

# **Salinas Police Department**

**NEW HIRE ORIENTATION:  
FIREARMS**



# Policy Section 300--Use of Force

## **300.1 Purpose and Scope**

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner (Government Code 7286).

# Policy Section 300--Use of Force

## **300.1.1 Definitions**

- **Deadly Force** – Any use of force that creates a substantial risk of causing death or serious bodily injury, including but not limited to the discharge of a firearm (Penal Code 835a).
- **Feasible** – Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person [Government Code 7286(a)].
- **Force** - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted handcuffed or restrained.

# Policy Section 300--Use of Force

- **300.1.1 Definitions Continued**
- **Serious Bodily Injury** – A serious impairment of physical condition, including but not limited to the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement [Penal Code 243(f)(4)].
- **Totality of Circumstances** – All facts known to the officer at the time including the conduct of the officer and the subject leading up to the use of force (Penal Code 835a).

# Policy Section 300--Use of Force

## **300.2 Policy**

- The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.
- Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

# Policy Section 300--Use of Force

## **300.2 Policy cont.**

- The Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

# Policy Section 300--Use of Force

## **300.2.2 Duty to Intercede**

Any officer present and observing another officer using force that is clearly beyond that which is necessary, as determined by an objectively reasonable officer under the circumstances, shall, when in a position to do so, intercede (as defined by Government Code 7286) to prevent the use of unreasonable force.

When observing force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that the other law enforcement officers may have additional information regarding the threat posed by the subject [Government Code 7286(b)].

# Policy Section 300--Use of Force

## **300.2.3 Failure to Intercede**

An officer who has received the required training on the duty to intercede and then fails to act to intercede when required by law, may be disciplined in the same manner as the officer who used force beyond that which is necessary [Government Code 7286(b)].



# Policy Section 300--Use of Force

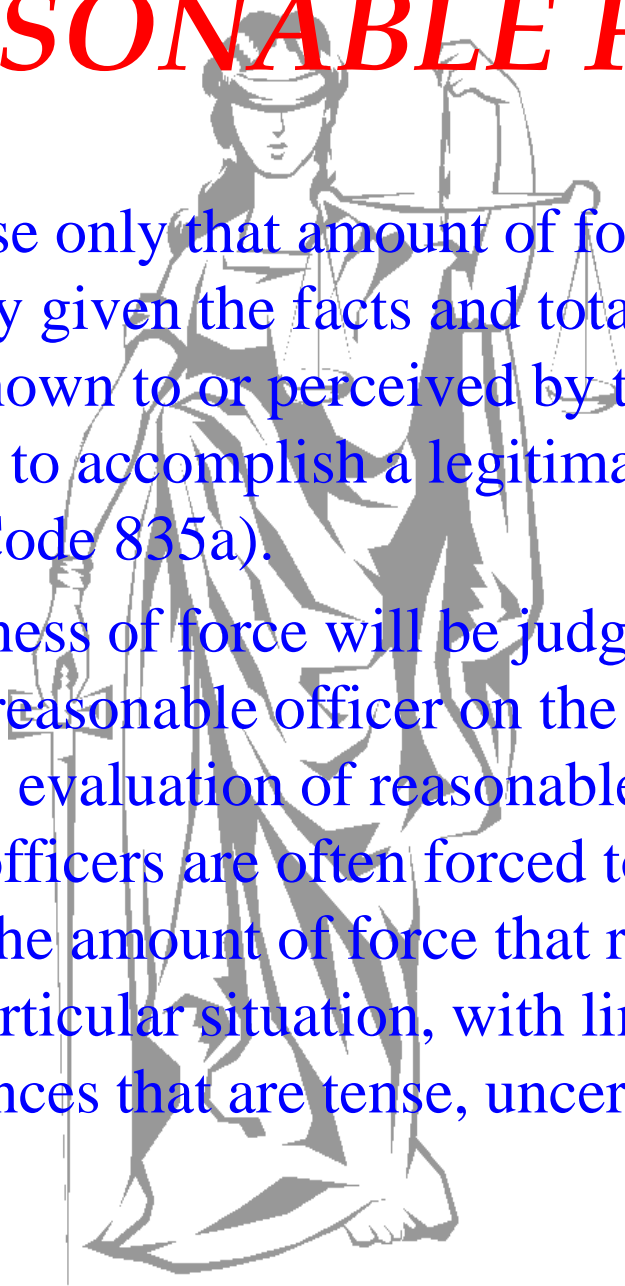
## **Duty to Report Excessive Force**

Any officer who observes a law enforcement officer or an employee use force that potentially exceeds what the officer reasonably believes to be necessary shall immediately report the observations to a supervisor [Government Code 7286(b)].

