

 <p style="text-align: center;">YALE UNIVERSITY POLICE DEPARTMENT GENERAL ORDERS <i>Serving with Integrity, Trust, Commitment and Courage Since 1894</i></p>	ORDER TYPE: NEED TO KNOW 302C FIREARMS	
	EFFECTIVE DATE: <p style="text-align: center;">05 MAR 2019</p>	REVIEW DATE: <p style="text-align: center;">ANNUAL</p>

PURPOSE

The purpose of this General Order is to provide department members with guidelines and procedures governing the use, carrying, maintenance, change and safety of department-authorized and issued firearms and the qualification requirements related to them. The Yale University Police Department (“YPD” or “Department”) will annually post a list of all authorized firearms and ammunition.

The use of firearms by YPD Members is governed by Federal and State law, including, but not limited to, the Constitution of the United States.

POLICY

The Connecticut General Statutes (Sec. 29-35 Carrying of Pistols or Revolvers, 29-38 Weapons in Motor Vehicles and Sec. 53-206 Carrying Dangerous Weapons) establish the legal authority of a police officer to carry weapons in this state while engaged in the pursuit of his or her official duties. **CTLEA 1.1.6**

No department member will be issued or authorized to carry or use any weapon until he or she is trained on and demonstrates proficiency with that weapon. Members engaged in weapons training are issued the weapon for use while actually participating in training. **CTLEA 1.1.1b**

At all times, department members shall use the utmost care in handling weapons.

Department members are prohibited from carrying on their person or in a Department vehicle, any unauthorized guns, knives or any other instruments designed to be used as defensive or offensive weapons, except confiscated weapons, in the possession of a department member transported as evidence or for storage. **CTLEA 1.1.1a**

Department members are prohibited from altering or defacing Department-issued weapons.

DEFINITIONS

Authorized Weapons	The weapons that YUPD members are permitted to carry, that meet Department specifications, and for which members demonstrate proficiency and successfully complete safety training.
Firearms Qualification	Unless otherwise provided by YPD policy, periodic testing required once within a calendar year to determine the member’s competency to carry authorized firearms.
Armorer	A properly certified sworn member who has the duty to repair, clean, polish, or perform any other mechanical work to any YPD firearm.
Primary Issued Service Handgun	The firearm officers shall carry when on duty.
Restricted Duty	In the context of this policy, an assignment which does not require an officer to be armed.

PROCEDURE

General Procedures

- Officers shall not handle firearms carelessly or recklessly.
- Only those firearms and ammunition which are issued and trained on by the YPD shall be carried while on duty.
- Members shall be issued fresh duty ammunition in the specified quantity for all authorized firearms during the member's scheduled qualification each year.
- YPD members will carry their magazines filled to capacity.
- Authorized ammunition will be specified by the Training Supervisor/Armorer and approved by the Chief of Police.
- When needed, the Training Supervisor/Armorer shall issue replacements for defective or depleted ammunition. The Training Supervisor/Armorer will keep a written or electronic record of all issued ammunition (i.e. name of member, date of issue, reason for replacement, etc.)
- Officers may discharge firearms:
 - in circumstances justifying the use of deadly force; OR
 - when an animal represents an immediate danger to the officer or others or is seriously injured. (Officers will attempt to notify the appropriate agency *e.g.*, Animal Control. In the case of the shooting of a seriously injured animal, when practicable, the officer shall first contact the animal's owner, if known, and a supervisor for approval.); OR
 - at Department qualifications or firearms training; OR
 - at an approved range.
- In certain limited circumstances, firearms may be used for tactical purposes when other reasonable alternatives are not available. For example, trained tactical personnel might be authorized by a supervisor to utilize less lethal wood baton rounds to shoot out a street light at a scene to protect police personnel. Such uses are rare and will be carefully evaluated by commanders.

