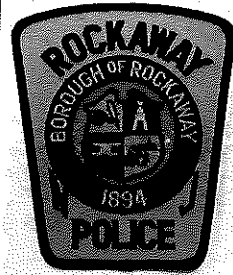


ROCKAWAY BOROUGH POLICE DEPARTMENT STANDARD OPERATING PROCEDURES



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SUBJECT: WEAPONS AND AMMUNITION

BY THE ORDER OF: Conrad Pepperman
Chief of Police

ACCREDITATION STANDARDS: 1.10.1, 1.10.2

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PURPOSE The purpose of this standard operating procedure is to establish and codify the Rockaway Borough Police Department's guidelines regarding its weapons, ammunition, and weapons training program.

POLICY It is the policy of the Rockaway Borough Police Department that officers shall use only weapons, ammunition, holsters, and related accessories authorized by the Chief of Police in their law enforcement responsibilities. This SOP applies to weapons and ammunition carried both on and off-duty. Only Rockaway Borough Police Department personnel demonstrating proficiency in the use of agency-authorized weapons are permitted to carry and use such weapons.

It is also the policy of the Rockaway Borough Police Department to provide ample training to its sworn personnel in the safe handling and use of authorized weapons and ammunition. Minimally, this agency will adhere to the tenets set forth in the New Jersey Attorney General's Guidelines regarding Firearm Qualification. This SOP in no way will restrict this agency from providing more training than what is required by the New Jersey Attorney General.

All sworn personnel will carry their Rockaway Borough PD badge and identification card while carrying a firearm on duty, unless specifically excused by a supervisor during an operation or investigation

It is further the policy of the Rockaway Borough Police Department that officers opting to carry a handgun in an off-duty capacity must also be in possession of their Rockaway Borough PD identification card while off-duty.

PROCEDURES

I. RESPONSIBILITIES

- A. The supervising firearms instructor (also referred to as the supervising weapons instructor, lead firearms instructor, senior firearms instructor, or range officer) is a weapons instructor with experience in conducting a PTC approved or equivalent weapons course, appointed by the Chief of Police, and having responsibility for all weapons and weapons training. The supervising firearms instructor is responsible for:
1. Enforcement of all of the provisions of this directive.
 2. Ensuring the safety of all individuals engaged in Rockaway Borough Police Department sanctioned weapons activities.
 3. Ensuring that all qualification and proficiency demonstration sessions are conducted in accordance with the provisions of the New Jersey Attorney General and Morris County Prosecutor's Office guidelines and directives.
 4. Ensuring that the proper weapons instructor-to-officer ratio exists at all times on the firing line. The below listed ratios are recommended, but not mandated. The supervising firearms instructor may adjust these ratios depending on the shooters' experience and past demonstrated proficiency:
 - a. One firearms instructor for every six shooters using handguns during daytime firing conditions.
 - b. One firearms instructor for every three shooters using handguns during nighttime firing conditions.
 - c. One firearms instructor for every one shooter firing a shotgun.
 5. Ensuring that personnel certified in first aid or first responder are present on the range or immediately available to respond during qualification activities.
 6. Verifying that a suitable communications link exists between the practice range and emergency services personnel.
 7. Inspecting weapons, ammunition and holsters used in weapons qualification and proficiency demonstration and either approving or disapproving their use.
 8. Maintaining overall discipline at the practice range and firing line and taking action, up to and including removal, of any person whose activities or conduct constitutes a danger to any person.
 9. Adequately monitor and supervise all weapons qualification and proficiency demonstration or ensure that a qualified weapons instructor is present during qualification and/or proficiency demonstration activities.

10. Overseeing the maintenance of accurate records regarding each officer including the model and serial number of the weapon used, the ammunition used, and the results of the qualifying session.
 11. Through the Chief of Police, submit to the Morris County Prosecutor's Office a comprehensive report on each participant who fails to achieve the minimum qualification score as set forth in this directive.
 12. Coordination of all remedial training, including individual instruction, for personnel who are unable to successfully qualify or demonstrate proficiency with any weapons system.
 13. Maintain weapons, ammunition, and related accessories stored in the armory.
 14. Ensure that an adequate number of spare duty handguns and support firearms/weapons are stored in the armory.
- B. Weapons/firearms instructors must satisfy one of the following requirements:
1. Certified by the Police Training Commission (PTC) to instruct firearms in an approved Basic Course as defined N.J.A.C. 13: 1-1.1.
 2. Must possess training equivalent to the PTC-approved firearm instructor course and be able to demonstrate knowledge and skill in this field. Equivalent training includes successful completion of a firearms instructor training program such as offered by the Federal Bureau of Investigations, United States Secret Service, Federal Law Enforcement training Center, New Jersey State Police, Smith and Wesson Academy, or the National Rifle Association Police Firearms Instructor Program.
 3. Must have experience in conducting either a PTC-approved firearms course or an equivalent course.
 4. Mechanical force weapons instructors shall be qualified (certified) in the weapons system they are instructing and/or monitoring.
- C. Weapons instructor responsibilities include, but are not limited to:
1. The direct supervision and control of personnel assigned to the range for the purposes of qualification.
 2. Instructing all personnel in range safety and the appropriate handling and firing of the firearms being utilized.
 3. Rendering all possible assistance to assist personnel in achieving the minimum qualifying score.
 4. Remaining on the firing line with the personnel under their control unless properly relieved.
 5. Taking immediate and appropriate action when the action of anyone present at the range constitutes a danger to any person.