As used in this subsection, “immediately” means as soon as it is feasible to do so.

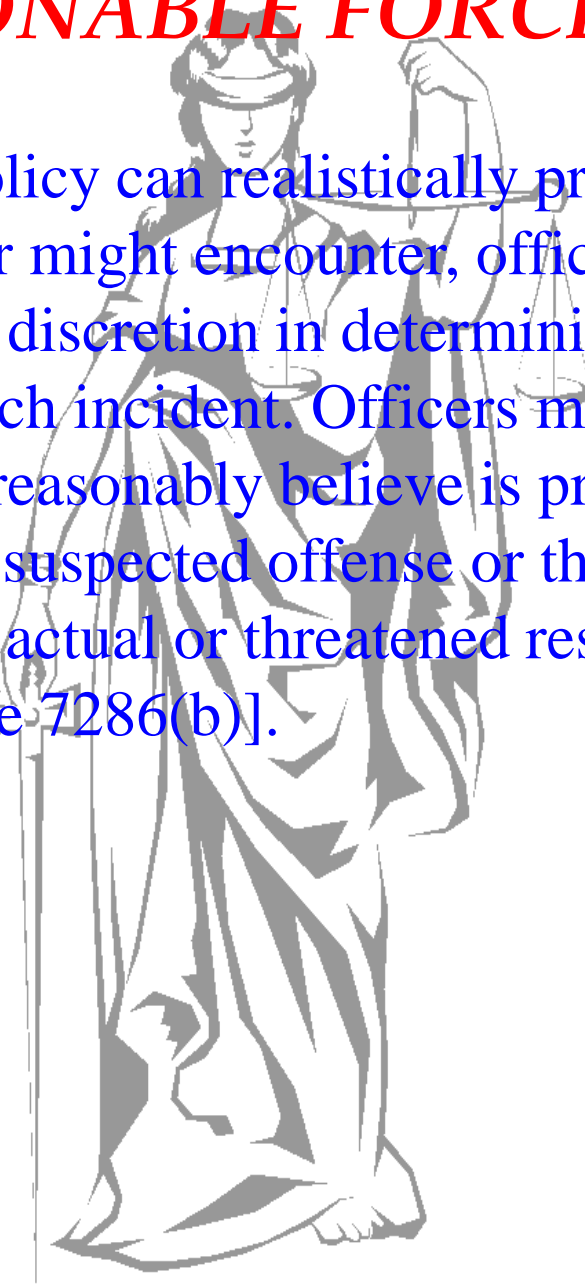
# *REASONABLE FORCE*

- Officers shall use only that amount of force that reasonably appears necessary given the facts and totality of the circumstances known to or perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose (Penal Code 835a).
- The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.



