

ALBUQUERQUE POLICE DEPARTMENT
* PROCEDURAL ORDERS

Effective:

Replaces: 12/14/2005

2-22 **FIREARMS AND AMMUNITION AUTHORIZATION**

POLICY:

It is department policy to provide officers with a duty sidearm, a 12 gauge shotgun, and necessary ammunition for these firearms. Officers are trained in the proficient use of these weapons and are authorized to carry them on-duty and off-duty as set forth in this section. Officers will participate in periodic firearms training/qualification to maintain firearms proficiency.

DEFINITIONS:

2-22-1 UNIFORMED OPERATIONAL ASSIGNMENT
[N/A]

An assignment to Field Services or uniformed Investigative Bureau where the officer is expected to contact the public under potentially confrontational circumstances, i.e. issuing citations, domestic disputes, arrests, etc.

BACKUP WEAPON

Any handgun that due to its barrel length, ammunition capacity, or caliber is not approved for duty carry. All other handguns will be designated duty firearms. For purposes of this section, weapons with a barrel length of less than four (4) inches will be considered a backup weapon.

OPERATING PLATFORM

The operating platform refers to the mechanical functioning of a firearm. This includes the manufacturer, the functioning of the trigger, safety mechanisms, and all other mechanical controls of the firearm.

RULES:

2-22-2 AUTHORIZATION AND APPROVAL TO USE FIREARMS (A.S. 1.2.2, 1.3.9)

[3] A. The Range Master shall maintain a list of all authorized firearms and ammunition to be carried while on duty. Only those weapons that are listed may be carried.

[3] B. Officers must have written authorization for any firearm carried on-duty and must have written authorization for any firearm carried off-duty when acting under color of law.

This subsection is not intended to limit the rights of an officer to carry firearms off-duty in the same manner as unrestricted citizens, but

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rather to define the authorization to carry a firearm under the color of law.

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C. To obtain authorization to carry a department issued firearm, an officer must successfully complete an APD firearms training program, and meet the firearms qualification standards for law enforcement in the State of New Mexico. Recruit officers at graduation receive written authorization to carry those firearms issued and used during training.

1. Officers while on **the job training (OJT)** status will carry the department issued firearm. Once leaving **OJT** status, officers may be authorized to carry other firearms pursuant to section 2-22-3. **Probationary officers are authorized to carry backup weapons.**
2. If an officer chooses to carry other than the department issued firearm, he/she must turn his/her issued firearm and associated leather gear (holster and magazine pouch) in to the Police Property Unit unless they maintain a current DPS qualification with the issued firearm.

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D. To obtain authorization to carry any other firearm, an officer must complete each of the following requirements.

1. The firearm and ammunition an officer selects must be on the “Lethal, Less than Lethal and Ammunition List” maintained by the Range Master and approved by the Chief of Police
2. **The officer will have the weapon inspected by the department armorer. The armorer will fill in the appropriate portion of form PD-2430.**
3. **If the firearm is of the type listed below, the officer must successfully complete the training course designated by the department for that particular weapon and pass the mandated qualification(s) prior to carrying it;**
 - a. **.223 rifle- urban rifle – basic course iron sights only**
Separate courses with the urban rifle include;
 - 1) **electronic (red-dot) sights**
 - 2) **magnified optics**
 - b. **any pistol that has a different operating platform than the pistol that the officer was trained with in the basic police academy. Merely a change in caliber does not require a transition school as long as the operating platform is identical.**
 - c. **enhanced shotgun**

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The above section shall apply even if the weapon is only carried in a backup or off duty capacity.

4. The following equipment shall be mandatory. No other equipment is authorized without specific approval and documentation from the Range Master. The Range Master will document any approved equipment and maintain this approval in the officer's file at the range.

a. Urban rifle

- 1) light with mount designed to be used with M4 type system
- 2) sling
- 3) iron sights – if an officer meets the requirements to mount a electronic sight or magnified optic, the iron sights shall remain functional on the weapon.

b. Enhanced shotgun

- 1) ghost ring or rifle sights
- 2) extended magazine tube
- 3) shell carrier
- 4) sling

5. Prior to attending a training course for any of the above listed weapons, the officer shall complete an “Authorization to attend Advanced Weapon Systems Training Form”. This form must be completed in its entirety and submitted to the Department Range Master at least two weeks (14 calendar days) prior to the start date of training. The form requires the following;

a. Approval from the officer’s immediate supervisor, this must be at least a hard-striper sergeant.

b. Verification from the Range Master that the officer has shot a 90% on their most recent day pistol qualification. An officer who did not shoot a 90% may be allowed an opportunity to re-shoot the qualification prior to the training. This does not waive the two week requirement of the “Advanced Weapon System Training Form”. The qualification will be shot on the turning target system.

c. Verification from an Internal Affairs supervisor that the officer has no sustained use of force complaints in the 12 months preceding the training.