6. Immediately notifying the supervising firearms instructor upon discovering a weapon that appears to be malfunctioning or faulty.
 7. Accurately recording scores of qualification sessions and other pertinent information as necessary and relaying the information to the supervising weapons instructor.
 8. Participate in remedial training of non-qualifying personnel.
 9. Providing the supervising firearms instructor with the targets utilized by any officer who failed to qualify during initial and subsequent qualification attempts.
- D. Weapons instructors are prohibited from conducting qualification sessions on or off-duty that are not officially sanctioned by and expressly approved by the Chief of Police.

II. GENERAL

- A. Refer to *SOP V3C2 Use of Force* for guidance and reporting requirements concerning firearm discharges, including accidental discharges.
- B. This agency adopts the definitions set forth in the New Jersey Attorney General's Guidelines regarding Firearm Qualification.
- C. A list of authorized weapons and ammunition is contained in Appendix A.
- D. Officers shall promptly notify the Chief of Police if they are on medication that can adversely affect their ability to handle or use a firearm or less lethal weapon.
- E. No officer shall at any time carry on his/her person a weapon when he/she is consuming or is under the influence of alcohol or prescription drugs that have the capacity to impair his/her mental or physical capability. The Chief of Police must pre-authorize any exceptions to this requirement for covert operations.
- F. Officers shall not surrender a firearm. Surrender of a firearm rarely de-escalates a serious situation and, in fact, can place an officer and innocent persons in jeopardy.
- G. Officers are not authorized to carry firearms on the gaming floor of any Atlantic City casino or casino simulcasting facility, except in an emergency situation and at the request of the casino licensee's security department and upon notification to the New Jersey State Police (N.J.A.C. 13: 69D-1.13).
- H. Officers shall not carry a firearm or other device designed to injure or incapacitate a person within a Pennsylvania casino without the expressed written approval of the Pennsylvania Gaming Control Board (18 Pa.C.S. § 465a.13).
- I. Officers shall not carry a handgun off duty if suspended from active duty.
- J. No officer is authorized to carry an agency-owned firearm while working for a private security business of any kind except where authorized by the Chief of Police in *SOP V2C13 Extra Duty Employment*.

- K. Officers are prohibited from modifying, altering, or enhancing any Rockaway Borough PD or Rockaway Borough PD-approved weapon, accessory, and/or ammunition without the expressed written permission of the Chief of Police and/or the Supervising Firearms Instructor.
 - 1. This requirement includes approved personally owned off-duty handguns.
 - 2. This requirement includes, but is not limited to grips, sights, magazines, magazine parts, trigger pull, barrel length or extension, etc.
 - 3. This requirement extends to any personnel considering purchasing a handgun that has already been modified from its original manufacturer's specifications.
- L. Officers are prohibited from displaying a firearm to any person except according to law, upon demand of supervisory personnel, or in compliance with SOP V3C2 Use of Force.
- M. Only authorized ammunition can be carried or used in a Rockaway Borough PD-approved firearm.
- N. Damage, loss, or theft of any Rockaway Borough PD-authorized weapon or ammunition shall be immediately reported to the Chief of Police or his/her designee and, in the case of loss or theft, to the law enforcement jurisdiction where the loss or theft had occurred. The Chief of Police or his/her designee shall ensure that the weapon is promptly entered into the NCIC database.
- O. If a Rockaway Borough PD-authorized weapon becomes defective or is in need of repair:
 - 1. If the weapon is a personally owned off-duty handgun the officer is responsible for getting the weapon repaired. The officer shall take the weapon out of service and any previous permission that may have been granted by the Chief of Police to carry it is immediately rescinded until such time as it can be restored to a fully operable condition and re-inspected and approved by an armorer or qualified weapons instructor prior to carrying.
 - 2. If the weapon is a duty handgun the officer must notify the Chief of Police.
 - a. The malfunctioning handgun shall be removed from service, clearly tagged as inoperative noting the date of removal from service and nature of the malfunction.
 - b. The malfunctioning handgun shall be made safe, unloaded and placed in the shotgun locker if the Chief of Police is not available.
 - c. If a firearms instructor is on duty, he/she can issue a replacement handgun. If a firearms instructor is not on duty, contact the Chief of Police to issue a replacement handgun.
 - d. The officer shall complete a report detailing the nature of the malfunction and forward it to the supervising firearms instructor as soon as practicable.

