



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

Effective: 06/02/16 Expires: 11/29/16 Replaces: 04/11/16

## **2-3 FIREARMS AND AMMUNITION AUTHORIZATION**

### **2-3-1 Purpose**

The purpose of this policy is to set forth the expectations for officers with respect to firearms and ammunition.

### **2-3-2 Policy**

It is Department policy to provide officers with a duty sidearm and a less-lethal shotgun. Those officers who are authorized may be issued a patrol rifle, 12-gauge shotgun, and/or an enhanced shotgun. The Department will also supply necessary training and ammunition for these firearms. This policy applies to all department personnel authorized to carry firearms.

### **2-3-3 Definitions**

#### **A. Range Master Approved List**

A list of equipment drafted by the Range Master, approved by the Chief of Police, and maintained by the Range Master.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

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**2-3-4 Procedures**

A. Firearms Rules & Expectations

3

1. Officers shall only carry or use Department-approved firearms while on duty. Each officer will ensure that all firearms the officer uses are both approved by the Range Master and are firearms the officer has qualified to use, as described below for each type of firearm.

2

2. Officers while on duty shall, at a minimum, carry their duty handgun, spare loading device, badge, identification card and a means of communication.
3. The range master, in cooperation with the property section, will maintain up to date information on each officer's firearms and qualifications. These records will include:
- a. A list of each officer's issued firearms and approved to carry personal firearms by type and serial number.
  - b. A list of approved rifle optics or magnified optics used by each officer.
  - c. Qualification dates for each of these firearms.
  - d. Qualification information regarding any other firearms. From the effective date of this policy, the history of an officer's qualification scores will be maintained throughout his/her career in the officer's training file.
4. Supervisors will complete a line inspection form monthly for each officer under his or her command. The form will note all firearms and related equipment the officer is using. The supervisor will evaluate compliance with this policy and confirm qualifications against the range master's records.
5. Each officer will qualify annually, both day and low light as applicable, with his/her firearms.
6. No Department-owned firearm will be subjected to any alteration without the written permission of the Department Armorer. Alterations shall only be performed by the Department's Armorer.
7. No holsters that prevent the actual gripping of the firearm are permitted.
8. All authorized firearms will be maintained in a safe and working condition.
9. After attending any shoot, officers will clean and inspect their firearms prior to returning to duty. An area will be provided at the Firearms Range for completing this task.
10. Officers on duty may carry firearms into liquor establishments when responding to a call, during duty breaks, or on other official assignments.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

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11. Officers off duty may carry a firearm into a licensed liquor establishment only under following conditions, unless responding to an emergency:

- a. The officer may not consume alcohol in any quantity.
- b. The establishment must not be a business whose primary business is the sale of liquor, such as a bar or package liquor store.
- c. The officer must be carrying a firearm with which they are qualified, and the officer must be carrying their badge and identification card.

B. Firearms Inspection and Repair

1. Inspections may be made of any firearm at any time by the range staff, supervisors, chain of command, and department quality assurance auditors.

- a. Any firearm judged unsafe will not be fired or carried on or off-duty until such time as the Firearms Range Armorer has declared the firearm safe.
- b. Department owned firearms, taken out of service by the Armorer, will be left at the Firearms Range and another firearm will be issued by the Range Master.
- c. The Department Armorer will repair only Department-owned firearms.
- d. However, the Department Armorer may make minor adjustments to personal firearms that can be completed immediately and will not cause the firearm to be taken out of service. Officers who permit the Armorer to work on their personal firearms assume all liability should the firearm be damaged or caused to be unfit for duty use.

4

C. Qualifications

1. Qualification expectations

- a. Officers shall qualify on the course of fire established by the New Mexico Department of Public safety with their duty handgun(s).
- b. Officers shall qualify each calendar year with every firearm currently carried on duty, off duty, or as a backup.
- c. The qualification shall be designated by the Department and may include both day and night courses.
- d. Officers will not be employ firearms on-duty until they qualify on the specified firearm type.
- e. Officers are encouraged to wear the gear normally worn during their duty hours while doing qualifications.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