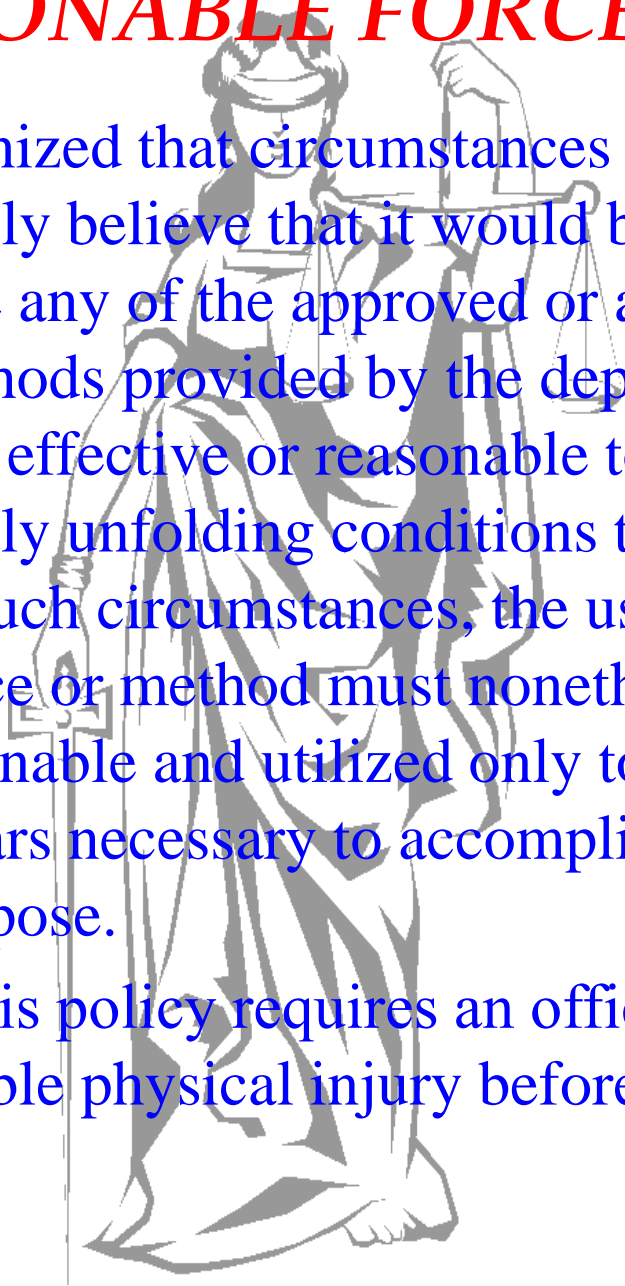
## *REASONABLE FORCE (cont.)*

- Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force for each incident. Officers may only use a level of force that they reasonably believe is proportional to the seriousness of the suspected offense or the reasonably perceived level of actual or threatened resistance [Government Code 7286(b)].



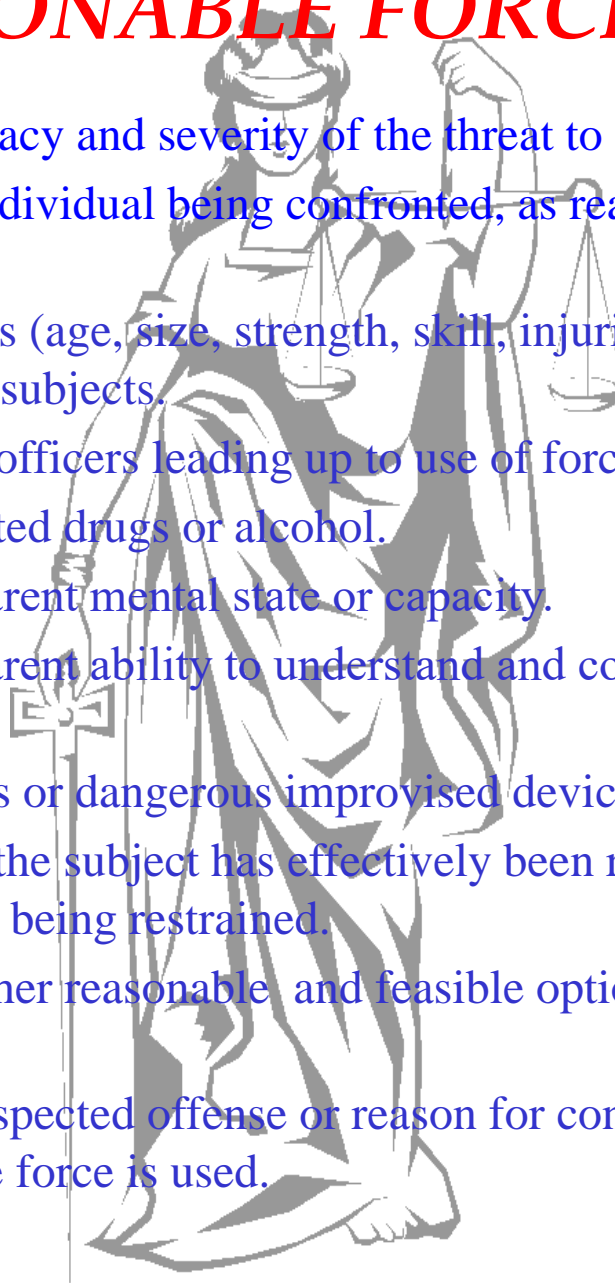
## *REASONABLE FORCE (cont.)*

- It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the approved or authorized tools, weapons, or methods provided by the department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be objectively reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.
- ...Nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.



