



**OFFICE OF THE DIRECTOR OF POLICE
THE UNIVERSITY OF TEXAS SYSTEM
POLICY AND PROCEDURE MANUAL**



Subject			Policy Number
FIREARMS, LESS-LETHAL WEAPONS AND AMMUNITION			604
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I. PURPOSE

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

II. POLICY

Officers of this agency will only carry a firearm and less lethal-weapon that has been approved by the Director of Police.

III. CARRYING OF FIREARMS ON DUTY

A. Officers on duty will carry only a firearm that has been approved by the Director of Police, whether department-issued or personally purchased. Officers shall be armed only with an authorized firearm and ammunition that is:

1. Registered with the agency; and
2. With which the officer has demonstrated proficiency and has attained a qualifying score during firearms training/qualification

B. These weapons are limited to the following:

1. Glock models 22 or 23 .40 caliber
2. Glock models 17 or 19 9 mm

C. Shoulder firearms issued by the agency:

1. 12 gauge pump Shotgun
2. .223 semiautomatic Rifle

D. Police officers shall not modify or alter their on duty firearm without written approval of the Director of Police.

- E. Officers hired prior to (the effective date of this policy) will be exempted from the requirements of III A-B above and will be allowed to continue carry of their current duty weapon. However, should an exempted officer opt to discontinue the carrying of his/her exempted weapon and choose to carry a different weapon, then the provisions of III A-B shall immediately apply.
- F. All agency personnel authorized to carry lethal and less lethal weapons will be issued copies of the Use of Force policy and receive instructions on that policy before being authorized to carry a weapon. Policy issuance and instruction shall be documented.
- G. All on duty officers of the University of Texas System Police shall be armed at all times when on duty regardless of assignment; “armed” shall be understood to mean having a primary authorized handgun immediately available for use; “on duty” shall be understood to mean at any time when the officer is officially discharging his/her duties; it is understood that under very limited circumstances an on duty officer may be required to briefly secure his/her handgun because of safety or legal requirements (e.g. during court testimony, during prisoner booking, in some mental health facilities, travel on commercial airlines).
- H. Officers in administrative, investigative or other non-uniformed assignments may wear their handgun either concealed or in plain view dependent on the circumstances or business at hand; in either case the UTSP shield shall be prominently displayed on the officer’s belt in close proximity to the holstered weapon and the officer’s police identification/credentials shall be readily available.
- I. Police Inspectors authorized to participate in the Transportation Security Administration/Federal Air Marshal Service flying while armed program shall have completed the appropriate training and shall conform to all required program and statutory requirements; participation shall only be as authorized by the Director of Police.

IV. CARRYING PERSONALLY OWNED WEAPONS

- A. Before carrying a personally-owned firearm on duty, a police officer must have the firearm approved by the Institution Chief of Police utilizing the following procedure:
 - 1. The officer must submit a completed agency Authorization Form and the handgun to the agency’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 proficiency with the handgun by qualifying on a U.T. System Police Course of Fire.

4. If approved by the Firearms Instructor/Proficiency Officer, the Authorization Form will be forwarded to the Institution Chief of Police for review and possible approval.
5. If approved by the Institution Chief of Police, the Authorization Form will be sent to the Office of Director of Police.
6. The weapon must conform to the provisions of III A-B above if carried as the primary weapon.

V. PERSONALLY-OWNED EQUIPMENT

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

VI. BACK-UP/SECONDARY FIREARMS

A police officer may carry one additional firearm on-duty as a back-up or secondary weapon. All back-up firearms must meet agency standards, be registered by serial number with the Department, and the officer must demonstrate proficiency and attain a qualifying score during firearms training/qualification prior to use. Additionally, the weapon shall not be readily visible while in uniform and shall be secured.

- A. The back-up/secondary firearms 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.

VII. AMMUNITION

Officers will carry only ammunition issued by this agency in their issued firearms. Approved ammunition will be jacketed hollow point ammunition that is approved as meeting the Sporting Arms and Ammunition Manufacturers Institute (SAAMI) standards. The approved ammunition will be jacketed hollow points manufactured by:

- A. Federal
- B. Winchester
- C. Remington
- D. Speer

VIII. HOLSTERS AND MAGAZINES

- A. The approved uniform duty holster for carry will be either the Safariland Model 6280 Level II Retention Duty Holster or the Blackhawk Serpa Level III Auto-lock Holster.
- B. The approved duty holster for non-uniform is a type that attaches to the belt and has at least one weapon retention device.
- C. Two additional fully loaded magazines will be carried while in uniform. One fully loaded magazine will be carried while on duty but not in uniform.
- D. System Rapid Response Team members and Canine Officers may wear thigh positioned Level II tactical holsters and associated gear as required.