Effective: 06/02/16 Expires: 11/29/16 Replaces: 04/11/16

4

2. Qualification Failures

- a. Officers who fail to qualify on their primary firearm system on the date of their qualification shall begin an immediate remedial training program.
  - i. Remedial training shall be completed within 7 range business days of original qualification.
  - ii. At the conclusion of the remedial training, the officer will make a second attempt at qualification.
- b. Those officers who still fail to qualify on their second attempt, shall immediately be placed in an administrative assignment at the range, and will immediately relinquish Department issued firearms on which they failed to qualify.
- c. Those who fail to qualify within 30 calendar days of their second attempt will be subject to administrative and/or disciplinary action, up to and including termination of employment.
- d. If an officer has failed the patrol rifle, buckshot shotgun, or the enhanced shotgun qualification on the second attempt, they will lose the authorization to carry that firearm until they attend formal remedial training at the range and pass the required qualification course of fire.
  - i. This training and qualification must occur within 30 calendar days of the initial failure.
  - ii. If the officer does not complete the remedial training and qualification, they will lose the authorization to carry that firearm.
  - iii. To regain the authorization, they must complete the entire training course for that firearm.
- e. Officers who fail to attend the designated yearly qualification will lose their authorization to carry the patrol rifle, enhanced shotgun, or buckshot shotgun.
  - i. Officers who lose their authorization to carry the patrol rifle, enhanced shotgun, or the buckshot shotgun, either by failing to obtain a passing score or failing to attend a qualification, will not be authorized to carry that firearm until they have re-taken the entire training course for that firearm.
  - ii. The Range Master shall be responsible for notifying the officer's chain of command that authorization to carry the firearm has been withdrawn.
- f. If an officer decides not to maintain their qualification with the patrol rifle, they will turn in their rifle.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

Effective: 06/02/16 Expires: 11/29/16 Replaces: 04/11/16

6

3. Qualification Exemptions

- a. Academy staff will review qualifications at least annually and determine in coordination with the Personnel/Payroll Division if there is good cause to delay qualifications, such as military leave.
- b. Employees requiring an exemption from qualification will request such exemption through the chain of command, in writing, from the appropriate Assistant Chief/Deputy Chief/Major.
- c. Exemptions will be granted for good cause and will have duration appropriate to address such cause. Exemption requests and approvals will be maintained in the officer's training file.

3

D. Authorized Firearms

1. Duty Handguns

a. Issuance

The Department will furnish each officer a duty handgun. This handgun is the officer's primary firearm to be worn on the duty belt or in a holster.

b. Rules

- i. Only Department-issued handguns will be carried as a primary duty handgun.
- ii. Officers, at a minimum, shall remain qualified with at least one duty handgun.

c. Qualifications

- i. For the duty handgun, officers will qualify, at a minimum, once annually on the DPS day qualification and once under the low-light condition qualification.
- ii. A passing score of 80% or greater is required.

2. Second Duty Handguns

a. Issuance

A specialized unit's commander may authorize specific officers to be issued a second duty handgun for specific operational needs, such as for undercover or tactical work. The authorization and reason will be documented in writing.

b. Qualifications

The qualifications for the second duty handgun will be identical to those for the duty handgun.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

Effective: 06/02/16 Expires: 11/29/16 Replaces: 04/11/16

3. Duty Rifles

a. Issuance

- i. Duty rifles and magazines may be issued to patrol officers, as available and requested by the officer.
- ii. Issuance must be approved by the officer's immediate supervisor, internal affairs, and the range staff.
- iii. Such approval will be routed from supervisor to internal affairs and then to the range staff, who will maintain the documentation.

b. Rule

No personally-owned rifles will be carried on duty.

c. Qualifications

- i. To qualify to carry a rifle, the individual officer must be current with qualifying scores on his/her duty handgun.
- ii. The officer must attend and successfully pass the Department's Patrol Rifle School, scoring a 90% or better on the final qualification - both day and low light.
- iii. At least once a year, officers must maintain a 90% score on their day and low-light rifle qualifications to keep the rifle.

d. Rifle Optics

- i. The Range Master will maintain a list of approved optics and magnifiers at the range.
- ii. Officers who have completed the patrol rifle school may purchase and employ personally owned optics on their Department-issued patrol rifle. The optics must be on the range master approved list or otherwise approved by the range master in writing. Officers must receive training and qualify to use optics prior to using the optics. Prior to use, the range master will inspect optics for compliance with this policy and note approval of any optics on the officer's inventory sheet.
- iii. When mounted, the location of optics will not impede the iron sights from being employed in the event the optic ceases to function. If the optic is equipped with an etched reticule, there is no need for iron sights.
- iv. Tactical units may deviate from the Range Master's approved optical list by issuing a different brand and design of patrol rifle optical sight approved in writing by the commander of the special operations division. The commander will also ensure that officers receive the proper training prior to employment.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