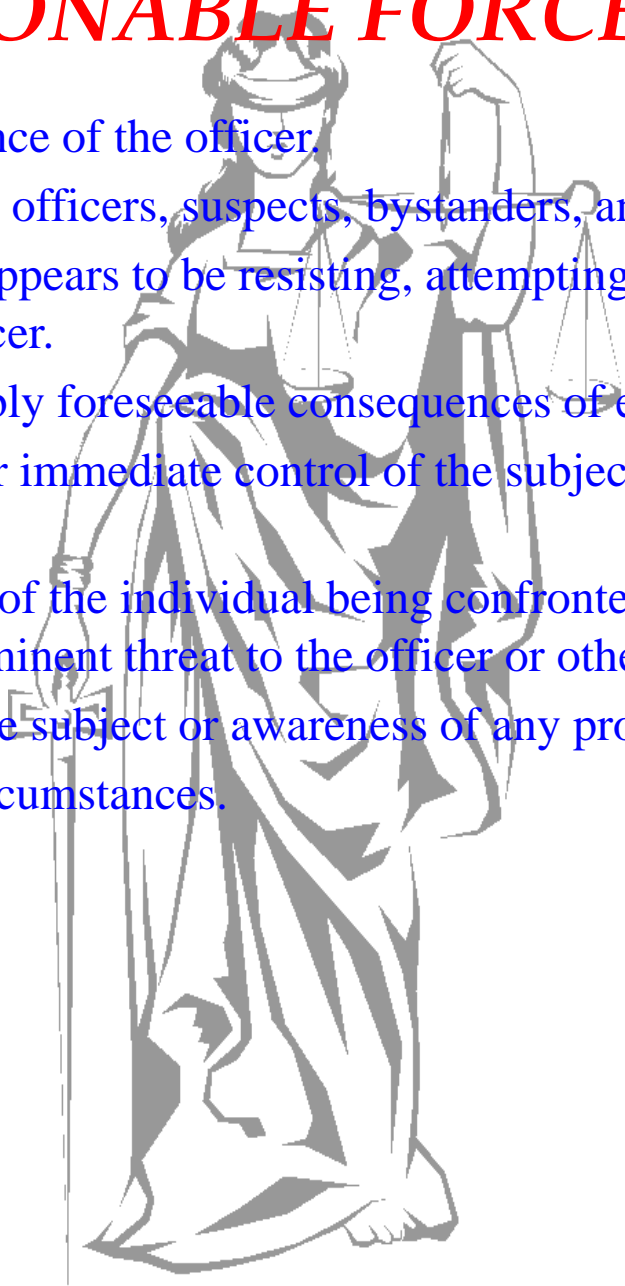
# *REASONABLE FORCE (factors)*

- The apparent immediacy and severity of the threat to officers or others
- The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- Officer/subject factors (age, size, strength, skill, injuries, exhaustion or fatigue, number of officers vs. subjects).
- Conduct of involved officers leading up to use of force.
- The effects of suspected drugs or alcohol.
- The individual's apparent mental state or capacity.
- The individual's apparent ability to understand and comply with officer commands.
- Proximity of weapons or dangerous improvised devices.
- The degree to which the subject has effectively been restrained and his/her ability to resist despite being restrained.
- The availability of other reasonable and feasible options and their possible effectiveness.
- Seriousness of the suspected offense or reason for contact with the individual prior to and at the time force is used.



# *REASONABLE FORCE (factors)*

- Training and experience of the officer.
- Potential for injury to officers, suspects, bystanders, and others.
- Whether the person appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- The risk and reasonably foreseeable consequences of escape.
- The apparent need for immediate control of the subject or a prompt resolution of the situation.
- Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- Prior contacts with the subject or awareness of any propensity for violence
- Any other exigent circumstances.



