



**OFFICE OF THE DIRECTOR  
THE UNIVERSITY OF TEXAS SYSTEM POLICE  
POLICIES AND PROCEDURES MANUAL**



TITLE: <b>CARRYING AND DISCHARGE OF FIREARMS</b>		
POLICY NUMBER: <b>C-4</b>	EFFECTIVE DATE: <b>09/01/04</b>	RESCINDS / AMENDS: <b>III-74-1A...8/1/92</b>
RELATED LAWS: <b>Texas Penal Code Statutes: 46.05 Unlawful Transfer of Certain Weapons, 46.13 Making a Firearm Accessible to a Child</b>		RELATED STANDARD(S) / RULE(S): <b>System Police Standard 1.36</b>

**I. PURPOSE:**

To insure commissioned System Police officers are adequately trained in the care and use of firearms.

**II. CARRYING OF FIREARMS ON DUTY:**

- A. Officers on duty will carry a firearm that has been approved by the Chief of Police of their department.
- B. These weapons are limited to the following:
  - 1. A handgun which must be one of the following: .32 auto, 380 Auto, 9mm, 38 Special, 357 Magnum, 357 Sig, 40 S&W, 44 Special, or 45 ACP caliber, double-action revolver or semi- automatic pistol (the .32 auto or .380 Auto may be carried only while wearing civilian clothes) or;
  - 2. Shoulder firearms, such as shotguns and rifles, as approved by the Chief of Police.

**III. CARRYING OF FIREARMS OFF DUTY:**

- A. When off duty officers may carry a handgun provided they have obtained the approval of their Chief of Police to carry such weapon. These weapons may include:
  - 1. A departmentally issued handgun; or
  - 2. A personally owned handgun, which may be one of the following: .32 Auto, 380 Auto, 9mm, 38 Special, 357 Magnum, 357 Sig, 40 S&W, 44 Special, or 45 ACP caliber, double-action revolver or semi-automatic pistol.

- B. This policy does not apply to officers who are off duty and engaged in hunting or sporting activities, unless specifically made applicable to incidents occurring during these activities.
- C. Officers who carry a firearm off duty must, at all times, be cognizant of statutes, U. T. System Police and Regents' Rules and Regulations pertaining to the use of firearms, authority, and jurisdiction.
- D. Any handgun carried off duty, out of uniform, will be worn under a coat or otherwise out of view and notice of the public.

#### **IV. CARRYING PERSONALLY-OWNED FIREARMS:**

- A. Before carrying a personally-owned handgun, an officer must have the handgun approved by the Chief of Police utilizing the following procedure:
  - 1. The officer must submit a completed departmental Authorization Form and the handgun to the department's Firearms Instructor/Proficiency Officer;
  - 2. The Firearms Instructor/Proficiency Officer will examine the handgun to determine if it is in proper working order, and verify the serial number described on the authorization form.
  - 3. The officer must demonstrate a thorough working knowledge of all safety features of the handgun;
  - 4. The officer must demonstrate proficiency with the handgun by qualifying on a U. T. System Police Course of Fire listed in Policy D-1;
  - 5. If approved by the Firearms Instructor/Proficiency Officer, the Authorization Form will be forwarded to the Chief of Police for review and possible approval;
  - 6. If approved by the Chief of Police, the Authorization Form will be maintained in the appropriate departmental personnel file.
- B. Officers will not carry more than one handgun at a time unless specifically authorized by the Chief of Police.

#### **V. PERSONALLY-OWNED EQUIPMENT:**

- A. Officers may carry personally owned re-loading devices as approved by their Chief of Police.
- B. Handgun grips and grip accessories used on duty will be either:
  - 1. Factory Commercially manufactured wooden material with a checkered surface, or;

2. Black composite material with a non-slip surface.

**VI. AMMUNITION:**

Officers, while on duty, will carry only ammunition issued by their department and/or approved by the Chief of Police.

