



**Town of Framingham
Police Department**

Policy on Firearms and Weapons #50-4

Issue date: 7/01/03		
Type of policy: New ()	Amendment (X)	Re-Issue ()
Effective date: 7/01/03, Revised: 04/30/2011		
Level: Public Safety ()	Police Division (X)	Town Wide ()

References

None

Special Terms

Weapon- as used in this policy shall include a firearm (as defined in MGL Ch140 s121), rifle, shotgun, machine-gun, Less Lethal and Non-Lethal Devices (see also weapon specific polices).

Off duty Firearm- The department issued handgun, that an officer carries off-duty to enable him/her to take law enforcement action.

Qualification- Passing score on a Massachusetts Police Training Committee (MPTC) approved firearms proficiency test.

Policy

It is the policy of the Framingham Police Department to authorize Framingham Police Officers to carry and possess issued firearms, whether on or off duty, and other such weapons authorized by the Chief of Police. This authority is subject to the following conditions and with the following restrictions. However, nothing in this policy shall be construed so as to limit the Police Chief's discretion under G.L. c. 41 § 98.

I. CLASS A LICENSE TO CARRY

- A. All officers must hold a valid Class "A" unrestricted License to Carry Firearms.
- B. Officers must renew this license as necessary.
- C. Officers must not be legally prohibited from possessing or carrying firearms, or holding the above-mentioned license, by either state or federal law.
- D. If an officer becomes legally disqualified from possessing a firearm or license to carry, by virtue of an abuse prevention order or any other means, he shall immediately notify the on-duty commanding officer. He shall comply with any lawful request from another law enforcement agency, relating to the surrender of any department-issued firearm.
- E. Should any situation, event, or condition arise which affects an officer's ability, fitness, or suitability to safely carry or possess a firearm, the officer must immediately report such situation to the on-duty commanding officer. When necessary, the commanding officer will make arrangements to have department-issued firearm(s) secured.

II. STORAGE OF WEAPONS

- a. Officers must comply with the safe storage requirements of G.L. c. 140 § 131L. When not under the officer's immediate control, all weapons must be secured and safely stored.
- b. Officers may be required to document compliance with the above-mentioned statute.
- c. Members of the department shall take all reasonable precautions to ensure that weapons issued to them by the department are protected from loss, misuse, or theft.

- d. Serial numbers of department owned firearms, rifles and weapons (issued and stocked including those used for training) will be recorded on an inventory management system used by the Firearms Training Unit. Stored weapons will be secured in the Armory. All agency owned weapons will be inspected and inventoried by the Firearms Training Unit staff during semi-annual firearms in-service training.

III. FIREARMS/WEAPONS QUALIFICATION

- a. All officers must satisfy the department's initial firearms qualification and training requirements. All officers must also qualify in accordance with the standards established by the Massachusetts Police Training Committee in order to be authorized to carry firearms.
- b. All officers shall re-qualify with their issued firearm(s) annually, and any other weapon they are authorized to carry while on or off-duty and receive in-service training on the department's *Use of Force* policy.
- c. Officers/employees must receive initial training with any weapon they are authorized to use and/or issued to them and must qualify with that weapon as required by that weapon's specific policy guidelines.
- d. Training and Qualifications shall be under the direction of a certified weapons instructor or the department's Firearms Training Unit (for firearms).
- e. Training and Qualification shall include a documented inspection of any weapon used by the officer to ensure that it is in good working condition. All weapons must be inspected and approved by a department's weapons instructor or Armorer specific to that weapon, satisfactory to the Chief of Police. Firearms or other weapons found by such instructor or Armorer to be unsafe may not be used and will be immediately taken out of service for repairs/replacement.
- f. Officers who fail to qualify with a particular weapon shall be denied permission to carry or use such weapon. The officer will receive additional instruction and will be given a reasonable amount of time to qualify while assigned to administrative duty (if such weapon is the officer's service weapon).
- g. No member of this Department will be authorized to carry a weapon until [s]he has:

- I. Been issued a copy and has received training on this policy and *Policy 100-4 Use of Force*.
- II. Acknowledges in writing that he/she understands this policy.
- III. Qualifies with that firearm/weapon.

IV. FIREARMS & WEAPONS (APPLIES TO BOTH ON & OFF-DUTY)

- a. All ammunition carried in an issued weapon must be issued by the department (see attached list).
- b. All department weapons must be reviewed and approved by the Chief of Police prior to an officer carrying such weapon.
- c. All department weapons must be inspected by a weapons instructor (specific to that firearm/weapon) to ensure proper working order prior to issue.
- d. All department weapons/firearms will be inspected during re-certification/re-qualification to ensure proper working condition. A weapon that is not in proper working condition shall be turned over to the Armorer for repairs/replacement. A temporary weapon (of same make, model, caliber) will be issued while repairs are made.
- e. Only the Department's Armorer may alter or modify any department issued firearm, ammunition magazine or holster and only with the express permission of the Chief of Police.
- f. Officers are responsible for keeping their issued weapons clean and in good working order. A weapon which malfunctions shall be promptly returned to the department Armorer.
- g. Officers shall carry only their department issued firearm and/ other weapons while on duty unless otherwise authorized/prohibited by the Chief of Police.
- h. No officer shall carry or use a department-issued firearm, whenever [s]he has been consuming intoxicating liquor or taking any medication that would affect the safe handling of firearms/weapons.
- i. Upon the discharge (at other than approved shooting range or training facility for the purpose of practice), loss, theft, surrender, damage, destruction, or of an issued firearm or weapon, the officer

involved must immediately notify the on-duty commanding officer of the occurrence of such an event.

