

DEKALB POLICE DEPARTMENT

Subject: **Firearms**

Policy #: **304.7**

Effective Since: 8-21-03 (Numbered 203.3 prior to 2009)

Originally Issued As: General Order # 32 of 12-20-01

Revision Effective: 1-1-19

FTO Training Task: # 8

Reference Material: 720 ILCS 5/24-2; 430 ILCS 65/2; City Municipal Code 4.02; 750 ILCS 60/214

ILEAP Standards Covered: ADM.06.01, ADM.06.02

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PURPOSE: It is the purpose of this policy to outline the department's general firearms policy and training program for sworn officers.

POLICY: It is the policy of the department to:

- A. Provide a duty pistol to each sworn officer after initial instruction and policy review.
- B. Require its officers to receive training and demonstrate proficiency in the use of any issued and authorized weapons before carrying them on duty. [ILEAP ADM.06.01(a)]
- C. Promote firearms safety.
- D. Provide training and ensure competency by way of testing in the use of force, and in the use of firearms.
- E. Ensure that each officer's firearm(s) function properly, by means of inspection and necessary maintenance.
- F. Ensure shooting competency by requiring annual qualification of sworn officers. [ILEAP ADM.06.01(b)]
- G. Promote firearms proficiency by providing courses of fire throughout the year.
- H. Require officers to undergo refresher training at least once every two years for any issued and authorized weapons other than firearms. [ILEAP ADM.06.01(c)]

DEFINITIONS: none

PROCEDURE: Firearms training and qualification is administered by the Weapons Training Commander. All sworn personnel will meet training and qualification requirements promulgated by this policy. The Weapons Training Officer(s), commonly referred to as "Range Officers," will have sufficient authority to fully discharge the responsibilities contained herein.

I. Carrying Firearms :

- A. As stated in City Municipal Code 4.02, "The Chief of Police shall have the custody, care and control of the public property of the Police Department, and of all firearms and other equipment and the books and records of the Police Department."
- B. All sworn officers are permitted to carry and use firearms while on duty consistent with state law, use of force guidelines, and department policy. Peace officers are permitted to carry and use firearms as provided in 720 ILCS 5/24-2, the exceptions to the Unlawful Use of Weapons statutes. Officers must have successfully completed the State-required firearms training program in accordance with 50 ILCS 7-10/2.
- C. While on duty and in uniform, officers must carry their sidearm. Officers driving a marked police vehicle, while on or off duty, in or out of uniform, must carry a firearm on their person or in the vehicle. Officers on duty in plain clothes attending training or court, or while assigned to administrative or office duties only, may, but are not required to, wear their sidearm. [ILEAP ADM.06.02(a)]
- D. All sworn officers are permitted, but not required, to carry and use concealed firearms while off duty consistent with state law and department policy. Police officers are not required to have an official permit to carry concealed handguns off duty. Officers traveling out of state are required to comply with applicable

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federal law and/or the laws of the state in which they are present. [ILEAP ADM.06.02(b)]

