range master will test fire each and every firearm to ensure functionality and accuracy before recommending the firearm for authorization (1.3.9c).
    - c. The department armorer will maintain a list of firearms approved by the Chief of Police. The list of firearms must include the make, model and caliber of approved firearms and must have attached written documentation signed by the Chief of Police authorizing the firearm (1.3.9e).
  3. Only ammunition that has been approved by this agency shall be used in authorized firearms.
    - a. The Chief of Police has the sole authority to authorize ammunition for use in authorized firearms. Any ammunition authorized by the Chief of Police for authorized firearms must be manufactured by a reputable company and be of suitable caliber (1.3.9b).
    - b. The department armorer will maintain a list of ammunition approved by the Chief of Police. The list of ammunition must include the manufacturer, caliber and type of ammunition, and must have attached written documentation signed by the Chief of Police authorizing the ammunition.
  4. Only officers who have successfully passed firearms qualification and the use-of-force training course prescribed by this agency and the State of Kansas shall be authorized to carry a firearm (1.3.10).
  5. The duty handgun shall be carried, or readily available, by officers on duty while in the State of Kansas.
  6. Officers shall be issued fresh duty ammunition in the specified quantity for all authorized firearms during the officer's first scheduled qualification each year. When needed, in accordance with established policy, the range master shall dispense replacements for defective or depleted ammunition.
  7. Officers will be authorized to receive three boxes of .40 caliber practice ammunition every four months (Jan-Apr, May-Aug & Sept-Dec) of each year. The following guidelines will be in place regarding the issuance of practice ammunition:
    - a. Each officer is authorized to be issued three boxes of practice ammunition every four months (3 times a year), not to exceed nine boxes per year.
    - b. Practice ammunition is not accumulative from one 4-month period to the next, or from one year to the next.
    - c. In order to be issued their next allotment of ammunition, the officer must return the spent brass in the boxes from their previous issuance of ammunition.
    - d. All practice ammunition will be checked out and spent brass rounds checked in by the department's Range Master.

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- e. Officers will not give, trade, sell or loan their issued practice ammunition to other department members or other individuals outside of the department to shoot.
  - f. The issuance of practice ammunition may be stopped at any time by the Range Master depending on the supply of ammunition for department training, qualification and new officer training.
  - g. Nothing in this General Order prevents the Range Master from authorizing and issuing additional practice ammunition as needed to specific department members who have difficulty in qualifying with the duty weapon.
8. Officers on special assignment and other officers with demonstrated need may request written authorization from the Chief of Police and department armorer to carry alternate duty firearms, backup firearms, or alternate ammunition on an ongoing or periodic basis.

Rev. 05022013

#### **B. Carrying of Weapons**

1. Officers may, but shall not be required to, carry an authorized firearm off duty. However, officers shall be required to carry an authorized firearm when in uniform or when operating a marked patrol vehicle whether on or off duty.
2. Firearms shall be carried concealed when the officer is in plain clothes, on or off duty, unless:
  - a. The officer is in the workplace, and the officer's badge is prominently displayed next to the firearm or on a chain suspended from the neck;
  - b. The officer is engaged in law enforcement actions that may reasonably require quick access to the firearm, and the officer's badge is prominently displayed near the weapon or on a chain suspended from the neck; or
  - c. The officer is engaged in activities where it would be permissible for a citizen to carry an exposed firearm, such as in hunting or target practice.
3. When armed, whether on or off duty, officers shall carry their badge and agency identification.
4. Officers possessing a state issued concealed carry license shall abide by this General Order when carrying a firearm off-duty.

Rev. 05022013

#### **C. Firearms Qualifications**

1. All officers authorized to carry firearms shall be required to qualify with each duty handgun on at least a semi-annual basis.
  - a. Proficiency training must be monitored by a certified firearms instructor (1.3.11a).
  - b. The training coordinator must maintain documentation of the training and individual proficiency results (1.3.11b).