# Policy Section 300.3.1 Alternate Tactics / De-Escalation

As time and circumstances reasonably permit, and when community and officer safety would not be compromised, officers should consider actions that may increase officer safety and may decrease the need for using force:

- Summoning aid
- Formulating a plan with responding officers before entering an unstable situation that does not reasonably appear to require immediate intervention.
- Employing other tactics that do not unreasonably increase officer jeopardy.

## Policy Section 300.3.1 Alternate Tactics / De-Escalation (cont.)

In addition, when feasible, officers should evaluate the totality of circumstances presented at the time in each situation and , when feasible, consider and utilize reasonably available alternative tactics and techniques that may persuade an individual to voluntarily comply or may mitigate the need to use a higher level of force to resolve the situation before applying force [Government Code 7286(b)]. Such alternatives may include but are not limited to

- Attempts to de-escalate a situation.
- If reasonably available, the use of crisis intervention techniques by properly trained personnel.



## Policy Section 300.4 Deadly Force

Where feasible, the officer shall, prior to the use of deadly force, make reasonable efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

If an objectively reasonable officer would consider it safe and feasible to do so under the totality of the circumstances, officers shall evaluate and use other reasonably available resources and techniques when determining whether to use deadly force. To the extent that is reasonably practical, officers should consider their surroundings and any potential risks to bystanders prior to discharging a firearm.

## Policy Section 300.4 Deadly Force (cont.)

The use of deadly force is only justified when the officer believes it is necessary in the following circumstances:

- An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury to the officer or another person.
- An officer may use deadly force to apprehend a fleeing person for any felony that threatened or resulted in death or serious bodily injury, if the officer reasonably believes that the person will cause death or serious bodily injury to another unless immediately apprehended.

## Policy Section 300.4 Deadly Force (cont.)

Officer shall not use deadly force against a person based on the danger that person poses to him/herself, if an objectively reasonable officer would believe that person does not pose an imminent threat of death or serious bodily injury....

An imminent threat of death or serious bodily injury exists when....that person has the present ability, opportunity, and apparent intent to immediately cause death or serious bodily injury. An officer's subjective fear of future harm alone is insufficient as an imminent threat. AN imminent threat is one that from appearance is reasonably believed to require instant attention.

# HANDLING OF FIREARMS



Officers shall not dry fire any weapon, in any police building or public place, *unless* part of a training course.

Officers shall not clean, repair, load/unload firearms any place in the police station other than those designated by the Range Staff. Those areas include:

- Firing Range
- Clearing ports and barrels placed throughout parts of the locker rooms.
- Gun cleaning area in the Support Building



# ***Displaying of Firearms***

**An If an officer does not initially perceive a threat but reasonably believes that the potential for such threat exists, firearms should generally be kept in the low-ready or other position not directed towards an individual.**

**If the officer reasonably believes that the threat exists based on the totality of circumstances presented at the time (High risk stop, tactical entry, armed encounter etc.) firearms may be directed towards such threat until the officer no longer perceives such threat.**

**If the officer decides to draw their weapon for any reason, they need to be able to articulate their reasons in a written report, if needed.**