- E. Non-sworn, civilian, and volunteer personnel are prohibited from carrying firearms while on duty. While off duty, non-sworn, civilian, and volunteer personnel are permitted to carry concealed firearms within the state of Illinois only as provided for under state law with official state-issued permits as ordinary citizens.
- F. Department personnel who carry or use any firearms or ammunition off duty shall have a Firearms Owner's Identification card (FOID) as required by state law (430 ILCS 65/2). While on duty, officers are exempt from the requirements of the FOID card.
- G. Any department personnel carrying firearms on or off duty are expected to use diligence in properly securing and storing their weapons.
- H. Any department personnel possessing firearms on or off duty must be of sound mental and physical capability. To this end, personnel shall not carry firearms on their persons while consuming alcohol or while under the influence of alcohol.
- I. Officers who are prohibited from firearm possession under 750 ILCS 60/214 (Order of Protection claim and court finding of the threat or use of firearms illegally against a petitioner) shall surrender any firearms to the Chief of Police for the period stated by the court. Officers in this situation are subject to suspension without pay and/or termination.
- J. Newly-hired officers, before being issued any weapon or otherwise authorized to carry any weapon, must be issued the department policy manual. This policy and Policy 103.3, Use of Force, must be reviewed with the officer and instruction in these policies shall be documented in the officer's Field Training material.
- K. Probationers shall not be permitted to carry a backup weapon or carry a firearm during off duty hours until Probationer has certified for solo patrol.
- L. A list of approved firearms and ammunition are listed in the Uniform Code, Policy 304.4, Annex A.
- M. Officers carrying weapons on and off duty must:
 - 1. Demonstrate proficiency including achieving a minimum qualifying score on the prescribed annual course conducted by a certified weapons instructor;
 - 2. Attain and demonstrate a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy on the use of force, escalating force, and deadly force. A written test of these issues will be administered at the time of annual qualification. A range officer or supervisor will give remedial training addressing any questions that are missed.
 - 3. Be familiar with standard safe handling for the use of their firearm.

II. Firearms Practice and Qualification :

- A. The department encourages its officers to practice on a regular basis.
- B. Ammunition will be furnished by the department for practice/qualification with duty and backup weapons only. Fifty rounds of extra practice pistol ammunition will be made available to officers bi-monthly. A distribution sheet will be maintained in the department's arsenal. Practice ammunition will be distributed by range officers or supervisors only. Duty ammunition will not be issued for practice shooting. Practice shooting will be done off duty, or with the permission of the shift supervisor while on duty.

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- C. All officers will fire and qualify annually with their duty, back-up, and off-duty weapons. A department Range Officer or other certified weapons instructor must conduct the qualification.
[ILEAP ADM.06.01(b)]
- D. There will be two range classifications, defined as:
 - 1. Mandatory Qualification - usually at the beginning of the calendar year, when all sworn members of the department will fire for a qualifying score. The minimum qualifying score shall be 70% of the possible score on the department's course of fire. The department's course of fire will meet the current minimum standards of the State.
 - a. The Weapons Training Commander will prescribe the course and time frame.
 - b. Time periods and/or actual dates of mandatory qualification will be posted in advance.
 - c. Officers will also qualify annually with the patrol rifle at a specified time.
 - d. Duty weapon qualification: Officers will be given two chances to qualify with their duty weapon in the same day.
 - i. If an officer fails to qualify on their first two chances, the Range Officer will immediately notify the on-duty Sergeant.
 - ii. The Sergeant will notify the Patrol Commander and the officer will be immediately placed on a paid light-duty assignment for a 40-hour work week, in which time the officer will be given opportunity to practice with a department range officer.
 - iii. At the end of the 40-hour light-duty work week, the officer will be given one more chance to qualify.
 - iv. Officers who remain unable to qualify will be referred to the Chief for assignment or potential dismissal.
 - [ILEAP ADM.06.01(d)]
 - e. If an officer passes the state qualification course but has a score under 400, that officer will be required to conduct a supervised practice at least once per month for the next three months, at which point the officer will re-shoot the state course. If a score of 400 or more is obtained, supervised practice will be discontinued. If the officer again obtains a score of under 400, the monthly supervised practice will continue until a score of 400 or more is obtained. If an officer remains unable to obtain a score of 400 or better at the end of the year, the officer will be referred to the Chief for disposition.
 - f. Off-duty weapon qualification: Officers will be given two chances to pass the qualification. Officers who remain unable to qualify will not be allowed to carry that off-duty weapon for one year and can attempt to qualify the following year.
 - 2. Supervised Practice on Approved Course of Fire - will be scheduled a minimum of three times per calendar year; these courses of fire are scheduled periods when members of the department will fire under the supervision of an instructor. Attempts will be made by the Range Officers to schedule all sworn officers for each supervised practice, and each officer must attend at least one supervised practice annually. Courses of fire must be approved by the Range Master, who will evaluate the course of fire prior to implementation to ensure that it is relevant, practical, and safe.