IX. CARRYING FIREARMS OFF DUTY

- A. When off duty officers may carry a handgun. 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 applicable to the use of firearms, authority, and jurisdiction.
- D. Any handgun carried off duty, out of uniform, will be concealed, worn under a coat or otherwise out of view and notice of the public.
- E. Officers are prohibited from carrying a firearm on or off duty while under the influence of alcoholic beverages and/or any chemical, prescription drug, or controlled substance when affected to the extent that their normal faculties are impaired.

X. CARE OF FIREARMS

Approved firearms carried on duty will be loaded, clean and in proper working order.

- A. 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;

- B. After firing, the firearm will be cleaned thoroughly with solvent and a brush. Powder residue will be cleaned from all surfaces;
- C. Care should be taken to remove excess solvents, lubricants or penetrates from the firearm and these liquids should not come into contact with ammunition;
- D. The exterior of the firearm shall be wiped clean with a cloth.
- E. Any firearm approved to be carried may be repaired only by a UT System Police authorized gunsmith or armorer.
- F. Under no circumstances will alterations be made to an approved firearm without the specific approval of the Director of Police.
- G. Weapons that fail to pass an inspection will not be returned to the officer. A copy of the inspection record will be forwarded to the Firearms Proficiency Officer along with any relevant information conceiving the failed inspection. The weapon will be returned to the armory until repairs are made. Officers will be issued another weapon, which has passed the applicable inspection before returning to duty.

XI. FIREARMS SECURITY AND SAFETY

- A. When an officer's firearm is stored outside of his/her 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.

XII. FIREARMS INSTRUCTOR/PROFICIENCY OFFICER

- A. The Director of Police shall appoint a number of Firearms Instructors/Proficiency Officers who shall have specialized training and are knowledgeable in the operation and safe handling of various firearms and ammunition.
- B. Duties of the Firearms Instructor/Proficiency Officer include:
 - 1. Register and inspect an officer's duty and personally owned firearms and less lethal issued weapons prior to their use in the performance of duty. Records of the inspection will be maintained.
 - 2. Manage the agency's weapons proficiency training and qualification program.

3. Attend an annual training and qualification course as determined and sponsored by the Director of Police.

XIII. WEAPONS PROFICIENCY

- A. Only employees demonstrating proficiency in the use of department authorized weapons (i.e., handgun, chemical spray, TASER, impact weapon, long gun, shotgun) are permitted to carry or use such weapons. The proficiency course will be determined by the Director of Police.
- B. Demonstrating proficiency includes, but is not limited to, the following:
 1. Achieving a minimum qualifying score on a prescribed course.
 2. Attaining and demonstrating knowledge of the laws concerning the use of authorized weapons.
 3. Knowledge of departmental policy on the use of force, escalating force, and deadly force.
 4. Knowledge of safe handling and cleaning procedures for the use of these weapons.

XIV. FIREARMS QUALIFICATIONS

- A. At least twice each year, all Police officers will be required to fire a qualifying score of 70% or above with firearms authorized to be carried in their official capacity. Approved courses are to conform to those established by the Director of Police.
 1. Biannual firearms training and qualification is scheduled as follows:
 - a. First half: January – June
 - b. Second half: July - December
 2. Officers will be required to fire at least two (2) approved handgun courses of fire during each fiscal year.
- B. Firearms Range Rules and Regulations.
 1. All general safety rules will be followed at all times.
 2. Upon arrival at the range, all firearms will be unloaded in a safe place and manner. The firearm will be loaded on the firing line at the direction of one of the Firearms Instructors/Proficiency Officers or will be loaded after cleaning the firearm at the range building, while observing range safety rules.
 3. “Horseplay” will not be permitted on the range at any time.
 4. Officers will fire their firearms only as directed by the Firearms Instructor/Proficiency Officer.
 5. When on the firing line, un-holstered firearms will be pointed downrange at the target line at all times, unless otherwise directed by the Firearms Instructor/Proficiency Officer.