- j. The authority to carry or possess issued firearms and other weapons (to include off-duty) is immediately revoked upon an officer's suspension, discharge, termination, or placement on administrative leave.
- k. Any department-issued firearm and weapon must be immediately surrendered to a supervisor upon request.
- l. When carrying issued firearms off-duty, officers must carry a badge, police identification card, and license to carry firearms.
- m. Officers are reminded that their license to carry applies only to Massachusetts. Carrying a firearm in or through any other state is subject to that state's laws and local ordinances.
- n. Except for demonstration purposes at the Police Department's firearms range, officers shall not allow any non-police personnel to carry, shoot, or possess any department-issued weapons.
- o. Officers shall carry issued or approved firearms only in modern holsters of safe construction, and in good repair, so as to maintain control over the handgun and prevent its loss or accidental discharge.
- p. Personnel assigned to the Firearms Training Unit, the Department's Armorer, and members of the SWAT team may possess department issued weapons in addition to the duty firearm, so long as such carrying, transportation, use, and possession is related to official duty and otherwise complies with all other department policies, procedures, rules, and regulations.
- q. All other department policies, procedures, rules, and regulations apply to the off-duty carrying, possession, use, and storage of issued or approved firearms. This includes provisions relating to use of force.
- r. Personnel may carry department issued firearms outside of the Commonwealth of Massachusetts while off-duty only with authorization of the Police Chief or Deputy Chiefs.
- p. The Chief of Police may institute further restrictions relating to off-duty firearms, in accordance with collective bargaining agreements between the Town of Framingham and the Framingham Police

Superior Officers Association and the Framingham Police Officer's Union.

V. FIREARMS ISSUANCE and INSPECTIONS

- a. In order to ensure that department owned firearms issued to personnel are in proper working order and condition, Firearms Training Unit (FTU) staff is to conduct semi-annual inspections of all lethal weapons. The inspection process will be conducted in a thorough and complete manner to ensure officer safety. Firearms Training Unit staff shall document all weapons inspections and forward them to the Commander, Administrative Services. During the inspections process, FTU staff will verify that the serial number on each weapon matches their inventory control records.
- b. Newly issued or re-issued firearms/weapons will be inspected by the department's Armorer prior to being issued.

VI. RECORD KEEPING

The department's Armorer shall maintain a list of each weapon issued and in "inventory" and type of ammunition approved for official use, including for off-duty use.

VI. WEAPON HANDLING

Officers shall:

- a. Handle all weapons in accordance to their training,
- b. Treat all firearms and lethal weapons as loaded
- c. Officers who find it necessary to discharge firearms shall exercise due care for the safety of persons and property in the area and shall fire only when reasonably certain that there is no substantial risk to bystanders.
- d. Keep their finger outside of the trigger guard until ready to engage and fire on a target
- e. Point the weapon's muzzle in a safe direction at all times.
- f. Officers who have separated or relieved from service permanently or temporarily (to include retirement, terminations, suspensions) shall surrender their department issued weapon to the Chief of Police (or his/her designee) who in turn shall present it to the Department's Armorer as soon as possible for safekeeping. The exception is when the weapon is turned over to an investigator.

VII. AUTHORIZED WEAPONS

LETHAL

Type	Make/Model	Caliber/Size	Authorized Users
Semi-Auto Pistol	Sig Sauer/ P239, P229	40 mm	Sworn Officers
" " "	Sig Sauer/ P226, P226R	40 mm	Sworn Officers, Traffic Const., Aux PD
Shotgun	Bennelli M4	12 Gauge	SWAT Officers
Rifle	Colt/M4,M16A1	.223 cal	SWAT, Supervisors, Sworn
Revolver	Smith and Wesson AirLite	.38 cal	Chief, Dep Chiefs, Detectives
Rifle	Remington 700	.308 cal	SWAT Officers
Sub-Machine Gun	H&K MP-5	40mm	SWAT Officers
Rifle	Ruger 10-22	22 cal	Animal Control
Rifle	Marlin 100G	22 cal	Animal Control

LESS THAN LETHAL

Type	Make/Model	Caliber/Size	Authorized Users
Shotgun-Bean Bag	Remington/870	12 Gauge	Sworn Officers
Chemical Munitions Launcher	Penn Arms/L1	37mm	SWAT Officers
Pepperball Launcher	Jaycor/SA200	.68 cal	Sworn Officers
Electronic Control Weapon	TASER X26		SWAT and trained Officers
Expandable Baton	ASP, Monadnock		Sworn Officers
OC Spray	Sabre Red		Sworn Officers, Traffic Const.

AUTHORIZED AMMUNITION

The ammunition currently purchased by the department and authorized for on-duty use is the following:

LETHAL

Caliber	Round
.38	158 gr. Winchester SPL+P 158 gr
.40	180 gr. Winchester SXT
.308	168 gr. Federal Match
.223	5.56 NATO 75 gr., Hornaday T2 TAP
12 Gauge	Federal 1 oz Rifled Slug Federal 00 Buckshot (9 pellets), Bird Shot (Animal Control)
.22	Winchester (Animal Control)

LESS THAN LETHAL

Type	Specifications
BEAN BAG	CTS 12 Gauge Super-Sock 2581
PEPPERBALL	Jaycor 68Cal. OC pepper ball