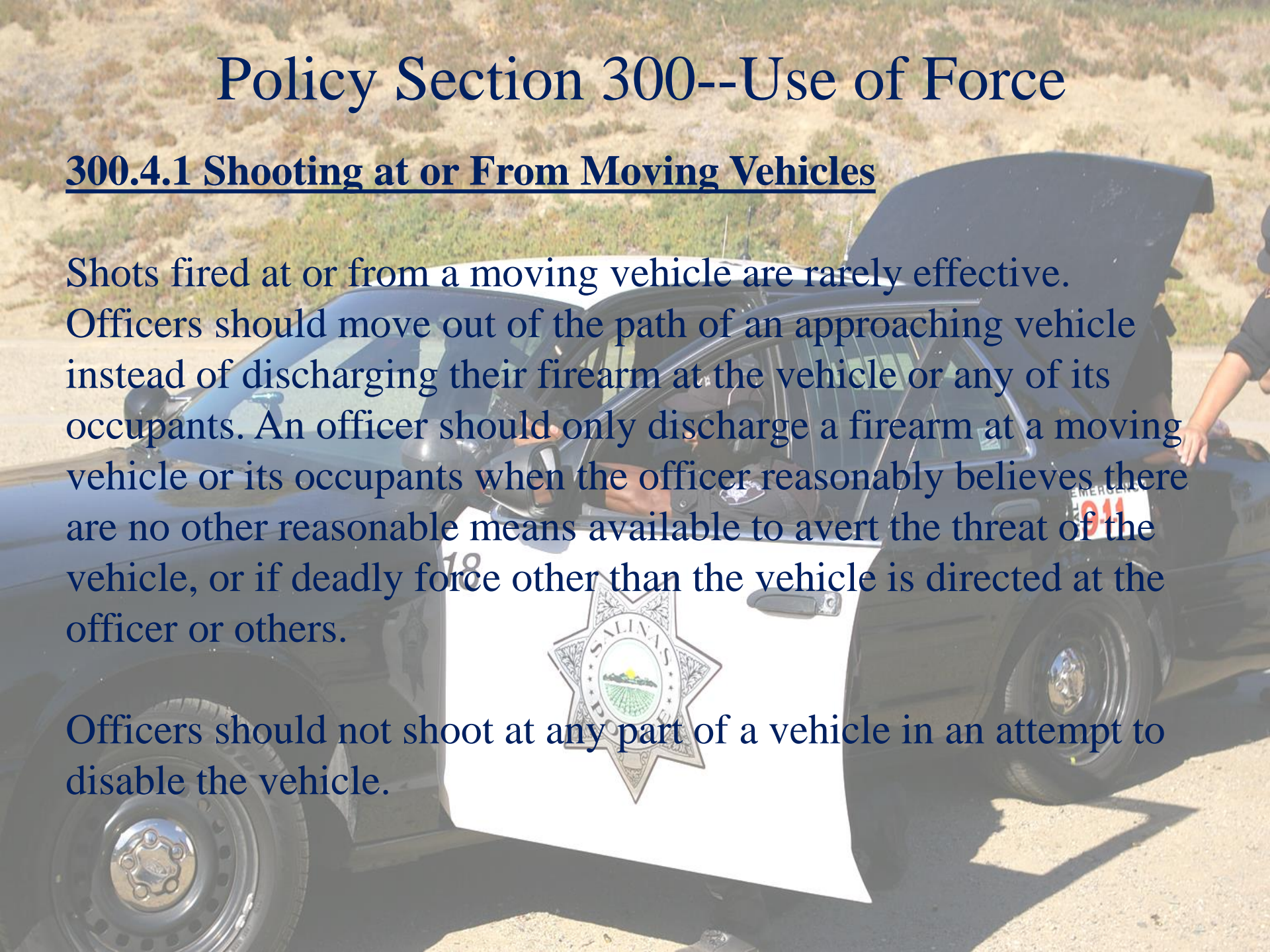


# Policy Section 300--Use of Force

## 300.4.1 Shooting at or From Moving Vehicles

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.



# **DISCHARGE of FIREARMS**

**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. Additional reporting requirements are met in accordance with the Officer-Involved Incidents and Use of Force policies.**

**Warning shots or shots fired to summon aid are discouraged unless they appear necessary, effective, and reasonable.**

**Firearms may be used to stop an animal that reasonably appears to pose an imminent threat to human safety or with supervisor approval, to euthanize an animal that is so badly injured it is necessary to prevent further suffering.**

# OFFICERS SURRENDERING WEAPONS

**Salinas Police Officers do not surrender  
their firearms!**

Surrender of a weapon rarely de-escalates a situation and most officers are killed by their own weapons when controlled by the crook



# SHOTGUN

- The authorized shotgun is the Remington 870
- The shotgun can provide both a psychological and physical advantage to officers.