Firearms Safety

- Members shall not carry a firearm when on or off duty if they are mentally or physically impaired. This includes, but is not limited to, being under the influence of any intoxicating substance, such as alcohol, certain prescription medications, and illegal drugs.
- Members shall not carry a firearm after consuming any alcohol or other intoxicating substance for a minimum period of 8 hours and shall not carry, at any time or under any circumstances, a firearm while under the influence of alcohol and/or impaired by any other intoxicating substance.
- If a member is prescribed medication(s) by a licensed medical professional, the member will notify the licensed medical professional that he/she is a police officer and as such required to report the use of prescription medications that could impede his/her ability to effectively perform his/her duties as a police officer, including the use of his/her Department-issued service pistol. If the licensed medical professional advises the member that the use of the prescribed medication(s) could impede his/her ability or judgment to effectively perform his/her duties as a police officer, including the use of his/her Department-issued service pistol, the member will provide the Chief of Police, or his designee, with a note from the licensed medical professional stating that the member is unable to effectively perform his/her duties as a police officer as a result of the member's use of the medication as prescribed. This provision is not intended to require the member and/or the licensed medical professional to disclose the name or type of the medication and/or the underlying illness or injury it is prescribed to treat.

- Members shall be responsible for the safe storage of their duty weapon when not in their personal possession by using trigger locks, safes, gunlock boxes, or other secure means. Members will be permitted to utilize funds from their clothing allotment to purchase trigger locks, gun safes or gunlock boxes.
- YPD firearms shall not be stored in patrol or personally owned vehicles except for temporary storage when other options for safekeeping are not available. The vehicle containing the firearm must be locked and the firearm should be hidden from public view.
- All YPD firearms shall be carried in approved holsters or other approved carrying devices, and shall be carried in a safe and secure manner as authorized by this Department.
- Removal of a firearm from its holster or other carrying device for other than authorized purposes—such as tactical use, training and qualification, inspection, or cleaning and maintenance—shall be prohibited. Any careless use or display of a firearm shall constitute grounds for disciplinary action.
- Firearms shall not be permitted in holding facilities, lockups, or jails of this or other law enforcement agencies.
- Each year, during firearms qualification, firearms instructors shall provide members with refresher training and additional information as available, concerning firearms safety.

Accidental or Unintentional Firearm Discharge

- Whenever a Department weapon is discharged, except during qualification or at the practice range, a supervisor shall be notified immediately. **CTLEA 1.1.1d**
- All accidental or unintentional firearm discharges which do not result in injury to a person are classified as Level 1 uses of force and will be investigated by the Office of Professional Standards.
- Officers who experience an accidental or unintentional discharge or have improperly used a weapon shall receive and successfully complete firearms re-training.

Duty Service Pistol

Each officer will be issued a service pistol after successfully completing a POSTC approved firearms qualification course and receiving instruction and demonstrating understanding of this General Order and General Order 302 (Use of Force). **CTLEA 1.1.4a**

The authorized service pistol is the Glock Model 22, 23 or 27 or other Department owned handguns authorized by the Chief of Police.

- Service pistols will be carried with one round in the chamber and the magazine fully loaded.
- Additional magazine(s) for service pistols will be loaded and carried in Department-approved magazine pouches.
- Department members on duty in civilian clothing will carry additional magazines either in a magazine pouch on their person or in a readily accessible location.
- Department members are required to carry the service pistol on their person while on duty, unless they are processing prisoners, participating in an investigation or operation where the presence of the weapon might jeopardize the outcome or other circumstances prevail which, in the opinion of command personnel, render compliance with this requirement impractical or undesirable.
- Members must immediately report the loss or theft of a Department-owned firearm to an on-duty supervisor. The officer will provide a detailed written account of the incident which will be forwarded to the Chief within 24 hours.
- **Members may carry their issued service pistol while off duty but are not required to do so.**
- Only Department-issued ammunition will be carried and used in Department-issued firearms. **CTLEA 1.1.1a**

Shotguns

- Shotguns may be carried by qualified members when authorized by the Chief of Police or his designee.
- Only issued shotguns may be carried or deployed.
- Shotguns loaded with lethal 12 gauge ammunition (ie: slugs, buckshot or bird shot) shall only be carried by SWAT personnel when directed by the SWAT commander or team leader.
- Lethal shotgun ammunition may never be loaded into a less lethal shotgun.
- Less lethal shotguns may be carried in supervisor or SWAT member vehicles. Less lethal shotguns are identified by an orange buttstock.
- Less lethal shotguns are designed and used for stopping a violent act or for gaining compliance or overcoming physical resistance to custodial arrest or protective custody at levels of force which would not normally cause serious physical injury or death by their application.