Effective: 06/02/16 Expires: 11/29/16 Replaces: 04/11/16

e. Magnified optics

- i. The officer must attend and pass the Department's magnified rifle optic school prior to using magnified optics.
- ii. Officers who have successfully completed the optic class may purchase and mount a personally owned magnified optic.
- iii. Authorized magnified optic sights will be limited to models named on a list maintained by the Range Master and approved by the Chief of Police. Prior to use, the range master will inspect magnified optics for compliance with this policy and note approval of any optics on the officer's inventory sheet.
- iv. These tactical optics must have the ability to vary the power from 1 power (no magnification) up to a maximum of 4 power magnification. They must have etched reticles.

4. 12-Gauge (Buckshot) Shotguns

a. Issuance

Officers who wish to carry a shotgun may be issued a shotgun from the property unit. Officers are not required to carry a shotgun. 12 gauge and enhanced shotguns are being phased out in favor of duty rifles. Typically, officers will only be issued one of these types of firearms.

b. Rules

- i. Officers may only carry Department issue 12 gauge shotguns.
- ii. The shotgun will be issued with a sling and additional ammunition (a sock or side saddle-type) shell carrier.

c. Qualifications

Each officer who carries a 12-gauge shotgun will qualify, at a minimum, once a year on the APD shotgun qualification with a passing score of 80% or greater.

5. Less-Lethal Shotgun

a. Issuance

All officers will be trained in the use of less-lethal shotguns.

b. Rules

- i. Officers may only carry Department-issued less-lethal shotguns.
- ii. The shotgun will be issued with a sling and additional ammunition carrier.
- iii. Officers issued a less-lethal shotgun must carry the firearm in their vehicle.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

Effective: 06/02/16 Expires: 11/29/16 Replaces: 04/11/16

- iv. The pump action shotgun will be plainly marked with high visibility yellow or orange tape, or paint on the buttstock and muzzle area of the barrel.
- v. Officers will never load lethal rounds in their less-lethal shotgun.

c. Qualifications

- i. All Departmental officers will fire a two (2) round less-lethal shotgun maintenance course during the day qualification.
- ii. These two rounds will be fired at 7 yards and be preceded by the verbal statement, "beanbag, beanbag, beanbag."
- iii. Officers must exhibit proper manipulations of the firearm and correct statements and must not strike in a lethal area (e.g. headshot) in order to pass.

6. Enhanced Shotgun (with slug ammunition)

a. Issuance

Officers who choose to employ a Department enhanced shotgun will be issued this firearm from the Department's property section.

b. To qualify as an enhanced shotgun, the firearm must:

- i. Be a pump or semi-automatic type action
- ii. Have ghost ring or rifled sights
- iii. Be equipped with an extended magazine
- iv. Have a side saddle or sock
- v. Have a sling

c. Rules

- i. Officers may only carry Department issue enhanced shotguns.
- ii. Only officers completing the enhanced shotgun course will be authorized to carry and use slug ammunition.
- iii. Officers issued an enhanced shotgun will complete the training course at the range prior to carrying the firearm on duty.
- iv. Enhanced shotguns must be equipped with a weapons mounted light and sling.

d. Qualifications

- i. Officers using an enhance shotgun will attend the enhanced shotgun class and maintain their qualification on this firearm system.
- ii. Each officer who carries an enhanced shotgun will qualify, at a minimum, once a year shooting the APD day enhanced shotgun qualification course, and once a year under the low-light conditions qualification course.
- iii. A passing score of 90% or greater is required.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

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7. Personally-Owned On-Duty Backup Handguns and Off-Duty Handguns

a. Issuance

On-duty backup handguns and off-duty handguns are personally owned and not issued by the department (unless the off-duty handgun is the duty handgun as authorized below). All ammunition for personally owned firearms will also be personally owned and will not be provided by or tracked by range staff.

b. Authorization

Officers are authorized to carry personally-owned handguns as on-duty backup handguns and off-duty handguns. Officers will be allowed to maintain two (2) personally owned handguns for backup duty and off duty use. This will be in addition to being able to carry their primary duty handgun off duty.