- **AMMUNITION**

- 00 buck (red cartridge)

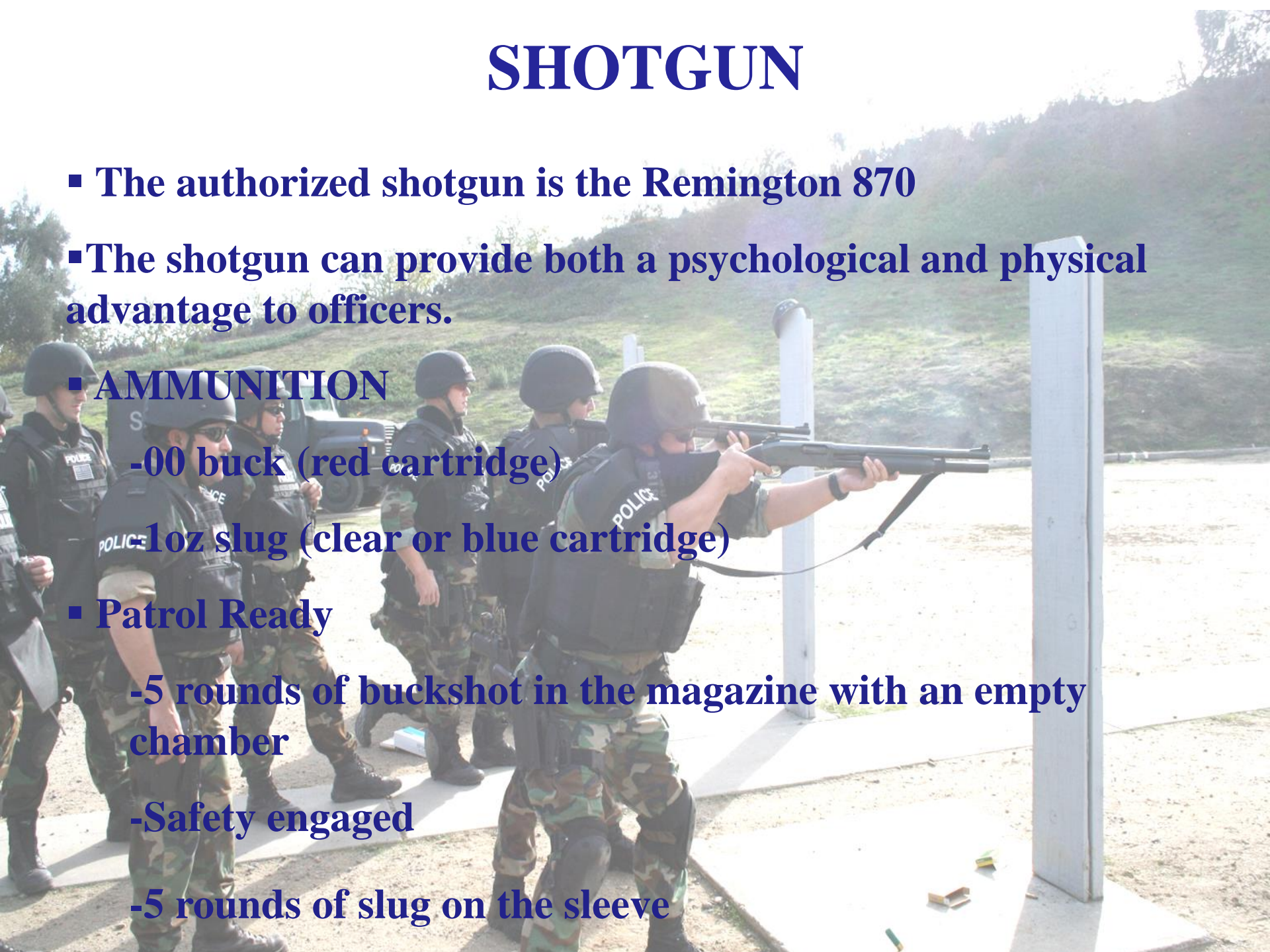
- 1oz slug (clear or blue cartridge)