3. Shotguns in need of repair and/or maintenance shall be taken out of service, made safe, clearly tagged as needing repair (noting the defect or malfunction, date and signature of the officer), and stored in the shotgun locker. The officer shall complete a report detailing the nature of the malfunction and forward it to the supervising firearms instructor as soon as practicable. The officer can take a replacement shotgun from another vehicle, if available.
 4. The supervising firearms instructor or an authorized armorer will inspect the malfunctioning weapon to determine the cause of the malfunction. The supervising firearms instructor or armorer may repair the weapon or choose to send the weapon to the manufacturer for repair depending on the cause of the malfunction.
 5. Damaged or inoperable batons shall be removed from service, clearly tagged as needing repair (noting the defect or malfunction, date and signature of the officer) and stored in the shotgun locker. The Chief of police will issue a replacement baton as soon as practicable.
 6. Damaged, expended, and expired OC shall be removed from service and discarded in a trash receptacle. The detective sergeant will issue a replacement as soon as practicable.
 7. If a weapon becomes defective or in need of repair during proficiency training, the Firearms Instructor or designee shall repair or reissue a replacement weapon until repairs can be made.
 8. All weapon repairs, maintenance, and inspection transactions must be documented.
- P. All officers are required to carry their authorized duty handgun while on duty with the following exceptions:
1. When engaged in processing arrestees; or
 2. When conducting custodial interrogations with criminal suspects; or
 3. When the presence of a weapon might jeopardize the outcome of a covert operation or investigation; or
 4. When on convalescent, modified, transitional duty and carrying a weapon is impracticable; or
 5. When otherwise exempted by the Chief of Police.
 6. NOTE: the Chief of Police may authorize officers to carry an approved off duty handgun while on duty in lieu of their duty handgun. This will be granted on a case-by-case basis.
- Q. All Rockaway Borough PD-approved weapons and ammunition must be maintained in a state of operational readiness. Officers are responsible for maintaining their assigned/approved weapons, ammunition, holsters, and related accessories.

1. When engaged in field activities, duty handguns must be loaded to full capacity. Officers shall carry at least two spare magazines loaded to capacity.
2. Officers are subject to periodic and unannounced weapons inspection at any time and may be subject to disciplinary action if weapons are not kept clean and operational.
3. The supervising firearms instructor or his/her designee is responsible for maintaining weapons, ammunition, and related accessories stored in the armory.
4. Duty ammunition shall be issued or replaced as necessary by the supervising firearms instructor or his/her designee.
 - a. Expended ammunition shall not be replaced unless the officer provides a full accounting;
 - b. Upon separation from the Rockaway Borough PD, personnel must surrender all Rockaway Borough PD issued ammunition and account for any shortages.
5. The Chief of Police shall approve all ammunition that is carried in a personally owned off-duty handgun. Additionally:
 - a. Officers are responsible for purchasing their own ammunition for both qualification and carrying;
 - b. Ammunition must be factory loaded;
 - c. Ammunition cannot be otherwise altered or modified to enhance its lethality;
 - d. Armor piercing rounds are prohibited.
6. When the Rockaway Borough PD-issued duty handgun is used in an off-duty capacity, only the Rockaway Borough PD-issued ammunition can be used in the handgun.

III. OLEORESIN CAPSICUM

- A. Oleoresin capsicum (OC) aerosol can be deployed in less lethal force situations where the use of force is necessary and justified to apprehend or control an individual, and the use of the OC will facilitate the arrest with the minimum chance of injury to the officer, the arrestee, or innocent bystander, see *SOP V3C2 Use of Force*.
- B. OC must not be handled by children or unauthorized individuals.
- C. Only officers who have satisfactorily demonstrated proficiency under the supervision of a certified weapons instructor may carry and use OC. Training and proficiency may be part of basic academy training or an in-service program held by the Rockaway Borough PD, another law enforcement agency, or the manufacturer.

1. Uniformed officers should carry OC on their duty belt in the department-issued holder or comparable device.
 2. Plain-clothed officers may carry OC on their belt in the department-issued holder or comparable device.
- D. OC shall only be used as instructed. Any use of the agent, which is not justified, will subject the user to disciplinary action. OC shall not be used to harass, humiliate, or intimidate any person.
- E. The effects from an OC exposure may linger for a period of time, usually 12 – 60 minutes.
1. Advise Morris County Correctional Facility personnel if a subject was sprayed with OC.
 2. Medical clearance will usually not be required by the Morris County Correctional Facility unless the subject is still under the effects of the OC.
- F. Partially used canisters will be turned over to an OC instructor for future training.
- G. For indoor cleanup:
1. Wipe the exposed surface clean with a damp rag and mild soap;
 2. The ingredients (biodegradable) may be washed down a sink;
 3. Clothes may be washed normally;
 4. Exposed food should be discarded;
 5. OC will degrade naturally within a few weeks.

IV. BATONS / IMPACT TOOLS

- A. Batons are defensive impact tools that may be used when the justification for the use of less lethal force exists. Examples include, but are not limited to:
1. To bring an unlawful incident to a safe and successful conclusion;
 2. When verbal commands have failed or are impracticable;
 3. When a suspect poses a threat, attacks or attempts to attack an officer or other person;
 4. To avoid physical combat between an officer and a resisting or physically combative suspect;
 5. To prevent the commission of suicide or self-inflicted serious physical injury;
 6. To deter a vicious or aggressive animal that threatens the safety of the officer or others.

- B. Officers shall not use a baton to batter a passive resister into submission. Officers may use baton control techniques (e.g. arm locks, etc.) in such situations provided it does not place the officer at increased risk of injury.
- C. Only officers who have satisfactorily demonstrated proficiency under the supervision of a certified weapons instructor may carry and use a baton. Training and proficiency may be part of an officer's basic police academy training or an in-service program held by the department, other law enforcement agency, or the manufacturer.
- D. Batons can only be used as instructed.
- E. Only department-approved batons will be authorized for use and officers are strictly forbidden from making any modifications.
- F. While on duty, qualified officers shall carry and have their batons readily accessible to them at all times.
 - 1. Batons should only be carried in the manufacturers issued or recommended holder.
 - 2. Non-uniformed officers may carry batons in either a belt holder or a shoulder holster.
 - 3. Off-duty officers may carry a baton at their discretion