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3. Retired Officer Qualifications - Retired officers will be allowed to qualify by the department for concealed carry for a one-year period. The retired officer may be given ammunition to shoot the qualification course but must supply their own ammunition to carry. Retired officers will be allowed to qualify with only one weapon and have the option to qualify additional weapons with the State Police.
- E. All qualification and proficiency training courses will be recorded and documented as described below.

III. Firearms Records, Inspection, Maintenance, and Repair :

- A. The department shall keep written record of the following:
 1. Each duty, backup, or off-duty firearm issued to or carried by each officer, by make/model/serial number; before issuing or carrying any firearm, a Range Officer shall:
 - a. Ensure that the firearm meets department approval as listed in Annex A of the Uniform Code (Policy 304.4).
 - b. Inspect and fire the firearm to ensure it meets components are functioning properly.
 2. Each completed course of fire for each officer and for each firearm, including annual qualification, and the scores (if applicable) for each course of fire;
 3. Inspection, maintenance, and any repairs of each firearm.
- B. The records described above will be maintained by the Deputy Chief. Range Officers will record these items on each officer's firearms registration form whenever they occur.
- C. Officers are expected to maintain their weapons as prescribed by manufacturer's recommendations and instructions.
- D. Officers are expected to clean their weapons as prescribed by manufacturer's recommendations and instructions after completing any course of fire, or as otherwise needed.
- E. Officers experiencing problems with any department-owned firearm will immediately notify a supervisor or range officer.
- F. During each qualification or supervised practice, the Range Officer shall inspect each officer's firearm(s) to ensure that it is clean and that all components are functioning properly. Firearms that are not clean will be immediately cleaned by the officer until it meets standards. Range Officers will provide instruction in the proper cleaning of the firearm if needed.
- G. Repairs will be made only by a certified armorer. Officers shall not attempt any repair to any firearm unless they are certified to do so. Upon repair, a range officer will inspect and fire the firearm to ensure proper operation and safety.
- H. The department provides armorers for Glocks only.
- I. A firearm needing service or repair or is in an otherwise unsafe condition, will be placed out of service.
- J. An officer whose sidearm is out of service will be issued a temporary or permanent replacement of the same make and model; if it is necessary to issue a different make or model, the officer must qualify with that firearm.
- K. Officers can make no modifications to any firearm without approval by the Chief of Police, other than adding standard accessories such as night sights or custom grips, or a Range Officer making minor sight adjustments.

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IV. Firearms Safety and Storage

- A. While on duty, whenever the officer's firearm is not on the employee's person secured in a holster or within the immediate control of the officer, the firearm shall be secured either in the officer's personal locker, a gun locker, or some other locked secure area.
- B. Any firearm carried off duty will be carried in a holster or other approved holding device and must be concealed.
- C. Department rifles and shotguns not mounted or cased within a police vehicle will be stored in the department armory.
- D. At an officer's residence or while off duty, in accordance with 720 ILCS 5/24-9, Firearms-Child Protection, all firearms must be maintained in one of the following manners:
 - 1. Secured by a device or mechanism, other than the firearm safety, designed to render a firearm temporarily inoperable; or
 - 2. Placed in a securely locked box or container; or
 - 3. Placed in some other location that a reasonable person would believe to be secure from a minor under the age of 14 years.

Policy originally issued 8-21-03; this revision becomes effective on 1-1-19 by authority of the Chief of Police.

NOTE: This policy and procedure summarizes the department's position on this specific matter. This policy is for general direction and guidance primarily designed for use by the department's members. This policy is for internal use only and does not create or enlarge an officer's liability in any way. This policy shall not be construed as the creation of a higher standard of safety or care in an evidentiary sense, with respect to third party claims. Violations of this policy, if proven, can only form the basis of an internal departmental complaint and then only in a non-judicial administrative setting.