6. All firing will be directed at the targets and target embankment.
 7. The target area will be inspected prior to firing and objects that may cause ricochets will be removed.
 8. There should be no talking on the firing line unless it is necessary to communicate with the Firearms Instructor/ Proficiency Officer, and then talking should be confined to business at hand.
 9. Officers waiting to fire are required to remain at a designated safe area and are not to interfere with or distract the Firearms Instructor/Proficiency Officer or shooters on the firing line.
 10. On the firing line officers will:
 - a. Obey commands issued by the Firearms Instructor/Proficiency Officer;
 - b. Never anticipate a command;
 - c. If there is a weapon malfunction and the officer is unable to clear the weapon as instructed, he will call out "misfire," raise one hand to notify the Firearms Instructor/Proficiency Officer, and keep the weapon on target. Never fire a succeeding shot after a misfire until first checking the firearm to ensure it is safe and the barrel unobstructed;
 - d. Prior to firing, check the firearm for barrel obstruction or malfunction of action, observe the general safety rules; and
 - e. Never move from the firing line until "all clear" is given by the Firearms Instructor/Proficiency Officer and all firearms are made safe.
 11. Only approved firearms, ammunition, and equipment will be permitted on the firing range.
 12. All officers will assist in "policing" the range and leaving it in a clean and orderly fashion.
 13. Firearms Instructors/Proficiency Officers are given the authority to direct all operations at the firing range.
 14. All scheduled firearms practice and qualifications on the firing range will be accomplished under the direct supervision of a qualified Firearms Instructor/Proficiency Officer.
- C. Written Test. A written test covering the Use of Force Policy, General Firearms Safety, and this written directive will be administered to all Police officers during biannual firearms qualification. The minimum qualifying score for the written test is 80%. In the event an officer fails the written test, he/she will receive remedial training and the test will be retaken.
- D. Failure to Qualify
1. During the biannual firearms training session, any officer who fails to qualify will be given immediate remedial training by a certified Firearms Instructor/Proficiency Officer and a second opportunity to qualify the same day, if time permits.
 2. An officer failing to qualify during the second attempt will receive additional remedial training from a certified Firearms Instructor/Proficiency Officer, and following a reasonable period of time,

not to exceed seven days, the officer will be afforded a third opportunity to qualify. If the officer returns to duty before the third attempt to qualify, the officer will be assigned non-armed duties.

3. An officer failing to qualify on the third attempt will be required to return, following a period of time of at least seven days, for additional remedial training and a fourth opportunity to qualify. (Any alternative scheduling must be approved by the Director of Police). An officer failing to qualify during the fourth attempt will be relieved of the right to carry a firearm as a duty weapon.
4. In the event an officer fails to qualify, the Firearms Instructor/Proficiency Officer will submit a report to the Director of Police, with a copy to the Institution Chief of Police. This report will include the following:
 - a. A description of the remedial training;
 - b. The dates when remedial training was provided;
 - c. The scores fired; and
 - d. The training officer's evaluation of the officer's failure.
5. If, after reviewing the report, the Director of Police recommends additional training, the officer will be assigned non-armed duties until enrollment in a firearms training class which is approved by the Director of Police.
6. Any officer who fails to successfully complete a final remedial firearms training class and fire a qualifying score immediately following completion of the class will have his officer's commission revoked upon proper hearing of the facts, if it is determined such person can no longer meet peace officer licensing standards.
7. If, at anytime, in the opinion of the Director of Police, an officer is incapable of qualifying or safely carrying an issued firearm due to physical or mental impairment, the Director of Police shall require the officer to be examined by a licensed physician or licensed psychologist of the Chief's or Director's choosing, and if after such examination an officer is deemed to be incapable of qualifying with or safely carrying a firearm, the officer's commission will be revoked by the Director of Police.

E. Reports

1. During each biannual qualification, a record will be made and placed in each officer's training file which shall include his score, date of qualification, and course of fire.
2. A report of the results of the firearms training shall be certified by the Firearms Instructor/Proficiency Officer and submitted to the Training Coordinator. The report should include the following:
 - a. Names and scores of the officers participating in the firearms training;
 - b. Names of those excused and the reason for excuse;
 - c. Location of the range where the training was conducted; and
 - d. Course of fire.
 - e. The date of qualification

3. Firearms Training Reports will be received in the Office of The Director of Police as follows:

First half No later than July 15th
Second half No later than January 15th

F. Classification.

1. Officers will be classified based upon the average of their last two (2) firearms qualification scores. Classifications are as follows:

Class	Average Score
Master	97.0 to 100.0
Expert	93.0 to 96.9
Sharpshooter	86.0 to 92.9
Marksman	80.0 to 85.9

XV. LESS-LETHAL DEVICE – CONDUCTED ENERGY WEAPONS (CEW)/ELECTRONIC CONTROL DEVICES (ECD)

- A. Conducted energy weapons, also known as electronic control devices, the primary manufacturer in the US of which is TASER, International, are less-lethal Electronic Control Devices (ECD) that use electricity to achieve neuro-muscular incapacitation. While Tasers may be used in deadly force situations, Taser is not a substitute for deadly force. Deadly force alternatives should accompany Taser deployments in such circumstances.