c. Distinction

On-duty backup handguns and off-duty handguns are carried at different times and therefore serve a different purpose. Some off-duty handguns may not be carried as an on-duty backup gun due to their barrel length and overall size.

d. Rules for on-duty backup handguns

- i. Officers are authorized to carry a personally-owned backup handgun while on duty. This backup handgun is not to be confused with a second duty handgun.
- ii. On-duty backup handguns must be approved by the range master and noted on the officer's inventory card. Before approval, the range master will review the officer's proposed holster and concealment for compliance with this policy.
- iii. This handgun is for emergency situations only.
- iv. This handgun will be carried and secured in a holster out of sight of the public, unless the officer is deployed in a tactical vest with a firearm pouch, which may be used to carry an on-duty backup handgun.
- v. Physical requirements
  - 1) For purposes of concealment, the handgun will have a barrel length of less than 4 inches.
  - 2) It may be a semi-automatic or a revolver.
  - 3) It will have a minimum ammunition load of 5 rounds of expanding ammunition.
  - 4) It will be at minimum a .380/.38 caliber semi-automatic or revolver.
  - 5) Officers will select the caliber and the physical size of the backup handgun based on the officer's ability to conceal the firearm, based on the officer's size and build.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

Effective: 06/02/16 Expires: 11/29/16 Replaces: 04/11/16

e. Rules for off-duty handguns

- i. 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 rather to define the authorization to carry a firearm under the color of law.
- ii. If the officer carries a handgun off duty, he must also have his badge and ID card.
- iii. On-duty backup handguns may be carried as an off-duty handgun. The off-duty handgun may also be the Department-issued duty handgun or officers may carry another personally owned handgun while off duty.
- iv. Off-duty backup handguns must be approved by the range master and noted on the officer's inventory card. Before approval, the range master will review the officer's proposed holster and concealment for compliance with this policy.
- v. Physical requirements
  - 1) The handgun can be on a semi-automatic or revolver platform.
  - 2) Caliber is the individual officer's choice. However, the minimum caliber will be .380/.38
  - 3) This handgun will be carried secured in some form of a holster, out of sight of the public.

f. Qualifications

On-duty backups and off-duty handguns require an annual day qualification of 20 rounds. A passing score of 80% or greater is required.

E. Exceptions to the Duty Firearms Policy

1. Due to the unique assignments some police detectives are assigned to, there may be specific exceptions to the duty firearm policy.
2. If the officer's deputy chief deems it necessary to alter this section for the officer's safety, promotion of an undercover role, or other reasons, he may deviate from this policy. The commander will document this deviation in writing with authorization from the deputy chief, prior to deployment.

3

F. Ammunition

1. Officers shall only carry or use department-issued ammunition in conjunction with the use of a department-issued firearm. Officers should maintain a full magazine of ammunition in the duty handgun. On duty backup handguns, if used, will be supplied by personally owned ammunition of a type approved by the range master.
2. The approved manufacturer, bullet weight, and projectile type will be maintained at the range by the Range Master.



ALBUQUERQUE POLICE DEPARTMENT  
PROCEDURAL ORDERS

SOP 2-3

Effective: 06/02/16 Expires: 11/29/16 Replaces: 04/11/16

3. All practice ammunition shall be issued for use as authorized by the Range Master. The Department may issue ammunition for practice, duty, and initial training of Department-issued firearms. Range master maintains control over this inventory. Practice ammunition will only be used for practice at APD range. The range master will maintain records of names of officers and number of boxes of practice ammunition used. Duty ammunition will be issued as need by the range master, with a documented explanation of any lost or damaged ammunition. Duty ammunition will be changed out every 2 years or sooner if damaged.
4. 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".
5. 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".
6. Only the Range Master or the Range Master's designee will be authorized to order and receive ammunition to be distributed to Department personnel.
7. All training ammunition will be stored at the West Range.

Officers in need of training ammunition for the course from outside vendors will submit a memo, through their chain of command, to the Range Master for approval.

8. Area Commands may keep a surplus of duty ammunition on hand for emergencies.
  - a. Watch Commanders will have access to surplus duty ammunition and will be responsible for maintaining inventory logs.
  - b. The amount of surplus duty ammunition stored within each Area Command will be determined by the Range Master.