Rifles

The Department issues rifles to qualified patrol officers and supervisors for unconventional situations where the police may face heavily armed and/or ballistically protected criminal suspects or armed mentally unstable subjects. These rifles are a tool to allow the potential resolution of these incidents by allowing a tactical advantage not available with more conventional police firearms.

- Patrol Rifles will be deployed only in situations the officer may reasonably believe the tactical advantage afforded by the rifle would be necessary.
- This order does not seek to articulate the only situations where rifle deployment is appropriate. Officer/supervisor judgment is the first indicator of appropriate deployment.
- The Department may issue or deploy rifles to qualified members when approved by the Chief of Police or his designee.
- Personnel issued patrol rifles will complete a POSTC approved training program and will qualify annually.
- Only Department-issued rifles will be carried or deployed.
- Patrol rifles will be deployed in active shooter situations and where the officer believes a suspect he/she may encounter
 - is wearing protective body armor;
 - is believed to be armed with or has immediate access to high powered or shoulder fired weapons;
 - is believed to be armed and situated in a distant or fortified location which affords the suspect a tactically superior position; or
 - in other situations where approval for deployment of patrol rifle is authorized by the Shift Supervisor.
- When practicable, supervisor notification is required prior to deployment.
- Patrol rifles will be carried with the bolt forward, an empty chamber and the selector lever on safe. A round should only be chambered when the rifle is deployed and the situation dictates.
- The rifle will only be carried when assigned to vehicles equipped with locking mounting racks or vaults.
- Rifles will not be left unsecured and unattended at any time.
- If applicable and practical, officers will advise the communications center of the safest route for officers responding to the scene and will identify crossfire issues.
- Patrol rifles will be stored in the trunks of police vehicles and locked in the rack or vault until deployed.
- Officers operating patrol vehicles will include the assigned patrol rifle in their daily vehicle equipment inspection.
- Whenever a vehicle is disabled or sent out for service, the on-duty supervisor will insure the rifle is retrieved from the vehicle and stored in the vault at YPD HQ.
- Extra rifles will be stored in a vault at YPD HQ.

- Department patrol rifle instructors/armorer will be responsible for the proper care, maintenance and storage of rifles.
- Trained SWAT members will carry their issued shoulder weapons on patrol subject to these rules or may elect to use the rifle assigned to their vehicle.

Maintenance and Care of Issued Weapons

- Members will inspect all weapons assigned to or carried by them for residue, corrosion or deterioration on a weekly basis, and will keep them clean and in good operating condition at all times.
- Members will clean any firearm as soon as practicable after it has been fired.
- Members will not carry or use any firearm or other weapon which is apparently damaged or in need of repair.
- All Department-issued weapons in need of repair will be submitted to the member's immediate supervisor, who will arrange to have the weapon forwarded to the Department Armorer. ^{CTLEA 1.1.1f}

Firearms Modifications

- Modifications to any YPD firearm require the written approval of the Chief of Police or his designee with the written input of the Training Supervisor/Armorer.
- Defective, unsafe, or unauthorized firearms shall be IMMEDIATELY reported to the member's immediate supervisor. The supervisor will contact the Training Supervisor/Armorer.
- Repairs or alterations to YPD firearms shall be made only by an armorer employed or authorized by this Department. The Training Supervisor/Armorer shall keep a written or electronic record of approved alterations, repairs and armorer inspections.
- YPD firearms shall be maintained in a clean and safe operating condition and shall be inspected routinely during roll call inspections by supervisors. Department armorers shall conduct inspections annually at the time of qualification or as is required (i.e. when a firearm is surrendered).

