

	<b>RUTGERS UNIVERSITY POLICE DEPARTMENT WRITTEN DIRECTIVE SYSTEM</b>		<b>12:5</b>
	<b>POLICE DUTY SIDEARM</b>		
	<b>Effective Date: 07-01-2013</b>		<b>Supersedes: 12:5 (02-10-2010)</b>

#### 12:5-1 **PURPOSE**

The purpose of this directive is to codify this department's policy regarding the duty sidearm.

#### 12:5-2 **POLICY**

It is the policy of this department to issue a sidearm to sworn police officers to carry as a condition of their employment. This firearm will remain the property of Rutgers, The State University of New Jersey.

It is also the policy of this department that each sworn officer, regardless of rank, maintains their proficiency in the use of this firearm as a condition of their employment. The firearms training program is established in Directive 12:1. The inability to carry and proficiently use the duty sidearm may be grounds for dismissal.

It is further the policy of this department that all officers comply with Written Directive System in matters related to their duty sidearm.

#### 12:5-3 **GENERAL**

- a. All sworn officers shall only use the handgun and magazines issued by this department as their duty sidearm, currently only the:

- [REDACTED]
- [REDACTED] or
- [REDACTED]

- b. Personalized modifications to the duty sidearm or magazines, such as custom grips, custom sights, etc. can only be made with the express permission of the Supervising Firearm Instructor/Armorer with the approval of the Chief of Police.

- c. All sworn officers shall only use the ammunition authorized for use and issued by this agency in their duty sidearm, currently only:

##### 1. Service Ammunition

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

##### 2. Practice Ammunition

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

- d. The duty sidearm must be carried while on duty, while in uniform, or while operating an entity vehicle unless the officer is excused from carrying the

sidearm due to injury, illness or other reason approved by the Chief of Police or designee.

- e. All sworn officers shall carry their duty sidearm in a holster approved for use by the Chief of Police, Supervising Firearms Instructor, or designee. Spare magazines shall be carried in holders approved for use by the Chief of Police, Supervising Firearms Instructor, or designee.
- f. The Chief of Police, on an individual basis, may authorize secondary weapons.
- g. Officers assigned to specialized details may be permitted to carry weapons, holster(s), and ammunition other than those issued, with written authorization from the Chief of Police.
- h. The duty sidearm may be carried while in an off duty capacity, see 12:9-3p.
- i. When not being carried, the duty sidearm must be secured in compliance with NJSA 2C:39-1 et seq. It is additionally recommended that the weapon be secured with a trigger lock, barrel lock or similar device, or stored within a locked safe or similar receptacle.
- j. Officers are required to exercise the utmost care when carrying, storing, or otherwise handling their duty sidearm.
- k. General firearm safety is discussed in section 12:1-4.
- l. Officers experiencing malfunctions shall immediately report the malfunctions to their immediate supervisor and/or a supervising firearms instructor. See 12:5-5 for specific procedures.
- m. Officers are responsible for the routine cleaning of their duty sidearm.
- n. All thefts or loss of a duty sidearm must be immediately reported to this agency and to the law enforcement agency having jurisdiction where the theft/loss occurred. The Chief of Police shall refer all thefts/losses to Internal Affairs for further investigation.
- o. Agency sidearms are subject to inspection by an agency supervisor or firearms instructor at any time and for any reason.
- p. Prior to issuing an agency sidearm (including spare sidearms for ready-issue), agency armorer(s) or firearms instructors shall inspect the weapon for functionality.
- q. In the event, the duty sidearm of any member of this agency is seized by another law enforcement agency in connection with law enforcement investigation, the officer shall cause immediate notification to the duty watch commander/on-call administrator (*as appropriate*) by telephone. The duty watch commander/on-call administrator shall then cause immediate notification to the Chief of Police. (See *Directive 7:19-5 for additional information.*)

#### **12:5-4 FIREARM DISCHARGE**

- a. All duty sidearm discharges except discharges occurring during training must be reported and investigated consistent with New Jersey Attorney General Guidelines, County Prosecutor's Guidelines, Directive 1:8 Use of Force, Directive 2:10 Internal Affairs, and this Directive.

