

## Cobb County Police Department

### Policy 3.07

#### DEPARTMENT WEAPONS

|   |   |
|---|---|
| <b>Effective Date:</b> January 23, 2022   | <b>Issued By:</b> Interim Chief O.S. Hamilton |
| <b>Rescinds:</b> Policy 3.07 (October 14, 2019)   | <b>Page 1 of 7</b>                            |
| The words “he, his, him,” which may appear in this policy, are used generically for clarity and ease of reading. These terms are not meant to imply gender and relate to all employees of the Department. |   |

The purpose of this policy is to provide for various rules and requirements that pertain to Department weapons utilized by sworn personnel of the Cobb County Police Department.

#### I. POLICY

Department personnel, in the performance of their responsibilities, may only use weapons and ammunition authorized by the Department. This directive shall apply to weapons and ammunition carried both on and off duty.

#### II. DEFINITIONS

- A. Department Armorer** shall mean any properly trained and qualified person designated as such by the Chief of Police or the Weapons Training Unit.
- B. Joint-use** shall mean weapons that are signed-out by officers, typically on a daily basis.
- C. Patrol Rifle** shall mean any Department issued/authorized rifle, purchased and owned by an individual officer as part of the patrol rifle purchase program, assigned to an individual officer, or issued on a daily basis.
- D. Personally Owned Patrol Rifle** shall mean any Department authorized rifle purchased and owned by an individual officer as part of the patrol rifle purchase program.
- E. Patrol Rifle Purchase Program** shall mean the Department program which allows officers to purchase patrol rifles from Cobb County, for on duty use, either through payroll deduction or direct payment.
- F. Primary Firearm** shall mean the Department issued Glock 17 and 19.
- G. Secondary Firearm** shall mean the Department issued Glock 43.
- H. Weapons** shall mean all weapons issued/authorized by the Department. This shall include those weapons issued to officers and joint-use weapons. Weapons shall include all firearms, less-lethal weapons, and electronic control weapons.

- I. Weapons Training Unit** shall mean the Weapons Training Unit at the Cobb County Public Safety Police Training Center.

**III. DEPARTMENT CONTROL OF WEAPONS**

**A. Types and Specifications**

1. The Weapons Training Unit will maintain a list of the types and specifications of all lethal and less-lethal weapons approved for use, including those weapons used by members of tactical teams or other specialized personnel.
2. The Weapons Training Unit will maintain a list of the types and specifications of ammunition approved for use, including ammunition used in specialized weapons for members of tactical teams or other specialized personnel.
3. All tactical teams and other specialized personnel will ensure the Weapons Training Unit has an up-to-date list of all approved weapons and ammunition used by said unit.

**B. Inspections**

Department-authorized weapons will be subject to inspection at any time by a supervisor, member of the Internal Affairs Unit, or a Department armorer.

1. All weapons will be inspected by a Department armorer or qualified weapons instructor prior to being issued to officers, or units for joint-use.
2. All issued/authorized weapons should be periodically inspected for serviceability. Joint-use weapons should be inspected when checked out.
3. All weapons returned to the Department for storage will be inspected for serviceability and maintenance.
4. Defective, damaged, unsafe, functionally unreliable, or improperly modified weapons will be removed from service immediately. For repairs that cannot be made at the precinct/unit level, the following procedures will be followed:
  - a. If the weapon is necessary for duty (i.e., – primary or secondary firearm), the officer will proceed to the Weapons Training Unit for consultation. If after-hours, a replacement weapon will be issued by the Evidence Unit and the officer will contact the Weapons Training Unit the next business day.

- b. If the weapon is not necessary for duty, it will be taken to the Weapons Training Unit for repair/replacement during their operational hours.

**C. Maintenance**

Department-authorized weapons will be maintained by the officer in accordance with the manufacturer's instructions, and guidance provided by the Weapons Training Unit.

**D. Modification of Weapons**

Only authorized Department armorers or weapons instructors may modify a Department issued/authorized firearm or other weapon.

**E. Records**

The Weapons Training Unit, or its designee, will maintain a record of each weapon authorized by the agency for official capacity use. Each record shall contain at a minimum:

1. Make, model, and serial number (if applicable) of the weapon
2. Dates and reason the weapon was taken out of service, repairs or modifications made, and date returned to service
3. Names of officers/units of assignment and dates of issuance/return

**F. Security and Storage**

All Department weapons shall be stored in such a fashion as to promote safety. When not in use, they should be placed in a secure environment.

1. When a Department weapon is left in an unattended vehicle, it should be placed in a location that provides the best security.
  - a. Department weapons should not be stored in a vehicle during extended absences (e.g., while off duty, on vacation, etc.) unless the vehicle is parked in the garage at the officer's residence.
  - b. Department weapons will be removed from the vehicle before the vehicle is left at a location for maintenance/repair
  - c. Officers should not leave Department weapons in a vehicle that cannot be fully secured (i.e., Jeeps or other similar vehicles).

2. Firearms that are being stored at Department facilities (e.g., – joint-use weapons, unassigned weapons) should be stored in an unloaded configuration.
3. Officers shall not transport Department issued rifles or shotguns while riding a personal motorcycle.

**G. Unauthorized Use**

At no time will an officer allow civilian personnel to handle, control, or fire a Department-issued firearm. The exceptions are:

1. A training function authorized by the Department
2. Repair of the weapon by a civilian gunsmith approved and authorized by the Department
3. Evidence Technicians approved and authorized by the Department

**IV. TRAINING AND PROFICIENCY**

All Department personnel authorized to carry lethal and less-lethal weapons will receive all use of force policies and related instruction before authorization to carry a weapon. Policy receipt and curriculum delivery must be documented.