6. Upon completion of the training the officer will present the Range Master with form PD-2430. The Range Master will ensure the

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officer completes both day and night qualifications with the weapon. The Range Master will then complete form PD-2430 and return it to the officer.

- 7. The officer will have their immediate supervisor approve and sign the form. The officer will then return the form to the Range Master who will maintain it in the officers file.**

2-22-3
[3]

AUTHORIZED ON-DUTY FIREARMS

- A. Officers are limited to carrying only weapons and ammunition that appear on the “Lethal, Less than Lethal and Ammunition List” maintained by the Range Master and approved by the Chief of Police. **Additions or deletions from this list shall be made by the range master only with prior approval from the Director of Training.**
- B. **In recognition of their unique mission and training standards, officers assigned to the Special Weapons and Tactics Team (SWAT), to include K-9, shall be allowed to carry firearms that do not appear on the “Lethal, Less than Lethal and Ammunition List”.**

Weapons carried by these units that do not appear on the “Lethal, Less than Lethal and Ammunition List” must be approved in writing by the Chief of Police

The tactical section commander shall be responsible for the following in regards to these weapons:

- 1. Maintaining an inventory of these weapons as well as updating the written approval from the Chief of Police for these weapons.**
- 2. Developing a training curriculum mandated for all officers deploying with these weapons.**
- 3. Developing qualifications for each of these weapons and maintaining individual qualification scores for each officers deploying with these weapons.**

If the weapon is one that appears on the “Lethal, Less than Lethal and Ammunition List” the officer must meet all the prerequisites of any other officer and the initial training with these weapons must be conducted by the range staff.

- C. Officers are limited to carrying only the department issued 9mm semi-auto pistol while on **OJT** status. **Officers on probationary status will be permitted to carry backup weapons as defined in this section.**

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- D. **While on-duty, officers are required to carry a handgun that meets the requirements of a duty handgun.** Authorization to carry any other **handgun** on-duty will be made for officers when the nature of their work dictates such; e.g., undercover, administrative, etc., following provisions of subsection 2-22-2. **This authorization shall be given in writing by the officer's commander. The commander shall maintain a record of these authorizations.**
- E. Secondary on-duty firearms (back-up guns) must also be authorized per subsection 2-22-2. Authorization will be granted only for that particular firearm and specified ammunition. **These weapons must appear on the "Lethal, Less than Lethal and Ammunition List".**
- F. **Authorized rifle optics**
- 1) **Electronic Sights. Officers in good standing with the urban rifle program may mount electronic sights on their urban rifles with the following restrictions:**
- a. **Must successfully completed the department urban rifle optics training prior to fielding electronic sights.**
 - b. **Authorized electronic sights will be limited to mil-spec models of the Aimpoint or EO Tech sights with aiming points no larger than 4 M.O.A. and incorporate no magnification.**
 - c. **Mounting hardware must be mil-spec and incorporate backup sights that can be co-witnessed through the electronic sight.**
- 2) **Magnified Optical Sights**
- Officers in good standing with the urban rifle program may mount magnified optic sights on their urban rifles with the following restrictions:**
- a. **Must successfully complete the department urban rifle magnified optics training prior to fielding magnified optic sights.**
 - b. **Authorized magnified optic sights will be limited to models named on a list maintained by the Range Master, approved by the Chief of Police. These optics must have the capability of 1X (no) magnification up to a maximum of 4X magnification.**
 - c. **Mounting hardware must be mil-spec and named on a list maintained by the Range Master, approved by the Chief of Police. All urban rifles must have backup iron sights in the**

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event of a failure of the optic. The magnification device must be mounted with a quick-detach mount to allow the use of the backup iron sights.

d. Officers wishing to field a magnified optic must submit a completed "Authorization to Attend Advanced Weapon Systems Training Form" to the Range Master to assess the officer's ability to attend as well as the optic/mount to be used.

G. Officers found with unauthorized equipment on any firearm will lose their privilege to carry an advanced weapon system.

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[3]

FIREARMS RESTRICTIONS

A. No department owned firearm will be subjected to any alteration without the written permission of the Department Armorer.

B. No trigger shoes will be allowed on any authorized firearm.

[1]

C. No wallet holsters that prevent the actual gripping of the firearm are permitted.

D. All authorized firearms will be maintained in a safe and working condition.

[1]

E. Officers are permitted to carry an authorized firearm while within the city limits of Albuquerque, except as noted below:

1. Officers **on duty** may carry firearms into liquor establishments when responding to a call, during dinner or coffee breaks, or on other official assignments.

2. **Officers off duty may carry a firearm into a licensed liquor establishment only under following conditions;**

a. the officer may not consume alcohol in any quantity

b. the establishment must not derive the majority of its income from the sale of alcohol.

c. the officer must be carrying a firearm with which they are qualified and the officer must be carrying their badge and identification card.

