

**210 WEAPONS POLICY (updated 01/2019)**

**1. Authorized Firearms**

- A. All uniformed personnel, while on duty, shall be armed with the Department issued sidearm listed below:
  - a. Smith & Wesson M&P 40 caliber
  - b. Glock 22 .40 caliber (purchased by officer)
- B. Uniformed personnel shall not be armed with side arms other than those listed above without the approval of the Chief of Police.
- C. Personnel assigned to plain clothes duty may use any of the authorized side arms listed above or any other type of side arm approved by the Chief of Police.
- D. Members must demonstrate proficiency in the use of any weapon carried.
- E. Members of the Breckenridge Police Department wishing to carry a second weapon may do so at their own discretion provided that:
  - a. It is concealed.
  - b. It does not restrict movement.
  - c. It is of a type approved by the Chief of Police.
  - d. It is not larger in caliber than a .40.
  - e. It is at least .380 in caliber.
- F. Special tactical weapons may be required on an as needed basis. Rifles - Automatic weapons, shotguns, specialty tear gas launching equipment, and less lethal shotguns. Officers must be trained and qualify in the use and operation of such equipment prior to utilizing such equipment. The department does have both Remington 870, which are dedicated less lethal shotguns, and M-4 carbine patrol rifles available to carry in vehicles to officers who have qualified with these weapons. Officers who have personal M-4 carbine or equivalent duty rifles may qualify with them and carry them on duty. These weapons must be approved by the Chief of Police prior to use.

**2. Authorized Ammunition**

- A. Members of the Breckenridge Police Department shall use only issued factory ammunition in both duty and off-duty service weapons. The use of hand loaded ammunition is forbidden.
- B. Approved ammunition for side arms is as follows:

- a. .40 S&W 165 to 180 grain jacketed hollow point.
  - b. Any similar type and grain approved by the Chief of Police
- C. All department shotguns will be dedicated as less lethal weapons and clearly marked as such. Approved shotgun ammunition is as follows:
- a. 12 gauge less-lethal impact munitions (bean bag rounds).
  - b. Any 12 gauge less lethal impact munition or chemical munition round approved by the Chief of Police
  - c. All other 12 gauge rounds including slugs, buckshot, and breaching rounds will be stored in the gun safe and will only be deployed with the immediate approval of the Chief, and only for a specific incident.
  - d. At no time will any non-less lethal rounds be stored in any portion of any squad car, on an officer's person, or in the normal working area of the department, with the exception of a specific incident approved by the Chief. Immediately following specific incident, the non-less lethal rounds are to be immediately returned to the gun safe.
  - e. Less Lethal shotguns will be stored securely in locking gun mounts in chosen squad cars. The shotguns will remain empty until an incident immediately dictates the need to load and deploy less lethal rounds. When it comes time to deploy these weapons, the officer will verify that each round that is being loaded into the weapon is the proper round.
- D. Approved ammunition for rifles or other tactical weapons is as follows:
- b. Any factory loaded tactical round, hollow-point, or soft tip cartridge is acceptable. All duty ammo must be approved by the Chief.

### 3. Care and Maintenance

- A. All issued weapons and ammunition shall be cared for by the officer in a manner consistent with the manufactures' suggested care and maintenance procedures. Repair work needed shall be brought to the attention of the firearms instructor or Chief of Police and only qualified persons shall perform such work. Weapons must be cleaned after each use.

### 4. Weapons in Police Vehicle

- A. No firearm other than departmental issued weapons or approved firearms as set forth in this policy shall be carried in a departmental vehicle at any time without

permission of the Chief of Police or expressly authorized. This portion of the policy does not pertain to an officer's necessities during the course of his official duties, such as seizing a firearm as evidence.

**5. Off-Duty Carrying**

- A. Side arms may be carried by off-duty personnel at the discretion of the individual officer. This shall include only those fully licensed by the POST Board. Off-duty side arms must not be larger in caliber than .357 Magnum unless expressly approved by the Chief of Police. Off-duty weapons will be carried in total concealment at all times. No member shall carry a concealed weapon, while he/she has been consuming alcoholic beverages. A member who elects not to carry a concealed weapon off-duty shall not be subject to disciplinary action if an occasion should arise in which the member could have taken police action, if armed. If carrying a firearm outside of the City of Breckenridge, an officer will only draw his weapon if deadly force is authorized, or when circumstances create reasonable cause to believe that it may be necessary to lawfully use the weapon. It is the officer's responsibility to let the local jurisdiction handle an incident while the Breckenridge off duty officer's primary responsibility is that of a witness.
- B. When carrying off-duty side arms it must be accompanied with a Breckenridge Police Department issued ID and badge. (ID does not need to be visible, just available to produce).

**6. Safe Handling of Firearms**

- A. Except for general maintenance, storage, or authorized training and demonstration, officers shall not draw or exhibit their department approved firearm. Officers may draw their weapons when circumstances create reasonable cause to believe that it may be necessary to lawfully use the weapon. Officers are expected to use their training and experience in reacting to situations that could be life threatening.
- B. In addition to the use of firearms for DEADLY FORCE, officers are permitted to discharge their weapons under the following circumstances:
  - a. At an approved target or an approved firing range.
  - b. For practice, in a safe manner, in any area where firing a weapon would not be a violation of the law.
  - c. In order to destroy any animal that appears to be suffering from an

apparent fatal wound or sickness. In the case of domestic animals, only after making a reasonable attempt to locate and receive permission from the animal's owner.

- d. At any animal that is obviously mad or vicious and cannot be otherwise prevented from killing or seriously injuring any person.

**7. Prohibited Use of Firearms**

A. Firearms shall not be discharged in the following situations:

- a. As a warning.
- b. In a known misdemeanor case.
- c. At or from a moving vehicle, aircraft, snowmobile, or other vehicle except in the immediate defense of life.

**8. Shooting Reports**

(See USE OF DEADLY FORCE POLICY 210-A and MS 626.553).