V. SHOTGUNS

- A. Only officers who maintain his/her qualifications with a shotgun are permitted to carry and/or use a shotgun in an operational setting.
- B. Shotguns will be inspected at the start of the officer's shift.
- C. Shotguns shall not be left unattended unless stored consistent with this SOP; see section X.
- D. The use of a shotgun in an operational setting is dictated foremost by sound judgment and common sense. There is no specific formula or list of tactical situations that would invoke the display or use of a shotgun, but as a general guide the shotgun may be appropriate:
 - 1. In instances when law enforcement is obviously out-gunned;
 - 2. In instances with multiple armed suspects;
 - 3. In hostage/barricaded suspect investigations.
 - 4. In crimes involving a substantial risk of serious bodily injury involving a firearm.
 - 5. The shotgun is appropriate for destroying or conditioning large animals when necessary.

- E. The shotgun is not appropriate during:
 - 1. Routine motor vehicle stops;
 - 2. Crimes and offenses not involving the use of a weapon.
- F. Extreme restraint must be exercised in instances when the use of a shotgun would cause substantial risk to innocent persons.
- G. The shotgun should normally be fired from the shoulder.

VI. WEAPONS QUALIFICATION / REQUALIFICATION COURSES

- A. This agency will utilize the qualification/regualification courses established for firearms by the New Jersey Attorney General.
- B. All officers must be issued copies of and be instructed in the SOPs governing use of force and the use of authorized weapons before being authorized to carry such weapons. This issuance and instruction may be accomplished electronically.
- C. All officers will:
 - 1. Demonstrate the safe handling of the weapon;
 - 2. Demonstrate proper loading and unloading techniques;
 - 3. Demonstrate the techniques of proper physical stance;
 - 4. Demonstrate the techniques of good marksmanship.
- D. All offices must demonstrate proficiency and successfully complete the required firearm qualifications for the following weapons, where applicable by their assignment:
 - 1. Duty handgun – Semiannual qualification both day and night (low light);
 - 2. Duty shotgun – Semiannual qualification both day and night (low light);
 - 3. Off-duty handguns – Semiannual qualification both day and night (low light).
- E. All officers must train and demonstrate proficiency in the agency authorized less lethal weapons at least every two years.
- F. All officers must train and demonstrate proficiency in weaponless defensive tactics at least every two years.
- G. Officers must report for training at the location and time designated by the supervising firearms instructor and must abide by the safety rules and regulations pertaining to the facility.
- H. The supervising firearms instructor will make the final determination if the clothing worn is acceptable. All officers shall wear their BDU pants and a shirt that is appropriate for the weather conditions along with their duty gear and boots.

- I. Officers engaged in weapons training, proficiency demonstration, and qualification shall be under the direct supervision of the firearms instructors while on the practice range.
- J. The firearms instructors shall adequately monitor and supervise all firearms and weapons training. All safety precautions and range rules shall be strictly enforced.
- K. Officers must be equipped with their duty handgun, holster, magazines, magazine pouches, flashlight, body armor, and any other equipment deemed necessary by the firearms Instructor or designee.
- L. Personally owned off-duty handguns must have an approved holster, magazines and magazine pouches and sufficient ammunition for qualification and potential remedial training, if required.
- M. The Chief of Police or his/her designee may designate additional topics for instruction to be conducted during the semiannual qualification and proficiency demonstration.
- N. Participants who fail to achieve a passing score on a prescribed qualification/proficiency course shall receive remedial instruction. This instruction shall be provided after the firearms instructor analyzes the problems that may have led to the failure.
 - 1. The supervising firearms instructor shall determine the time allotted and method of remedial training to be conducted. The supervising firearms instructor, in consultation with the firearms instructors and the participant, will:
 - a. Review factors which may have contributed to or caused a participant's failure to qualify, including a check of the participant's weapon.
 - b. Document any subsequent attempts to qualify and the results of those attempts.
 - 2. The participant will be given three (3) opportunities to qualify/demonstrate proficiency. After remedial training and a subsequent failing score, the supervising firearms instructor will make a determination whether the participant should be disarmed and scheduled to return at a subsequent time. The supervising firearms instructor or his/her designee is responsible for forwarding any reports to the Chief of Police.
 - 3. The Chief of Police will then determine what action is appropriate. Actions include, but are not limited to:
 - a. Disarming the officer of the weapon;
 - b. Removing the officer from a line duty assignment;
 - c. Placing the officer on temporary transitional duty;
 - d. Permitting additional remedial training (on the officer's personal time with no additional compensation)

- e. Disciplinary action for incapacity to perform an essential function.
- 4. If a participant fails to qualify, all targets that participant used during initial and subsequent qualification attempts (those conducted following remedial training) are to be kept on file until the participant achieves a qualifying score. These targets are to be signed by both the non-qualifying participant and the weapons instructor.
- O. Officers who do not qualify/demonstrate and/or maintain proficiency with agency shotguns shall not be permitted to possess or utilize these weapons systems in an operational setting.
- P. Officers who do not demonstrate proficiency with agency approved less lethal weapons will likewise receive remedial instruction consistent with subsection VI.N above and are subject to the same potential courses of action.
- Q. Shooters shall take only the exact amount of ammunition required to complete the course of fire as issued by a weapons instructor.
- R. Shooters shall only fire the specific amount of rounds they are told to fire. If additional rounds are fired, the shooter may be removed from the line.
- S. Late shots or shots fired after the specified time has elapsed will be deducted from the final score.
- T. Shooters must also demonstrate proficiency in the safe handling of their agency issued or personally owned firearms.