[2]

Officers while on-duty or operating a department vehicle shall at a minimum carry their duty handgun, spare loading device, badge, identification card and a means of communication. Officers that due to their specific assignment must deviate from this section will gain written approval from their Deputy Chief.

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2-22-5 QUALIFICATIONS

[4]

- A. Officers shall qualify each calendar year with every firearm currently carried on duty, off duty, or as a backup. The qualification shall be designated by the Department and may include both day and night courses.
- B. If the handgun carried by an officer meets the specifications of a duty firearm, even if that officer only intends to carry that weapon off duty or in a backup capacity, that officer must qualify with that handgun on both the DPS day and night shoots.
- C. Handguns that meet the specifications as backup weapon will only require the officer to shoot the backup weapon qualification.
- D. Officers shall qualify with the gear normally worn during their duty hours.
- E. The following requirements shall apply to the following Advanced Weapons Systems (.223 rifle, enhanced shotgun).
 - 1. Officers must obtain a score of at least 90% on each of the qualifications designated by the department.
 - 2. Officers failing to obtain a 90% on any qualification will be given one (1) additional attempt to qualify. An officer who fails the initial attempt will not be authorized to carry that weapon until a successful second attempt is completed. If the officer fails to qualify on the second attempt, they will no longer be authorized to carry that weapon. This second attempt must be completed within thirty (30) calendar days of the initial failure. Officers who do not attempt a second qualification within these 30 days will be considered to have failed the qualification.
 - 3. Officers who fail to attend the designated yearly qualification will lose their authorization to carry the weapon.
 - 4. Officers who lose their authorization to carry an advanced weapon system, either by failing to obtain a 90% or failing to attend a qualification, will not be authorized to carry that weapon until they have re-taken the entire training course for that weapon. The Range Master shall be responsible for notifying the officer's chain of command that authorization to carry the weapon has been withdrawn.
- F. At the end of a qualification period, officers will be notified if they failed to qualify with any of their current firearms, both on duty and off. Officers shall take one of the following courses of action;

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1. Notify the Range Master that they no longer wish to remain qualified with that weapon. The Range Master shall be responsible for notifying the officer's chain of command that authorization to carry a department weapon has been withdrawn and the weapon is to be returned to the property section. Personally owned guns are no longer authorized for carry, on duty or off.

2. Notify the Range Master of their intent to remain qualified with that weapon and make arrangements to qualify within the designated make up period.

G. Officers, at a minimum, shall remain qualified with at least one (1) handgun.

2-22-6 AMMUNITION

As per the APOA contract, the department will issue ammunition for certain pistol calibers and M-4 type rifles. For those pistol calibers that the department issues duty ammunition, officers will be limited to carry only that duty ammunition issued by the department. If the department does not issue duty ammunition for the particular caliber that an officer is carrying, then the officer will be restricted to ammunition appearing on the "Lethal, Less than Lethal and Ammunition List".

In recognition that certain M-4 type rifles perform better with certain types of ammunition the above restriction shall not apply to .223/5.56 rifles. However, the duty ammunition carried by officers must appear on the "Lethal, Less than Lethal and Ammunition List".

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Authorization to attend Advanced Weapon Systems Training Form

Officers attending any advanced weapon systems training shall complete this form and submit it to the Department Range Master at least seven (14) calendar days prior to the start of training. Initial training for any of the following weapons will require the use of this form; 1) Urban rifle, 2) Pistol caliber carbine, 3) Enhanced shotgun, 4) Single action pistol, 5) Electronic (red-dot) rifle optics, and 6) Magnified rifle optics.

Officer's Name: _____

Training Requested: _____

Date(s) of Training: _____

Supervisor Approval:

I (print name and rank) _____, approve the above officer to attend the listed training on the dates specified. This approval is based upon the maturity and professionalism displayed by the officer while under my command.

Signature of supervisor: _____

Department Range Master Approval: (or designee)

I (print name and title) _____, attest that the above listed officer obtained the following qualification score on the DPS day pistol qualification (list qual date and score) _____. In addition, I approve the officer for the above listed training on the dates specified.

Signature of _____ of _____ Range _____ Master _____ (or _____ designee):

Note: The qualification must be the officer's most recent qualification prior to the start date of the school. Officers may be allowed to re-shoot the qualification if their most recent score is not a 90%. The qualification will be shot on the turning target system. The officer shall obtain at least a 90% to attend training.

Internal Affairs Approval:

I (print name and title): _____ attest that the above listed officer has not received a sustained use of force complaint for one year prior to the above listed date of training. The year period will be from the date of the actual incident.

Signature of I/A personnel: _____

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Acknowledgment of officer:

I understand that the carrying of any of the advanced weapon systems is a privilege granted to me by the department. Should I fail to meet the qualification requirements as outlined in SOP section 2-22 or inappropriately handle or deploy the weapon, this privilege will be withdrawn.

Officer's signature: _____