Off Duty Firearms

- Members may, but shall not be required to, carry their primary YPD firearm while off duty.
- Members shall only use issued duty ammunition in YPD firearms carried off duty.
- Members shall not carry firearms when they intend to consume intoxicants.
- Any officer desiring to carry a firearm other than a Department-issued firearm off duty will be required to qualify with the firearm on a Department-approved off-duty firearms qualification course to be indemnified by the Department. ^{CTLEA 1.1.1e}
- Off-duty firearms will be reviewed, inspected and approved by the Department's firearms instructor prior to qualification. The firearms instructor will refuse to qualify any officer with any weapon deemed defective or unsafe.
- Qualification sessions with off-duty firearms will coincide with annual firearms training or at other times designated by the Department's firearms instructor.
- Firearms shall be carried concealed when the member is in plain clothes unless:
 - the member is in the workplace, or the member's badge is prominently displayed; or
 - the member is engaged in law enforcement actions that may reasonably require quick access to the firearm and the officer's badge is prominently displayed.
- When armed, whether on or off duty, members shall carry their badge and Department identification.

Firearms Qualifications

- All members not on restricted duty (e.g., injury leave, sick leave, suspension, etc.) must qualify on a POSTC approved firearms qualification course on an annual basis with their Department-issued service pistol(s).
- All members will qualify on the NTOA patrol rifle operator course to be authorized to use a patrol rifle.

- All firearms training courses will be conducted by a POSTC certified firearms instructor.
- The Department's firearms instructor will review, inspect and approve each officer's weapon prior to issuance and at each qualification or range training day. Weapons found to be defective or unsafe will be replaced. CTLEA 1.1.1c
- All members shall be graded on a pass or fail basis for purposes of firearms qualification as determined by the Training Supervisor/Armorer. Members must qualify with a passing score of 240. The Training Supervisor/Armorer shall designate certified firearms instructors to conduct and grade the qualifications.
- At least once a year during firearms training, all members authorized to carry firearms shall receive and shall be required to demonstrate their understanding of the law and Department policy and procedures relating to the Use of Force Policy. This shall be achieved through documented classroom instruction. The Training Supervisor/Armorer will determine the methodology that will be used to measure the officer's understanding of the laws and policies (i.e. testing methods following classroom instruction). The instruction shall include a review and policy discussion concerning the authority of a member to use deadly force under YPD policy and Federal Case Law pertaining to deadly and non-deadly force.
- All qualifications shall be conducted using the same authorized ammunition used on duty, or the ballistic equivalent.
- Members shall bring all issued service magazines and ammunition to all training and qualification sessions. Service ammunition will be expended and replaced with new ammunition at qualification sessions.
- The firearm instructor determinations will be final pertaining to all safety and equipment. Any weapon, holster, ammunition, or related equipment found unsafe for qualification and carry will be prohibited on the range and documented in writing.
- Members shall be required to qualify with their primary service handgun and additional firearms (as appropriate) following return to duty after a leave of absence exceeding six (6) months or if they have missed their qualification date. Any member who qualifies sooner than otherwise required due to his/her return to duty shall not be required to complete his/her annual qualification for one year following his/her return-to- duty qualification.
- All members shall be required to train using additional proficiency standards established considering the nature of their assigned duties. These include but are not limited to proficiency testing at night and in reduced light situations, in-combat or other stress simulations, and when using both weak and strong hands. Members assigned to or serving with specialized units shall be guided by and subject to firearms training and qualifications standards promulgated by the Department.
- Pregnant members shall be notified of the potential risks to the fetus associated with lead and noise toxicity during firearms qualification. The Member shall be required to produce a medical certificate from a certified medical practitioner indicating whether they may or may not participate in the qualifications. A medical form shall be provided by the Department.
- The Training Supervisor/Armorer shall provide a semiannual report to the Chief or his designee certifying all members who have qualified. This report shall identify those members who failed to appear for qualifications and those members who did not meet the qualifications

