



**Town of Framingham
Police Department**



Policy on Firearms and Weapons #50-4

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| Issue date: 7/01/03 | | |
| Type of policy: New () | Amendment (X) | Re-Issue () |
| Effective date: 10/07/2011, Revised: 09/21/2011, 02/02/2012, 10/4/2012 | | |
| 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.

Patrol Rifle- Shoulder fired, department issued/supplied weapon

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

IV. PATROL RIFLE

- a. Safe Transport Condition – The Patrol Rifle is locked into vehicle mount with the weapon on safe. A 28 round magazine is inserted and locked into the magazine well. The Bolt is closed on an empty chamber.
- b. Operational Carry Condition – Release rifle from vehicle mount / lock; point muzzle down in safe direction; Ensure weapon is on safe; Pull charging handle to the rear, and release; Conduct press check; move weapon into “low ready”.
- c. Press Check – This is done to confirm that a round is loaded into the chamber.
 - 1 Ensure weapon is on safe, and pointed down in a safe direction;
 - 2 Pull charging handle slightly to the rear exposing about ½ inch space between the bolt, and the chamber; If round is loaded into chamber the shooter should observe the brass shell casing;
 - 3 If brass is observed, release charging handle, and tap the forward assist; carry on.
 - 4 If brass is not observed, there is no round in the chamber. Shooter should slap up on the magazine confirming it is seated; Pull charging handle to the rear,

and release; conduct 2nd press check to confirm weapon is loaded.

- c. Low Ready – The “Low Ready” is the standard carry position while the patrol rifle is operational. The “Low Ready” is also the default carry position. The weapon’s stock is seated in shoulder; muzzle down;

1 ON SAFE;

Finger OFF trigger, and along lower receiver;
Two hands on weapon.

2 OFF SAFE:

- Officer perceives a threat, weapon comes up onto target, only when the officer is ready to shoot does the weapon come off safe; eyes align sights; acquire proper sight picture.
- After firing, or when the decision not to fire is made, the weapon is placed back on SAFE.

- d. Patrol Rifle Magazine Load – 28 rounds per magazine

- e. Operational Carry Back to Transport Condition – To convert Patrol Rifle from operational carry position back to the “Safe Transport Condition” the officer shall ensure the weapon is on safe, and pointed down in a safe direction;

- 1 Remove the magazine;
- 2 Lock the bolt to the rear ejecting the live round from the chamber;
- 3 Visually and physically inspect the chamber to ensure it is empty;
- 4 Close the bolt on an empty chamber;
- 5 Close the dust cover;
- 6 Top off the 28 round magazine with ejected round;
- 7 Insert / lock 28 round magazine into magazine well;
- 8 Secure / lock Patrol Rifle back into vehicle mount / lock.

- f. **Contact / Cover** – The Contact / Cover technique requires at least two officers. When an officer confronts a subject(s) that poses a potential threat and needs to be secured, the officer will use the “Contact / Cover” technique. If the officer is alone at the time of confrontation with the subject, the officer will maintain cover position, and call for an additional officer to assist him / her. The initial officer will use verbal commands in an effort to maintain compliance and control of subject until an additional officer arrives to assist. The Cover Officer provides lethal (in some instances less than lethal) cover for the Contact Officer. The Contact Officer, is the hands on officer, and must put their long gun on safe and sling it securely on his / her back (or holster for a handgun) BEFORE moving in to secure the subject.

VI. 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.

VII. 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.

VIII. 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.

VIII. 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.**

IX. AUTHORIZED WEAPONS

LETHAL

| Type | Make/Model | Caliber/Size | Authorized Users |
|------------------|--------------------------|---------------------|--|
| Semi-Auto Pistol | Sig Sauer/ P239, P229 | 40 cal | Sworn Officers |
| " " " | Sig Sauer/ P226, P226R | 40 cal | Sworn Officers, Traffic Const., Aux PD |
| Semi-Auto Pistol | Glock 23 | .40 S&W | Chief & Task Force Officers |
| | | | |
| 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 | 40 cal | 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. |
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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 |
| | |