VII. RECORDKEEPING

- A. All weapons training, proficiency, and requalification shall be recorded. The original copies shall be maintained as a normal business record. The supervising firearms instructor or his/her designee will review all records upon completion of each requalification, training, or proficiency demonstration to ensure accuracy.
- B. The supervising firearms instructor or his/her designee shall prepare written documentation each calendar year certifying that the mandatory training has been conducted.
 - 1. This report is typically due by January 15th of the subsequent year.
 - 2. Copies must be forwarded to the Morris County Prosecutor's Office through the Chief of Police.
 - 3. This report shall contain the following information:
 - a. A description of agency authorized weapons and ammunition;
 - b. The agency training/qualification schedule, including the dates and types of qualification sessions conducted during the report year.

- c. The number of participants who satisfied qualification requirements and the number of non-qualifying participants during each qualification session for each type of course and weapon: duty handgun, off-duty handguns, shotgun, and mechanical force weapons.
- C. The supervising firearms instructor or his/her designee shall maintain a record of all agency-approved weapons (including approved personally owned off-duty handguns) and ammunition. This record includes, but is not limited to:
 - 1. An inventory of all agency-owned weapons and related accessories;
 - 2. Identity of personnel to whom agency weapons and related accessories have been assigned;
 - 3. All weapons, ammunition, and related accessories assigned to operational or subsidiary units;
 - 4. All repair records and copies of all purchasing records for agency-owned weapons and accessories (purchase orders, vouchers, invoices, etc.)
 - 5. A list of all approved off-duty handguns;
 - 6. All inspection records
- D. The supervising firearms instructor or his/her designee shall ensure that the most current weapons inventory is forwarded to the Chief of Police.
- E. All records related to weapons maintenance and training including targets stored for non-qualifying participants shall be maintained in accordance with New Jersey Division of Revenue and Enterprise Services, Bureau of Records Management (BRM) records retention schedules. Only those records exceeding the retention period, and upon authorization by BRM, may be destroyed.

VIII. REVIEW, INSPECTION, AND APPROVAL PROCESS FOR WEAPONS

- A. Prior to authorizing any change of any agency weapons, the Chief of Police may select a committee to review the feasibility of adopting a new weapon.
 - 1. The Chief of Police will assign a chairperson whose responsibility will be to oversee the review process. All recommendations will be forwarded to the Chief of Police in writing by the committee chair, in the time frame specified, and will include all support documentation and reference materials.
 - 2. Upon approval by the Chief of Police, selected officers may be authorized to carry and utilize a weapon under consideration for evaluation purposes.
 - 3. The Chief of Police will make the final determination based on recommendations from the committee concerning the adoption of any new weapon. All weapons must be inspected, test fired (if applicable), and approved by a qualified weapons instructor/armorer prior to issuance.

- B. The supervising firearms instructor will conduct inspections on a schedule recommended by the manufacturer and during semiannual qualifications.
- C. Prior to approving an off-duty handgun to carry, a qualified weapons instructor or armorer shall review, inspect and approve the weapon(s) to ensure the weapon(s) is (are) in safe working condition and free from defect (including a magazine change). Any handgun deemed not to be in safe working condition shall not be approved for off-duty carrying. All inspections must be documented.
- D. Following repair, Rockaway Borough PD-owned weapons shall be reviewed, inspected and approved by an armorer or qualified weapons instructor prior to carrying.
- E. Following repair, off duty handguns weapons shall be reviewed, inspected and approved by an armorer or qualified weapons instructor prior to carrying.
- F. Unsafe weapons will be removed from service and a replacement will be issued to the officer.

IX. OFF-DUTY HANDGUNS

- A. The types and specifications of potential off-duty handguns are listed in Appendix A.
- B. Officers seeking to carry a firearm other than the issued duty handgun as his/her off-duty handgun, shall request permission in writing to the Chief of Police. If approved, a copy of the written approval will be placed in the requesting officer's file.
- C. Officers requesting authorization to carry a personally owned off-duty handgun must meet the training/qualifications as set forth in this SOP.
- D. Officers have the option to carry an approved handgun while off-duty.
- E. Officers should consider the following factors when deciding whether to arm themselves with a handgun while off-duty:
 - 1. Where possession of the handgun under the circumstances would create a risk of loss or theft of the weapon or would be impracticable. Examples include sporting or recreational activities such as swimming, sunbathing, softball, physical training, etc.
 - 2. While engaged in any activity where it may not be advisable to carry a handgun. Examples include where the officer may be at an event where he/she may consume alcoholic beverages, concerts, etc.
 - 3. While on vacation.
 - 4. While out of the state.