The Weapons Training Unit shall be responsible for providing training for all authorized lethal and less-lethal weapons.

- A.** Only Department personnel demonstrating proficiency in the use of Department-authorized weapons will be approved to carry such weapons.
- B.** At least annually, all Department personnel authorized to carry weapons are required to receive in-service training on the Department's use of force policies (including definitions of conditional terms, such as reasonable belief, serious physical injury, or similar terms) and demonstrate proficiency with all approved lethal weapons and electronic controlled weapons that the employee is authorized to use. In-service training for other less-lethal weapons and weaponless control techniques shall occur at least biennially.
  1. Proficiency training must be monitored by a certified weapons or tactics instructor.
  2. Training and proficiency must be documented.

- C.** Should an officer fail to meet training and proficiency standards with a Department authorized weapon, the authority to carry that weapon shall be **IMMEDIATELY REVOKED** by the Training Unit Commander, and written notification shall be sent through the officer's chain of command to the Chief of Police.
- D.** Officers whose authority to carry a primary or secondary firearm has been revoked shall be reassigned to administrative duty for a period not to exceed ten days. During this period, the officer must report to the Weapons Training Unit for remedial training.

  - 1. Officers who demonstrate proficiency during remedial training will be reinstated to full duty. However, they may be required to attend open range dates, as determined by the Weapons Training Unit, for a period not to exceed one year from the date of revocation.
  - 2. Officers who fail to demonstrate proficiency after attending remedial training will be placed on administrative suspension without pay. They shall be subject to disciplinary action, up to and including termination. Such action shall be initiated by the Chief of Police, or his designee.

## **V. CARRYING FIREARMS OFF-DUTY**

While carrying a firearm off duty is optional, officers are encouraged to do so and may carry either the primary firearm or secondary firearm for this purpose, subject to the following:

- A.** If an officer is carrying a firearm off duty, he shall not consume any alcoholic beverages or take any medication that may impair his motor skills or judgment. He shall also comply with all federal and state laws and applicable Department policy.
- B.** The off-duty firearm will be carried in an inconspicuous manner.
- C.** When an officer is off duty and operating a Department vehicle, the primary and/or secondary firearm will be utilized.
- D.** If an officer carries a personally owned firearm off duty, he will comply with O.C.G.A 16-11-130.

## **VI. PATROL RIFLES**

Patrol officers who have met proficiency standards as described in this policy should carry their assigned/personally owned patrol rifle while on duty, if available.

**A. Carry Mode**

1. The patrol rifle should be carried with a loaded magazine in the magazine well, bolt forward on an empty chamber, and the safety on when not in actual use; this is known as patrol ready.
2. When not in actual use, the rifle should be in an approved Department carry case and secured in the patrol car trunk, or in a vehicle electronic security rack.
3. Upon deployment, a round can be chambered with the safety on. The safety selector should remain in the safe position until the decision to fire the rifle has been determined.
4. Prior to the rifle being placed back in the patrol car after deployment, the chambered round should be removed, and the rifle should be returned to patrol ready.
5. Patrol rifles shall not be carried by officers on bicycles, etc. unless requested by a supervisor, and only when an emergency situation justifies the immediate need for the rifle.

**B. Security and Storage**

1. Security of patrol rifles is governed by Section III, Subsection F of this policy.
2. Except for an officer's personal commute, Department-owned patrol rifles may only be transported out of the greater metropolitan area for official use and training purposes. The training should be specifically related to the use of the patrol rifle and approved by the officer's supervision.

**C. Personally Owned Patrol Rifles**

1. Only patrol rifles purchased by officers through the patrol rifle purchase program are authorized to be carried while in the performance of duty, subject to all requirements of this policy.
  - a. The rifle must be of the same make, model, caliber, and specifications as the Department patrol rifle.
  - b. The rifle must be equipped with the same make/model accessories, installed in the same configuration as the Department issued patrol rifle.
2. Prior to carrying a personally owned patrol rifle in the performance of duty:

- a. The patrol rifle must be inspected and approved by a qualified weapons instructor or armorer assigned to the Weapons Training Unit.
  - b. The officer must meet training and qualification requirements as set forth in this policy.
  - c. Rifle ammunition will be issued by the Weapons Training Unit. Only Department authorized ammunition will be carried while on duty.
- 3. Personally owned patrol rifles will be subject to inspection/investigation at any time in accordance with this and other applicable policies and procedures.
  - a. Personally owned patrol rifles will be inspected by the owner each duty day, if possible, prior to going in service.
  - b. Personally owned patrol rifles that are defective, damaged, unsafe, or functionally unreliable will be taken out of service immediately and brought to the Weapons Training Unit for inspection/repair.
    - i. Normal wear and tear items may be serviced/repared by the Weapons Training Unit.
    - ii. Damage due to negligence will be the responsibility of the owner to repair at his own expense. Once repaired, the patrol rifle must be inspected and approved by a qualified weapons instructor or armorer assigned to the Weapons Training Unit, prior to deployment in the line of duty.

**D. Revocation**

Authorization to carry a patrol rifle in the performance of duty can be revoked at any time, with or without cause, by the Weapons Training Unit or the chain of command. Immediately upon revocation, written notification to the precinct/unit commander will be made by the revoking authority.

**VII. RETIRED OFFICER WEAPONS**

Based upon a Cobb County Board of Commissioners Resolution on December 13, 1994, the presentation of a Departmental service weapon is authorized to sworn police officers who retire after 25 years of continuous service with the Cobb County Police Department. Officers may choose between the primary or secondary firearm. Additionally, the Department authorizes the purchase of either the primary or secondary firearm by the aforementioned individuals.