- b. Officers who discharge a duty sidearm whether on-duty or off-duty, except during training, must report the discharge to their immediate supervisor as soon as possible. The supervisor will cause immediate notification to the Chief of Police, Internal Affairs Commander and the Duty Watch Commander/On-Call Administrator.
- c. All non-training firearm discharges shall be reported in writing. When the duty sidearm is discharged to dispose of a sick/injured animal, this non training discharge shall be documented on an Operations Report.
- d. Depending on the circumstances of the discharge, the duty sidearm may have to be secured for possible evidence. Normal evidence procedures would apply. Replacement of the duty sidearm shall also be made on a case-by-case basis at the discretion of the Internal Affairs Commander.
- e. If a duty firearm discharge results in any injury or death to a police officer, suspect or third party, the discharge and death/injury must be immediately reported to Chief of Police or designee and Internal Affairs Commander. The Chief (or designee) will then cause notification to the appropriate personnel of the respective County Prosecutor's Office(s).
- f. All non-training firearm discharges are subject to review and investigation by Internal Affairs, see Directive 2:10.
- g. Employees whose actions or use of force results in a death or serious injury to any other person shall be removed from line duty assignment pending administrative review of the facts and circumstances of the incident. The employee shall be offered critical incident stress debriefing in accordance with Directive 3:17 - Critical Incident Stress Management.

#### **12:5-5 MALFUNCTION PROCEDURES**

- a. As indicated in 12:5-3n, all malfunctions must be immediately reported to an immediate supervisor / supervising firearms instructor.
- b. The supervisor shall ensure that the weapon is made safe and that the officer submits a memorandum detailing the malfunction.
- c. In the event the duty firearm must be placed out of service, the duty supervisor should contact a firearms instructor to secure a spare firearm to be issued.
  - The supervisor shall cause an administrative event entry within the CAD system, noting the serial number of the duty weapon placed out of service.
  - The administrative event entry shall also note where the malfunctioning weapon had been stored.
  - The issuance of the spare sidearm along with the serial number shall be noted on the same operations report that the officer had submitted.
- d. The malfunctioning weapon shall be clearly tagged with the date, administrative event number, and nature of the malfunction. If a firearm instructor is on duty, the malfunctioning weapon shall be placed in the armory.
- e. All reports shall be forwarded through the chain of command to the Supervising Firearm Instructor for action.

- f. All unloading and loading of the duty sidearm shall be performed in a safe manner at approved weapons discharge stations throughout the public safety building and police facilities.
- g. The supervising firearm instructor shall cause an armorer to inspect the malfunctioning weapon to determine the cause of the malfunction. The armorer may repair the weapon or choose to send the weapon to the manufacturer for repair depending on the cause of the malfunction. All weapons must be re-inspected and successfully test fired before being returned to the officer.
- h. The supervising firearms instructor shall maintain the inventory and repair records of all duty firearms. Armorers must document all weapon repairs and maintenance transactions and forward these records to the Administration Commander.

#### **12:5-6 PSYCHIATRIC FACILITIES**

- a. Prior to entering a secured unit within a psychiatric facility, officers shall secure the duty sidearm within a weapons locker; ***except when responding to a reported crime in progress or when necessary to confront an armed adversary within the facility.***
- b. In the event no weapons lockers are available, officers shall render the duty sidearm inoperable by administratively unloading the weapon. No ammunition may be contained within the sidearm.
- c. For the purposes of this section, the term ***psychiatric facility*** is intended to include, but not limited to: University Behavioral Healthcare – UBHC (Piscataway) or Behavior Health Science Building – BHSB and University Hospital's Psychiatric Emergency [Crisis] Unit (Newark).