- F. Authority to carry off-duty handguns may be revoked if:
 - a. The weapon(s) are determined by the Supervising Firearms Instructor to be no longer serviceable or in need of repair;
 - b. When personnel fail to achieve a passing qualification score;
 - c. When personnel can no longer demonstrate proficiency.
- G. Officers must exercise the utmost care when carrying, storing, or otherwise handling their off-duty handgun.
- H. Any incident involving an off-duty handgun must be immediately reported to the Chief of Police and to the law enforcement agency having jurisdiction where the incident occurred. The Chief of Police may refer these incidents to internal affairs for further investigation.
- I. In accordance with the provisions of 18 USC 44 § 926b (also known as the Law Enforcement Officers Safety Act or HR 218), full time officers are permitted to carry a concealed firearm in any state. While on personal business, officers are ordinary citizens who happen to have the right to carry concealed weapons. 18 USC 44 § 926b does not provide active duty sworn personnel with law enforcement powers or immunities outside their jurisdictions.
 - 1. Officers must be in possession of their official agency identification card.
 - 2. Officers must not be the subject of any disciplinary action that could result in suspension or dismissal.
 - 3. Officers have qualified with the firearm as required by this SOP.
 - 4. Officers are not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
 - 5. Officers are not otherwise prohibited from receiving or possessing a firearm by federal law.
 - 6. Officers are personally responsible for checking and understanding the laws of any jurisdictions that they visit while armed.
- J. Notwithstanding the provisions of 18 USC 44 § 926b, and in accordance with NJ Attorney General Opinion of 06/07/2005, agency-owned handguns shall not be carried in an off-duty capacity while outside of this State. Officers may carry their personally-owned off duty handgun out of state in an off duty capacity.

X. WEAPONS STORAGE AND MAINTENANCE

- A. Duty and off-duty handguns must be carried in an approved holster. At no time will a handgun be carried unsecured in a belt, waistband, or concealed in any other article of clothing not specifically designed for that purpose and approved by the agency.

1. When in the public view, non-uniformed officers should carry their handguns in a concealed manner. If unable to conceal the handgun, the officer's badge must be clearly visible.
2. Holsters must be utilized at each qualification session.

B. Shotguns:

1. Shotguns will be stored in its assigned vehicle in a locking electronic rack.
2. At NO TIME should a shotgun to be stored in a vehicle with a round loaded into the chamber. Loading and placement instructions:
 - a. The safety should be in the ON position;
 - b. Lock the slide forward, with no rounds in the chamber;
 - c. Load the magazine with the required number of rounds;
 - d. Secure the shotgun in the vehicle's rack.
3. While in the field with a shotgun, officers shall ensure that the vehicle is not unsecured at any time.
4. When an officer exits a patrol vehicle and is not going to be in sight of the patrol vehicle or is going to be a substantial distance from the patrol vehicle, the officer is to remove the keys from the ignition and lock the doors of the patrol vehicle preventing any unauthorized individual from gaining access to the shotgun.
5. In the event the vehicle is removed from service or a non-law enforcement individual is working on the vehicle, the shotgun shall be removed from the police vehicle and brought into headquarters and stored in the shotgun locker.
6. The following actions should be taken during the removal of the shotgun from the vehicle, or while unloading and bringing the weapon into headquarters:
 - a. Check to make sure that the safety is in the ON position.
 - b. Remove the shotgun from the vehicle. When removing the shotgun, keep your finger away from the trigger and outside trigger guard. **Point the shotgun in a safe direction.**
 - c. The shotgun will be made safe by unloading any ammo in the magazine. The port is then to be opened. The officer is to inspect the port and ensure that the chamber is empty. This is to be done prior to entering the building.
 - d. After the magazine is empty, lock the slide back, check the ejection port to ensure the chamber is clear and the weapon is unloaded. Visually and physically inspect the port and the magazine.

- e. Once inside headquarters, the shotgun will be inspected for any obvious defects such as loose screws, rust, cracked stock or forearm, or any operational defects such as inoperative safety or action will not release or engage and stored.
- C. Weapons shall be secured to restrict unauthorized use. When not being worn weapons should be:
 - 1. Secured in a lockable gun case, safe, or box; or
 - 2. Secured by the officer utilizing a trigger lock. Trigger locks shall not be installed on a loaded weapon. The officer shall verify that the weapon is not loaded and the magazine is removed.
- D. N.J.S.A. 2C: 58-15 makes it a criminal offense to leave a loaded firearm within easy access of a juvenile.
- E. When processing arrestees, personnel shall secure their firearms in a gun locker or other agency approved and secured container.
- F. Officers shall exercise the utmost care and caution in handling firearms. Officers are responsible for the security and safe storage of firearms at all times. Firearms will not be left in Rockaway Borough PD vehicles when the vehicle is left in the care of non-Rockaway Borough PD personnel.
- G. Firearms should be stripped, cleaned and oiled at reasonable intervals as needed to insure proper functioning. When an officer has completed firearms qualifications, or has fired a duty weapon repeatedly for any other reason, it will be unloaded and cleaned as needed, to insure proper operation.

XI. GENERAL FIREARM SAFETY

- A. Treat all firearms as if they are loaded at all times.
- B. Never point a firearm at anyone or anything unless its use is indicated under the provisions of *SOP V3C2 Use of Force*.
- C. Keep your finger off of the trigger until you are ready to shoot.
- D. When handling a firearm, point it in a safe direction to check its loaded/unloaded status. Make it safe if loaded. While at the range and when un-holstered, all firearms shall be pointed down range under the direction of the weapons instructor.
- E. Unless being worn as a handgun, firearms should be secured during transportation in a vehicle in a gun case or similar receptacle with ammunition stored separately.
- F. Never holster a handgun with the hammer cocked (when so equipped) unless the weapon is specifically designed for carrying in that condition.
- G. Generally, personnel should not chase someone with a weapon in their hand. This does not mean personnel cannot move tactically with his/her weapon in his/her hand. At all times the finger will be off the trigger.