Taser ECDs come in a variety of models. The M26 and X26 are single shot handgun style versions of the ECD. The X2 and X3 are double and triple shot handgun style versions of the ECD. The X12 is the 12 gauge shotgun version of the ECD.

B. Carrying Taser Electronic Control Devices

1. The Taser M26, X26, X2, X3 or X12 may be issued to police officers upon their completion of an approved training and certification program.
2. If issued an M26, X26, X2 or X3, the ECD and holster shall be worn on the duty belt by police officers while on duty and in uniform. Thigh holsters may also be used with the approval of the Chief of Police.
3. Non-issued ECDs are not authorized to be carried on during normal duty status.

C. Use of the Taser ECD

1. ECDs may be used in situations where:
 - a. The use of force is reasonable and necessary to achieve a legitimate law enforcement objective and overcome resistance.
 - b. Lesser methods of force are unreasonable, unsafe or ineffective.
2. Mere passive resistance (refusal to comply with verbal commands, going

limp, stiffing of limbs without struggling, or verbal arguments against being arrested) without evidence of a threat to the officer, another member of the public or the suspect does not justify the use of an ECD.

3. Officers should not use an ECD on Higher Risk Populations, unless the situation would justify higher levels of force; this particular requirement is promulgated out of an abundance of caution; there is no scientific evidence to suggest that Higher Risk Populations have been established clinically to be at greater risk during ECD deployment
4. Higher Risk Populations include: pregnant women, the infirm, the elderly, small children and low body-mass index persons.
5. Deployment of ECDs against subjects who have been contaminated with OC Spray, even sprays labeled as “non-flammable,” should be avoided as ECDs are capable of igniting vapors from the OC spray.
6. Drive stuns are equivalent to pain compliance techniques and will not produce the neuro-muscular incapacitation effects of a probe deployment.
7. Each cycle of the ECD may be viewed as a separate use of force that will need to be justified by specific factors from the incident.
8. ECDs may be used to stop or subdue an animal that is aggressive toward any person.
9. ECDs shall be used in accordance with departmental training and procedures.
10. Officers may remove ECD probes from the body or clothing of a subject, but medical attention should be provided to those who have been exposed to an ECD when:
 - a. The probes have penetrated a sensitive area such as the face, neck or groin.
 - b. The person complains of injury or medical issues.
 - c. The person shows signs of Arrest-Related Death Syndrome (Excited Delirium)
 - d. The officer does not wish to remove the probes for safety reasons.
11. The use of an ECD will be documented and reviewed by a supervisor.

XVI. LESS-LETHAL DEVICE - CHEMICAL SPRAY

- A. Oleoresin Capsicum (OC). A pepper spray intended to be a less-lethal means of controlling subjects. OC is an inflammatory agent, as well as an irritant, and is intended to be used as a low force means of obtaining control. The propellant and fumes of OC sprays, whether labeled non-flammable or not, are combustible under the right circumstances. Do not spray the product near an open flame or use an Electronic Control Device on a subject who has been sprayed with OC.
- B. Carrying Oleoresin Capsicum (OC) Dispensers.
 1. OC will be issued to police officers and public safety officers upon completion of an approved training and certification program.
 2. The issued OC dispenser and holster for uniformed personnel shall be carried on the issued duty belt while the employee is on duty.

3. Members of the Police Department are not authorized to carry non-issued OC dispensers or other chemical agent sprays during normal duty status.
- C. Use of the Oleoresin Capsicum Dispenser.
1. Members of the Police Department shall not disperse OC unless the situation justifies the use of force that is consistent with obtaining the lawful objective.
 2. Officers may use OC to stop or subdue an animal that is aggressive toward any person.
 3. The OC dispenser shall be used only in accordance with the manufacturer's instructions and department training procedures.
- D. Procedures Following the Use of Oleoresin Capsicum.
1. As soon as the individual on whom OC spray has been used is subdued, to an extent that he can be controlled without injury to himself or others, decontamination/medical aid should be supplied.
 2. The use of OC will be documented and reviewed by supervisor.
- E. Specifications. The department will only issue chemical agent/defensive spray products that contain oleoresin capsicum as the only active ingredient. This does not preclude the use of products containing marking dyes but does preclude the use of products containing tear gas as CS (orthochlorobenzalmalonitrile) or CN (alphachloracetaphenone).

