

## Firearms

### 306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

### 306.2 POLICY

The Sheriff will allow its members to purchase firearms to address the risks posed to the public and Sheriff's Office members by violent and sometimes well-armed persons. The Sheriff's Office will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

### 306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are approved by the Sheriff and have been thoroughly inspected by the Rangemaster. Firearms shall not be carried by non-sworn members while on-duty or while in any County-owned vehicle. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized range.

All other weapons not provided by the Sheriff's Office, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by Sheriff's Office policy, may not be carried by members in the performance of their official duties without the express written authorization of the member's Division Lieutenant. This exclusion does not apply to the carrying of a single folding or a fixed blade pocketknife that is not otherwise prohibited by law.

#### 306.3.1 HANDGUNS

The authorized Sheriff's Office handgun is to be purchased at the expense of the deputy . The following additional handguns are approved for on-duty use:

- (a) Primary weapons may be either a revolver or semi-automatic handgun. Single action handguns are not authorized. Primary weapons shall be chambered in .38 Special, .357 Magnum, 9mm, .40 S&W, or .45 ACP capable of firing Sheriff's Office issued ammunition.
- (b) Primary weapons shall be double action revolvers in .38 Special or .357 Magnum, or double action semi-automatic handguns, utilizing internal hammer block safeties, or a striker fire mechanism, in 9mm, .40 S&W or .45 ACP. Primary weapons shall have a minimum barrel length of 3.75 inches to a maximum of 6 inches. Primary weapons shall have a minimum of 4.5 lbs of trigger pull on the double action portion of the pull, according to the manufacturer's specifications.

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- (c) Primary weapons shall have grips of wood, black rubber or black high impact plastic without ornamentation. Trigger shoes and target type grips will not be allowed. Flashlight attachments specifically made for attachment to duty and secondary weapons are permitted if approved by a Range Officer, with verification of the Rangemaster. The flashlight shall not be allowed if it interferes with the safe and reliable operation of the firearm or has the potential to do so. Laser sights or laser sighting systems will not be permitted on duty weapons.


### 306.3.2 SHOTGUNS

The authorized Sheriff's Office issued shotgun is a 12 gauge pump-action shotgun. Personally owned shotguns meeting Sheriff's Office approval may be authorized by the Rangemaster.


When not deployed, the shotgun shall be properly secured consistent with Sheriff's Office training in a locking weapons rack in the patrol vehicle or in a case secured in the trunk or cargo area.

- (a) Shotguns are to be carried in a cruiser ready state which is:
- (a) Chamber empty.
  - (b) Trigger having been pulled.
  - (c) Action closed and safety on with the magazine loaded with 12 gauge slugs.
- (b) Deputies shall complete an authorized training course and qualification prior to carrying a shotgun on duty.
- (c) All shotguns shall be equipped with an approved sling.
- (d) Any additional accessories, including but not limited to, flashlights, grips, optic devices, and other sighting devices must be approved by the Rangemaster and the Sheriff or designee. No add-on or replacement parts, such as trigger shoes or grip adapters (not part of the grips) shall be allowed if they interfere with the safe and reliable operation of the firearm or has the potential to do so.

Members may deploy a shotgun in any circumstance where the member can articulate a reasonable expectation that the shotgun may be needed. Examples of some general guidelines for deploying the shotgun may include, but are not limited to:

- a. Situations where the member reasonably anticipates an armed encounter.
- b. When a member is faced with a situation that may require accurate and effective fire at long range.

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c. Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.

d. When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.

e. When a member reasonably believes that a suspect may be wearing body armor.

f. When authorized or requested by a supervisor.

g. When needed to euthanize an animal.

When not deployed, the shotgun shall be properly secured consistent with Sheriff's Office training in a locking weapons rack in the patrol vehicle or in a case secured in the trunk or cargo area.

### 306.3.3 PATROL RIFLES

The authorized Sheriff's Office patrol rifle is the AR-15 style semi-automatic rifle chambered in .223/5.56 caliber from an approved manufacturer.