- H. **Officers should not attempt to handcuff or search someone while holding a firearm.** This action makes it easier for the subject to make an attempt to gain control of a weapon and there is a greater risk of an accidental discharge. Whenever possible, the contact officer should have a covering officer. If the subject is under arrest, handcuff first and then search.
- I. Never use a firearm as a club or tool. It increases the chances of the firearm being taken, increases the danger of an accidental discharge or an unwarranted injury to a subject.
- J. When handing a firearm to another person, follow the below prescribed procedures:
1. **Semiautomatic handguns:**
 - a. Point muzzle in a safe direction;
 - b. If weapon is so equipped, engage the manual safety device;
 - c. Remove the magazine;
 - d. Lock the slide to the rear;
 - e. Visually and manually inspect the firing chamber to ensure that the weapon is empty;
 - f. Hand weapon to the recipient butt first, magazine out, slide locked to the rear.
 2. **Revolvers:**
 - a. Point muzzle in a safe direction;
 - b. Open cylinder and safely eject any live ammunition;
 - c. Place fingers through the cylinder window grasping by the top strap;
 - d. Hand weapon to the recipient butt first, cylinder open and empty.
 3. **Submachine guns/rifles/carbines/shotguns:**
 - a. Point muzzle in a safe direction;
 - b. Engage safety device;
 - c. Remove magazine (submachine gun/rifle), if applicable;
 - d. Remove shells from magazine tube (shotgun), if applicable;
 - e. Lock bolt to the rear (submachine gun/rifle), if applicable;
 - f. Lock slide to the rear (shotgun), if applicable;

- g. Visually and physically inspect firing chamber/breech to ensure that the weapon is empty;
- h. Hand weapon to the recipient muzzle up, bolt/slide open and empty.

XII. CARRYING FIREARMS/WEAPONS ABOARD AIRCRAFT:

- A. Sky marshals and certain other authorized persons may carry firearms aboard aircraft in connection with their basic law enforcement responsibilities or when competent authority has determined the nature of a specific mission requires a person to be armed. Although the valid carriage of firearms serves the public interest when properly performed, the FAA has found that a lack of proper notification procedures could lead to a serious compromise of safety, including the possibility of inadvertent confrontation between legally armed personnel.
- B. Unless otherwise authorized by the Transportation Security Administration (TSA), an armed law enforcement officer must meet the following requirements under 49 CFR 1544.219, et seq.:
 - 1. Must be authorized by the Chief of Police to have a weapon in connection with his/her assigned duties.
 - 2. Must have successfully completed and reviewed the TSA's Law Enforcement Officers Flying Armed training course.
 - 3. Must have a need to have the weapon on a specific flight segment (verses in checked baggage). Need is determined by the Chief of Police, for example:
 - a. Protective escort duty and related travel
 - b. Hazardous surveillance operation
 - c. On official travel and required to arrive prepared for duty
 - d. In control of a prisoner (includes traveling to or returning from) (Title 49 CFR, Section 1544.221)
- C. No officer may:
 - 1. Board an aircraft while armed if the officer had consumed an alcoholic beverage within the previous eight hours.
 - 2. Consume any alcoholic beverage while onboard an aircraft operated by an aircraft operator.
- D. At least 24 hours prior to travel, a properly formatted NLETS message shall be transmitted to the Transportation Security Operations Center (TSOC) at ORI VAFAM0199.
- E. An NLETS receipt, with a unique alphanumeric identifier, will be returned to the PCSO from the TSOC.

- F. The Chief of Police shall prepare an original letter of authority for the personnel who will be flying armed. This original letter of authority must:
1. Be on official Rockaway Borough Police Department letterhead and be signed by the Chief of Police;
 2. Confirm the need to travel armed; it is important to articulate to the aircraft operator the need to be armed on a specific flight segment and not merely provide the authorization to fly armed.
 3. Contain a detailed flight itinerary.
- G. The aircraft operator may or may not ask to see the letter of authority.
- H. On the day of travel, notify the aircraft operator at least one hour prior to your flight departure, or in an emergency, as practicable.
- I. Officers must check-in with the airline ticket counter, provide identification and present the original letter of authority from the Chief of Police. Officers must complete the Notice of Law Enforcement Flying Armed form provided by the airline and will proceed to the Armed LEO Screening Checkpoint.
1. Identification must contain:
 - a. Clear, full face picture; and
 - b. The officer's signature; and
 - c. Signature of authorizing official, or
 - d. Official seal of the Rockaway Borough Police Department.
 - e. A badge, shield or similar device alone cannot be used, or accepted by the aircraft operator as the sole means of identification.
- J. At the Armed LEO Screening Checkpoint, officers will provide the NLETS unique alphanumeric identifier and display their badge, credentials, boarding pass, a second form of government identification, and required airline paperwork, commonly referred to as Person Carrying Firearms (PCFA) forms.
- K. Officers will complete the LEO Logbook and proceed to the boarding gate. At the boarding gate officers will provide the airlines armed traveler paperwork and inform the gate agent of his/her presence and status. Officers will then meet with the pilot in command, federal air marshals, federal flight deck officers, and/or other law enforcement officers onboard the flight as directed.
1. Present the form to the flight crew upon boarding the aircraft for every segment of the flight itinerary. (A common error is for a law enforcement officer to present his/her Notice of Law Enforcement Officer Flying Armed form for only the first segment of a multi-segment flight resulting in subsequent flight crews being unaware of the armed officer's presence.)