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- c. The Kansas CPOST qualification course of fire must be used for at least one of the semi-annual firearms qualification sessions pursuant to KSA 74-5607 for active officers to carry firearms (1.2.2).
2. All officers who wish to carry an approved personally owned off-duty/backup firearm(s) must qualify with the firearm annually using the qualification course approved by Kansas CPOST.
3. All officers shall be graded on a pass or fail basis for the purposes of firearms qualification.
4. Before being authorized to carry a firearm, and at least once a year thereafter, all officers authorized to carry firearms shall receive a copy of the General Order O2102 Use of Force, be provided training and shall be required to demonstrate their understanding of the law and agency General Orders relating to the use of force.
  - a. The department training coordinator must maintain documentation of the training, knowledge test results, and documentation that each officer received a copy of the aforementioned General Order (1.3.12).
5. Officers who fail to qualify with the duty firearm(s) or any firearm that is otherwise required for the officer's duty assignment after two attempts shall be relieved of those firearms, reassigned to restricted duty, and be subject to the following requirements (1.3.11c):
  - a. The officer's immediate supervisor shall be notified and shall promptly arrange with the training coordinator for a period of formal remedial firearms training not to exceed one week in duration. Such training does not preclude an officer from engaging in any additional informal practice or training session that the officer may deem necessary.
  - b. The officer shall be given two additional attempts to re-qualify within one week of completion of remedial firearms training. A written report shall be forwarded to the Chief of Police or the Division Commander of any officer who fails to re-qualify within one week of completion of remedial firearms training. The report shall include the training officer's recommendation for corrective action.
  - c. If the officer fails to qualify within one week of completion of remedial firearms training they shall be subject to termination of employment (1.3.11c).
6. Other firearms: any officer who fails to qualify with a firearm that is not required for the officer's duty assignment shall not be permitted to carry that firearm. The officer may remain on duty if qualified with the duty handgun (1.3.10).
7. Officers shall be required to qualify with their duty handgun and additional firearms (as appropriate) following return to duty after a leave of absence when it reasonably appears necessary or if they have missed their qualification date.

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8. All officers shall be required to qualify using additional proficiency standards established by the training officer and approved by the Chief of Police. These include, but are not limited to, proficiency testing at night and in reduced light situations, in combat simulation, and when using both weak and strong hands.
9. Pregnant officers shall be notified of the potential risks to the fetus associated with lead and noise toxicity during firearms qualifications. Should the officer choose to qualify, the department shall take such precautionary measures reasonably possible to reduce potential contamination from these sources.

#### D. Firearms Modifications

1. Modifications to any agency authorized firearm require the written approval of the agency head with the written recommendation of the armorer. This includes but is not limited to modifications involving grips, spring kits, sights or finishes.
2. Defective, unsafe, or unauthorized firearms shall be reported to the armorer. If the armorer determines the weapon is defective or unsafe the armorer will take the firearm out of service (1.3.9d).
3. Repairs or alterations to agency authorized firearms shall be made only by an armorer employed or authorized by this agency.
4. Authorized firearms shall be maintained in a clean and safe operating condition and shall be inspected by an agency approved armorer prior to being issued and annually. If the agency armorer determines the firearm to be unsafe the armorer will take the firearm out of service (1.3.9c, 1.3.9d).

Rev. 12142015

#### E. Shotguns & Rifles

1. Shotguns and rifles regularly carried in assigned vehicles shall be carried in a secure rack, with the magazine loaded to full capacity and with no shell in the chamber.
2. Officers shall carry and use only ammunition authorized by this agency in shotguns and rifles unless the Chief of Police grants approval for an exception and the officer qualifies with that ammunition.

#### F. Firearms Safety

1. Officers shall not carry a firearm when on or off duty if they are mentally or physically impaired to a degree that they are incapable of safely handling a firearm.
2. Officers shall report, in writing, to their immediate supervisor any use of prescription drugs or other medication or any physical ailment or injury that they reasonably believe could impair their ability or judgment to use a firearm.