Failure to Qualify

A member who fails to qualify with his/her Department-issued service pistol on his/her initial scheduled qualification day, shall not be authorized to carry his/her service pistol and will be placed on restricted duty with pay. (Please note that this provision will not apply to those instances in which the failure was due to equipment malfunction.) In such instances, the following remedial measures will be employed to ensure that the member is offered reasonable opportunity and resources to qualify with his/her Department-issued service pistol:

- The Training Supervisor/Armorer will schedule another qualification day for the member (usually the next available firearms qualification day);
- If the member is unable to qualify on his/her second qualification day, the Department will assign the member to formal remedial firearms training supervised by his/her training instructor;
- The member will receive his/her regular base pay for the duration of his/her remedial firearms training period;
- The duration of the remedial firearms training period will not exceed the member's next forty-five (45) regularly scheduled work days, which shall be extended to 65 scheduled days; provided the member completed at least one attempt to qualify within the first 30 scheduled working days and did not qualify, then completed at least one attempt to qualify within the subsequent 15 scheduled working days and did not qualify.
- The member will be offered as many opportunities to qualify with his/her Department-issued service pistol during the remedial firearms training period as deemed reasonable by the member and his/her training instructor;
- Such training does not preclude a member from engaging in any additional informal practice or training sessions that the member may deem necessary;
- If, by the conclusion of his/her remedial training period, an officer is unable to qualify, he/she will be offered a full-time security position to the terms and conditions of such position. Such terms and conditions shall not include riding a patrol bicycle as a condition of employment.
- If the member achieves a qualifying score during the remedial training period, he/she immediately will be returned to regular duty.

Qualification with the member's Department-issued service pistol is a condition of continuing employment. Qualification with the patrol rifle is not a condition of continuing employment. As such, if the member fails to qualify with his/her Department-issued service pistol on or before the final day of remedial training period, he/she shall be subject to disciplinary action to include, but not limited to, termination of employment. If a member fails to qualify with the patrol rifle, he/she will not be authorized to use a patrol rifle until such time as he/she qualifies with the patrol rifle. Members who fail to qualify with a passing score of 80% with a firearm, other than their Department-issued service pistol, shall not be permitted to carry or use that firearm until such time as they qualify.

Carrying Firearms on Commercial Aircraft

- Members are governed by federal regulations for carrying firearms on commercial aircraft. All members acting in these capacities shall familiarize themselves with these provisions as contained in 14 CFR § 1544.221 and related documentation.
- Members carrying firearms aboard commercial aircraft shall be required to complete the training program "Law Enforcement Members Flying Armed" as required by federal law.
- When conducting official business that requires commercial airline travel, members 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, members are required by federal regulations to certify to the airline that a firearm is in the baggage and that it is unloaded.
- When members need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, members shall arrive at the airport in sufficient time, or in an emergency as soon as practicable prior to departure, present the letter to the airline ticket agent together with his/her Department badge and identification card (with full-face photograph), declare possession of a firearm, and request that the necessary security and airline personnel be notified.
- When members need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, members shall request that they be notified of any other persons who are traveling armed aboard the aircraft.

When members need to carry a firearm aboard a commercial airline for purposes of prisoner transportation or other reasons, members should refer to this Department's policy on transporting prisoners.

PER ORDER OF

A handwritten signature in black ink, appearing to read "Ronnell A. Higgins", is enclosed in a thin black rectangular border.

RONNELL A. HIGGINS
DIRECTOR OF PUBLIC SAFETY AND CHIEF OF POLICE

**THIS GENERAL ORDER SUPERSEDES GENERAL ORDER 501- CARE AND USE OF DEPARTMENT WEAPONS AND
GENERAL ORDER 502- FIREARMS QUALIFICATIONS AND GENERAL ORDER 302C FIREARMS, ISSUED ON 6/20/2016.**