XVII. ASP EXPANDABLE BATON

- A. The ASP brand expandable baton, length not to exceed 26 inches, is the less-lethal impact device authorized for use.
- B. Carrying the ASP Expandable Baton.
1. The ASP Expandable Baton will be issued to police officers upon their completion of an approved training and certification program.
 2. The issued ASP Baton and holster shall be worn on the duty belt by police officers while they are on duty.
 3. Non-issued impact devices are not authorized for use by Police Officers.
- C. Use of the ASP Expandable Baton.
1. The authorized impact device may be used only when the situation justifies the use of force which is consistent with obtaining the lawful objective and lesser methods of force have failed. For example, the officer is confronted with a subject's attempt to assault the officer. The officer is justified in taking appropriate steps to immediately end the subject's

- actions.
2. The impact device shall be used in accordance with department training and procedures.
 3. Medical attention shall be provided for those who have been struck by an impact device.
 4. The use of the ASP Expandable Baton will be documented and reviewed by a supervisor.
 5. Head strikes are prohibited.

XVIII. LESS-LETHAL WEAPONS TRAINING

- A. The department shall conduct biennial documented proficiency demonstrations and training on authorized less lethal force weapons/tools by a certified instructor.
- B. A police officer or public safety officer who fails to demonstrate proficiency with a less lethal weapon may not resume his/her duties until acceptable proficiency has been demonstrated. A remedial training protocol will be crafted by an Instructor. The remedial training will take place that day. A record of that failure to demonstrate proficiency, the remedial training protocol and training results will be provided to the Director of Police.

XIX. WEAPONS INSPECTIONS

- A. All newly acquired weapons will be inspected and tested upon delivery to the agency.
- B. Inspection Criteria.
 1. Firearms will be checked for proper functioning to include test firing, proper cycling, magazine ejection and mechanical.
 2. ASP batons will be inspected for general appearance and mechanical functioning as noted in the Expandable Baton Weapon Inspection Record.
 3. O.C. Canisters will be inspected for intact safety seals, nozzle obstructions and appropriate weight as noted in the Oleoresin Capsicum Weapon Inspection Record. Intact seals are only required on delivery from the vendor/supplier. Officers may elect to break the seal, once the canister is issued.
 4. Electronic Control Devices will be checked for proper functioning to include test firing, removal and attachment of cartridges, proper functioning of safety devices and proper functioning of the software and CID.
 5. Weapons not passing an initial inspection will be returned to the vendor and/or manufacturer for replacement or repair.
- C. Inspection Records.

1. Inspections will be documented on the standard appropriate weapon inspection record form.
2. Inspection records for departmentally owned weapons/tools will be maintained by the quartermaster function.
3. Inspection records for personally owned weapons/tools will be maintained by the training component.

D. Departmental Weapons.

1. All weapons will be inspected before issue to department personnel.
2. Annually, during firearms qualifications, a qualified instructor will complete an inspection for each firearm with which an officer qualifies and document such inspection on the appropriate weapon inspection record.
3. Annually, an ASP baton instructor will complete an inspection for each ASP baton issued and document such inspection on the appropriate weapon inspection record.
4. Annually, an O.C. instructor will complete an inspection for each O.C. canister issued and document such inspection on the appropriate weapon inspection record.
5. Weapons that fail to pass an inspection will not be returned to the officer. A copy of the inspection record will be forwarded to the Firearms Proficiency Officer along with any relevant information concerning the failed inspection. The weapon will be returned to the armory until repairs are made. Officers will be issued another weapon, which has passed the applicable inspection before returning to duty.

E. Personally Owned Weapons.

1. All weapons will be inspected before authorization to carry.
2. Annually, or whenever an officer presents a firearm for qualification, the qualified weapons instructor will inspect the weapon.

- F. Officers who fail to comply with the required inspection, or who owns a weapon that fails to pass inspection, will have the authorization to carry immediately revoked. Authorization to carry may not be reinstated until the weapon passes inspection.



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