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3. Officers shall be responsible for the safe storage of their duty weapon and any other personally owned firearms when not in their personal possession by using trigger locks, safes, gunlock boxes, or other means approved by the department armorer or range master. Duty weapons and other personally owned firearms shall not be stored in department or personally owned vehicles except for temporary storage when at court, when on duty, when the patrol vehicle is parked in the department garage, when other options for safekeeping are not available, or if authorized in writing by the Chief of Police (1.3.9f).
4. All authorized firearms shall be carried in a safe and secure holster that has been approved by the department range master or Chief of Police.
5. Removal of firearms from their holster or other carrying devices for other than authorized purposes – such as tactical use, training and qualification, inspection, or cleaning and maintenance – shall be prohibited. Any careless, flippant, or casual use or display of a firearm shall constitute grounds for discipline.
6. Firearms shall not be permitted in holding facilities, lockups, or jails of this or other law enforcement agencies.
7. Each year, during firearms qualification, the range master shall provide officers with refresher training and additional information as available concerning firearms safety and the General Order pertaining to the use of force.

#### G. Carrying Firearms on Commercial Aircraft

1. Officers are governed by federal regulations for carrying firearms on commercial aircraft. All officers acting in these capacities shall familiarize themselves with these provisions in 14 CFR 1544.221 and related documentation.
2. Officers shall be required to complete the training program “Law Enforcement Officers Flying Armed” as required by federal law if they are to carry a firearm aboard a commercial aircraft.
3. When conducting official business that requires commercial airline travel, officers shall check their firearm in checked baggage if it is not needed while in flight to guard a prisoner or for other purposes. In these cases, officers are required by federal regulations to certify to the airline that a firearm is in the baggage and that it is unloaded.
4. When officers need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, officers shall submit a letter on department stationery addressed to the commercial airline carrier that details the need for the officer to be armed. The letter shall be submitted to the Chief of Police or his or her designee for approval and signature.
5. When officers need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, officers shall arrive at the airport in sufficient time, or in an emergency as soon as practical prior to departure, present the letter to the airline ticket agent together with agency badge and

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identification card (with full face photograph), declare possession of a firearm, and request that the necessary security and airline personnel be notified.

6. When officers need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, officers shall request that they be notified of any other persons who are traveling armed aboard the aircraft.
7. When officers need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, officers should refer to this agency's General Order on transporting prisoners for additional requirements concerning the transportation of prisoners aboard commercial aircraft.

#### **H. Retired Officers**

Rev. 08062014

1. Officers with 10 years or more of sworn law enforcement employment who retire in good standing from this agency, for reasons other than mental instability, may be issued an identification card for the purposes of carrying a concealed weapon pursuant to 18 USC 926C.
2. The identification card will meet the following specifications:
  - a. Must contain the photograph of the retired officer;
  - b. Must indicate that the retired officer has met this agency's standards for training and qualification for active law enforcement officers to carry a firearm.
  - c. Must indicate the retired officer successfully completed proficiency testing required by the State of Kansas pursuant to KSA 74-5607 and indicate the make, model, and serial number of the weapon used to successfully complete proficiency testing.
  - d. Must contain the date of the proficiency testing and indicate that the identification is only valid for one year from the date of proficiency testing.
  - e. Must indicate that identification card does not confer law enforcement authority to the retired officer.
3. Retired officers who wish to obtain an identification card for the purposes of carrying a concealed weapon must:
  - a. Annually, demonstrate proficiency with the firearm the retired officer wishes to carry concealed using a course of fire approved pursuant to KSA 74-5607;
  - b. Only carry a firearm and ammunition approved by the Chief of Police as outlined in this General Order;
  - c. Must not be under the influence of alcohol or another intoxicating or hallucinatory drug or substance;
  - d. Must not be prohibited by Federal law from receiving a firearm.
4. Retired officers may have their identification cards revoked by the Chief of Police at any time and must surrender the card when ordered.