**VII. CARE OF FIREARMS:**

Any approved firearm carried on duty will be loaded, clean and in proper working order.

1. Firearms will be inspected and cleaned periodically to insure proper functioning. **Proper steps will be taken to insure firearms are unloaded before any cleaning or inspection procedures are commenced;**
2. After firing, the barrel and cylinder bores will be cleaned thoroughly with solvent and a wire brush. Powder residue will be cleaned from all surfaces;
2. Care should be taken to remove excess solvents, lubricants or penetrates from the firearm and these liquids should not come into contact with ammunition;
4. The exterior of the firearm shall be wiped clean with a cloth. Blue-steel finishes will be lightly oiled;
5. Any firearm approved to be carried may be repaired only by a gunsmith or armorer designated by the Chief of Police. Under no circumstances will alterations be made to an approved firearm without the specific approval of the Chief of Police.

**VIII. ON DUTY FIREARMS SECURITY AND SAFETY:**

- A. When an officer's firearm is stored outside of their presence or view, it shall not be placed in an unlocked locker, desk or cabinet. Under no circumstances will a firearm be left unattended in a location accessible to unauthorized persons. Except in life-threatening circumstances, officers shall not give or loan their on-duty firearm to another person without approval of a supervisor.
- B. When it is necessary to relinquish control of the firearm to comply with appropriate regulations, the firearm will be safely handled. Officers shall not handle firearms in a careless or imprudent manner.

**IX. DISCHARGE OF FIREARM:**

Officers will not discharge a firearm at a person except while in the performance of their duties and only for the purpose of protecting their own life or the life of another. Under no circumstances will any warning shots be fired. The following procedure will be followed when an officer has discharged a firearm:

1. Officer's Responsibilities:

- a. Officers who discharge a firearm shall immediately notify the on-duty supervisor of the circumstances. This requirement shall not apply to officers while participating in supervised firearms training, hunting, or sport or target shooting, unless the discharge results in personal injury or property damage;
- b. Render medical assistance to any injured persons, including arrangements for transportation to the nearest medical emergency facility.
- c. Remain at the scene until relieved by the on-duty supervisor arrives, unless the officer is the injured person;
- d. Relinquish control of the discharged firearm to the supervisor;
- e. Complete a written report describing the details of the incident. If on duty when the discharge occurs, the report shall be completed before going off duty. If the discharge occurs while off duty, the report shall be submitted as directed by the Chief of Police or designee;
- f. If other officers are present at the time of the discharge of the firearm, they shall remain at the scene until relieved by the supervisor and each shall complete a written report describing the details of the incident before ending their tour of duty, or as directed by the Chief of Police or designee.

2. On-Duty Supervisor's Responsibilities:

- a. Take reasonable steps to notify in-line supervisors up to and including the Chief of Police;
- b. Immediately go to the scene of the discharge, if necessary for the proper conclusion of the incident;
- c. Determine the need for assistance at the scene;
- d. Interview and obtain statements from the officer involved and any witnesses;
- e. Completely investigate the incident and prepare a written report;
- f. Take control of any evidence processed from the scene;
- g. Coordinate the investigation with any outside agencies involved;
- h. Take custody of the firearm involved if necessary for safety reasons and/or evidentiary value;
- i. Remain at the scene until released or relieved by an in-line supervisor.

3. In-Line Supervisor's Responsibilities:

- a. Coordinate and supervise the preliminary investigation of the incident;
- b. Provide information to the Chief of Police;
- c. Provide command assistance to the investigating supervisor.

4. Responsibilities of the Chief of Police:

- a. Investigate or assign a supervisor to investigate the incident;
- b. Notify the Director of Police of the facts and circumstances surrounding the incident;
- c. Forward completed reports to the Director of Police;
- d. Determine the need for and provide psychological debriefing of the officer involved;
- e. Review the completed investigation and take the necessary and appropriate action.

Roy R. Baldrige

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