2. An aircraft operator's Ground Security Coordinator (GSC) or Customer Service Supervisor (CSS) may be the best person to assist personnel regarding issues at the ticket counter or the boarding gate.
 3. The aircraft operator has the final say regarding denial of boarding with a weapon.
 4. If denied boarding with a weapon, have a back-up plan in advance, consider involving the aircraft operator's GSC or other supervisor, or be prepared to place the weapon and ammunition in checked baggage
- L. At all times when traveling onboard an aircraft while armed, officers must keep their weapon concealed and out of view. Further:
1. Officers must maintain complete control of their weapon(s) at all times;
 2. Officers shall not place a weapon in an overhead storage bin;
 3. Officers shall not carry OC spray, or similar self-defense sprays containing an irritant, or incapacitating substance through a security checkpoint or in the cabin of a commercial aircraft;
 4. Only one self-defense spray (pepper), not exceeding 118ml (4 fluid ounces) by volume that incorporates a positive means to prevent accidental discharge, may be carried in checked baggage.
- M. The discharge of a firearm onboard an aircraft may cause:
1. Possible damage to hydraulic, fuel and electrical systems
 2. Possible fire
 3. Damage to the aircraft's engines
 4. Serious injury or death to innocent bystanders
- N. Know the location of all other law enforcement officers onboard the aircraft.
1. The Pilot-in-Command is the In-Flight Security Coordinator and is the final authority onboard the aircraft. The Pilot-in-Command can refuse to allow armed personnel to board the aircraft due to safety reasons.
 2. The aircrew has been trained to handle most crisis situations.
 - a. Allow them to do their job
 - b. Assist if requested by aircrew
- O. If it becomes necessary to place the weapon and ammunition in checked baggage:
1. Be prepared and properly equipped when you arrive at the airport.
 2. The weapon must be placed in a hard-sided, locked container.

3. Declare the weapon and ammunition when the container is checked.
4. The weapon should be unloaded.
5. Be prepared to place ammunition in factory or similar packaging.
6. You maintain the key or combination to the hard-sided, locked container.
7. If the hard-sided, locked container is inside a piece of checked baggage, the aircraft operator generally will place a Firearm(s) Unloaded Declaration form inside the checked baggage proximate to, but not inside of, the hard-sided, locked container.
8. If the firearm is not inside another piece of checked baggage, the aircraft operator generally places the Firearm(s) Unloaded Declaration form inside the hard-sided, locked container.
9. Contact the aircraft operator well in advance if:
 - a. You are transporting shoulder weapons (for competition or tactical training, for example), or
 - b. You plan to ask that weapons be transferred from a vehicle on the airport operating area (tarmac).
 - c. Be sure to understand the aircraft operator's procedures.
 - d. There are limitations to the amount of ammunition that can be transported on commercial aircraft. Contact the aircraft operator well in advance to discuss requirements and procedures.

XIII. CARRYING FIREARMS AND AMMUNITION ABOARD AMTRAK TRAINS

- A. For purposes of this subsection only, the term checked baggage refers to baggage that is accessible only to select Amtrak employees.
- B. Under the provisions of Section 159 of the Consolidated Omnibus Act of 2010 effective December 15, 2010, AMTRAK will accept reservations of firearms and ammunition for carriage between Amtrak stations and on Amtrak trains within the United States that offer checked baggage service. The following policies are in effect:
 1. Officers must notify AMTRAK no later than 24 hours before train departure by calling 800-USA-RAIL. Online reservations for firearms/ammunition are not accepted.
 2. Officers must travel on the same train that is transporting the checked firearms and/or ammunition.
 3. All firearms and/or ammunition must be checked at least 30 minutes prior to scheduled train departure. Some larger stations require that baggage be checked earlier. Please contact the appropriate departure station for more details.

4. All firearms (rifles, shotguns, handguns, starter pistols) must be unloaded and in an approved, locked hard-sided container not exceeding 62" L x 17" W x 7" D (1575 mm x 432 mm x 178 mm). The officer must have sole possession of the key or the combination for the lock to the container. The weight of the container may not exceed 50lb/23 kg.
 5. Smaller locked, hard-sided containers containing smaller unloaded firearms such as handguns and starter pistols must be securely stored within a suitcase or other item of checked baggage, but the existence of such a firearm must be declared.
 6. All ammunition carried must be securely packed in the original manufacturer's container; in fiber, wood, or metal boxes; or in other packaging specifically designed to carry small amounts of ammunition. The maximum weight of all ammunition and containers may not exceed 11lb/5 kg.
 7. Officers are responsible for knowing and following all federal, state, and local firearm laws at all jurisdictions to and through which he or she will be travelling.
 8. Firearms/ammunition may not be carried in carry-on baggage; therefore, checked baggage must be available on all trains and at all stations in the officer's itinerary.
 9. At the time of check-in, officers will be required to complete and sign a two-part Declaration Form.
 10. BB guns and Compressed Air Guns (to include paintball markers), are to be treated as firearms and must comply with the above firearms policy. Canisters, tanks, or other devices containing propellants must be emptied prior to checking and securely packaged within the contents of the passenger's luggage.
- C. Officers failing to meet the above-mentioned requirements for checking firearms will be denied transportation.
- D. There are currently no restrictions while riding on New Jersey Transit trains or buses.