- (a) Patrol rifles will have a barrel length no shorter than 16" and no longer than 24".
  - 1. The rifles will be magazine-fed from the bottom of the rifle and will be carried with a maximum magazine size of 30 rounds.
  - 2. The rifle must also be equipped with a hammer block type safety that immobilizes the hammer from being released while the safety lever is activated.
- (b) Deputies shall complete an authorized training course and qualification prior to carrying a patrol rifle on duty.
- (c) All patrol rifles shall be equipped with an approved sling.
- (d) Any additional accessories, to include but not limited to, flashlights, grips, optic devices, and other sighting devices must be approved by the Rangemaster and the Sheriff or designee. No add-on or replacement parts, such as trigger shoes or grip adaptors (not part of the grips) shall be allowed if they interfere with the safe and reliable operation of the firearm or has the potential to do so.
- (e) Patrol rifles are to be carried in a cruiser ready state which is:
  - 1. Chamber empty.
  - 2. Action closed and safety on with a magazine loaded and inserted in the magazine well.

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.

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- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with Sheriff's Office training in a locking weapons rack in the patrol vehicle or in a case secured in the trunk or cargo area.

### 306.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Sheriff or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and on the Sheriff's Office list of approved firearms.
- (b) The firearm shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the Sheriff's Office qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Rangemaster, who will maintain a list of the information.

### 306.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry a personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and on the Sheriff's Office list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Rangemaster prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.

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- (f) Ammunition shall be the same as department issue, furnished by the deputy at their own expense.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the Sheriff's Office qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Rangemaster, who will maintain a list of the information.

### 306.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the [agencyHead] but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) A personally owned firearm shall be used, carried, and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
  - (a) The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge, or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Rangemaster for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Rangemaster.
- (d) Prior to carrying an off-duty firearm, the member shall demonstrate to the Rangemaster that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The member will successfully qualify with the firearm prior to it being carried.
- (f) Members shall provide written notice of the make, model, color, serial number, and caliber of the firearm to the Rangemaster, who will maintain a list of the information.
- (g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Members shall only carry Sheriff's Office authorized ammunition.
- (i) When armed, deputies shall carry their badges and Sheriff's Office identification cards under circumstances requiring possession of such identification.
- (j) When deputies carry a firearm while off-duty they shall not be impaired by alcohol, other drug or drugs, intoxicating compounds, or a combination thereof.

### 306.3.7 AMMUNITION

Members shall carry only Sheriff's Office authorized ammunition. Members shall be issued fresh duty ammunition every even calendar year issued during the member's first firearms

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qualification. Replacements for unserviceable or depleted ammunition issued by the Sheriff's Office shall be dispensed by the Rangemaster when needed, in accordance with established policy.

Members carrying personally owned authorized firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

### **306.4 EQUIPMENT**

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

#### **306.4.1 REPAIRS OR MODIFICATIONS**

Each member shall be responsible for promptly reporting any damage or malfunction of a firearm to a supervisor or the Rangemaster.

Firearms that are the property of the Sheriff's Office or personally owned firearms that are approved for Sheriff's Office use may be repaired or modified only by a person who is Sheriff's Office approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Rangemaster.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Rangemaster.

#### **306.4.2 HOLSTERS**

Only Sheriff's Office approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun. Members carrying a pistol with an optic shall ensure they have a duty quality holster with proper retention. the holster shall be manufactured to properly accept and retain the pistol with the optic.

#### **306.4.3 TACTICAL LIGHTS**

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Rangemaster. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

#### **306.4.4 OPTICS**

Optics may only be carried on- -duty after they have been examined and approved by the Rangemaster. Approved sights shall be from a reputable manufacturer and mounted to the firearm following the manufacturer's guidelines. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it. Any member carrying a firearm with an optic for the first time shall complete a department approved training course to ensure proper understanding and functioning of the equipment. Handguns, patrol rifles, and shotguns equipped with an optic sight shall have iron sights which are usable

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without needing to remove the optic sight. Members carrying a firearm with an optic shall ensure they complete mandatory qualifications with both the optic and iron sights. Members shall perform battery changes at least yearly and maintain the optic to ensure proper functioning. Members carrying a pistol with an optic must complete department approved training prior to carrying the optic for duty use. Additional training courses and qualifications specifically for the use of an optic shall be completed with the use of personal ammunition.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

### **306.5 SAFE HANDLING, INSPECTION AND STORAGE**

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the [Rangemaster].
- (c) Members shall not clean, repair, load, or unload a firearm anywhere within the Sheriff's Office, except on the Range.
- (d) Shotguns or rifles removed from vehicles or the Armory shall be loaded and unloaded in the parking lot and outside of the vehicle pointed in a safe direction or on the Range.
- (e) Members shall not place or store any firearm or other weapons on the Sheriff's Office premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any gas or other types of chemical weapons or firearms from the armory, except with the approval of a supervisor.
- (g) Any firearm authorized by the Sheriff's Office to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to a Range Officer or the Rangemaster, or a [Rangemaster] approved by the Sheriff's Office for inspection and repair. Any firearm deemed in need of repair or service by the [Rangemaster] will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

#### **306.5.1 INSPECTION AND STORAGE**

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. The inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

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Sheriff's Office owned firearms shall be stored in the Armory. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the Armory.

### 306.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit Sheriff's Office authorized firearms to be handled by anyone not authorized by the Sheriff's Office. Members should be aware that the negligent storage of a firearm could result in civil and criminal liability (720 ILCS 5/24-9(a)). Handgun storage safes may be purchased with the deputy's clothing allowance after approval of the Division Lieutenant and Sheriff.

### 306.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, while he/she is impaired by alcohol, other drug or drugs, intoxicating compound or a combination thereof.

## 306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training with their duty firearms. All members will qualify twice annually with their duty firearms (50 ILCS 710/0.01 et seq.).

Members will qualify with off-duty and secondary firearms once a year. Training and qualifications must be on an approved range course.

### 306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status, or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for range training or qualification when obtaining a qualifying score or meeting standards after remedial training.

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action

## 306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and



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Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her Division Lieutenant and if required provide a recorded statement to investigators prior to the end of shift unless otherwise directed.
- (b) If off-duty at the time of the incident, a written report shall be submitted or recorded statement provided no later than the end of the next regularly scheduled shift unless otherwise directed by a supervisor.

### 306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, Sheriff's Office members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, TASER® device, oleoresin capsicum (OC) spray, animal control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

### 306.7.2 INJURED ANIMALS

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

### 306.7.3 WARNING AND OTHER SHOTS

Warning shots are prohibited.

## 306.8 RANGEMASTER DUTIES

The range will be under the exclusive control of the Rangemaster. All members attending will follow the directions of the Rangemaster. The Rangemaster will maintain a roster of all members attending the range.

The range shall remain operational and accessible to Sheriff's Office members during times scheduled with a Range Officer or the Rangemaster.

The Rangemaster has the responsibility of making a periodic inspection, at least once a year, of all duty weapons carried by members of the Sheriff's Office to verify proper operation. The Rangemaster has the authority to deem any firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until inspected and approved by the Rangemaster.

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The Rangemaster has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning, and safety of all firearms the member is authorized to carry.

The Rangemaster shall complete and submit documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided, and, on a form that has been approved by the Sheriff, a list of each member who completes the training. The Rangemaster should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Sheriff.

### **306.9 CARRYING FIREARMS OUT OF STATE**

Qualified, active, full-time deputies of the Sheriff's Office are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The deputy shall carry his/her DeKalb County Sheriff's Office identification card whenever carrying such firearm.
- (b) The deputy is not the subject of any current disciplinary action.
- (c) The deputy may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The deputy will remain subject to this and all other Sheriff's Office policies (including qualifying and training).

Deputies are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield a deputy from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

### **306.10 SNIPER RIFLES**

[The Sheriff may assign deputies as a sniper on the Special Operations Team \(SOT\)](#)

- (a) The approved sniper rifle will be .308 caliber
- (b) The approved ammunition shall be .308 168 grain Bonded Ammunition and/or .308 168 grain Match Grade, Boat Tail Hollow Point.
- (c) The Rangemaster must approve any variance from the above-mentioned ammunition.
- (d) Any personally owned rifles for this purpose must be approved by the Rangemaster.