- **Patrol Ready**

- 5 rounds of buckshot in the magazine with an empty chamber

- Safety engaged

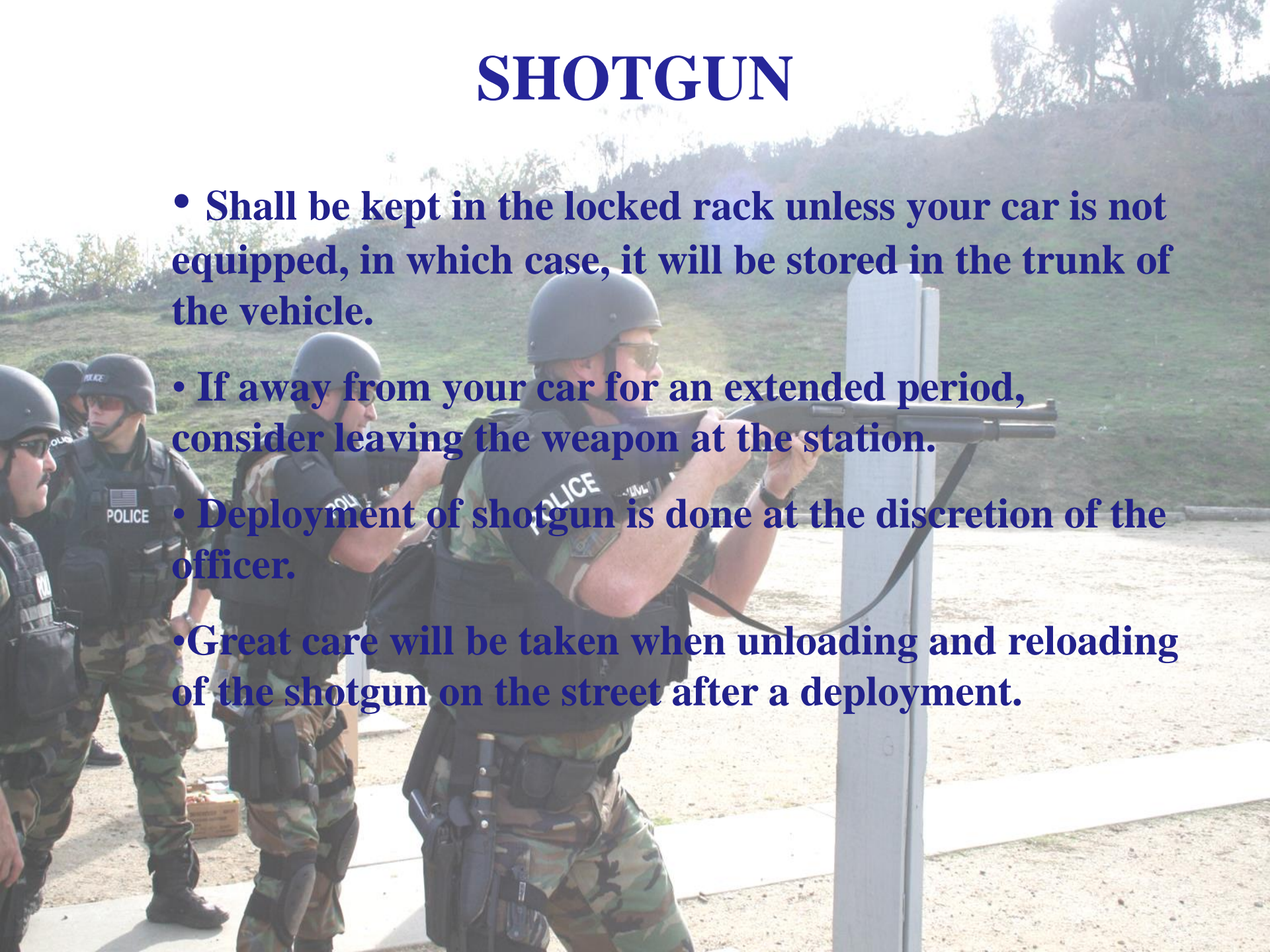
- 5 rounds of slug on the sleeve






# SHOTGUN

- Shall be kept in the locked rack unless your car is not equipped, in which case, it will be stored in the trunk of the vehicle.
- If away from your car for an extended period, consider leaving the weapon at the station.
- Deployment of shotgun is done at the discretion of the officer.
- Great care will be taken when unloading and reloading of the shotgun on the street after a deployment.



# **WEAPON INSPECTION PRIOR TO GOING 10-08**

## **OVERALL INSPECTION**

- 
- Is the sling present and adjusted for you
  - Is the magazine extension on tight?
  - Is the weapon dirty, is there excessive rust?
  - Are both sights present?
  - Is the stock on tightly?
  - Is the Ammo sleeve or saddle present?
  - Are there any other unusual conditions?
  - Does the action work correctly?

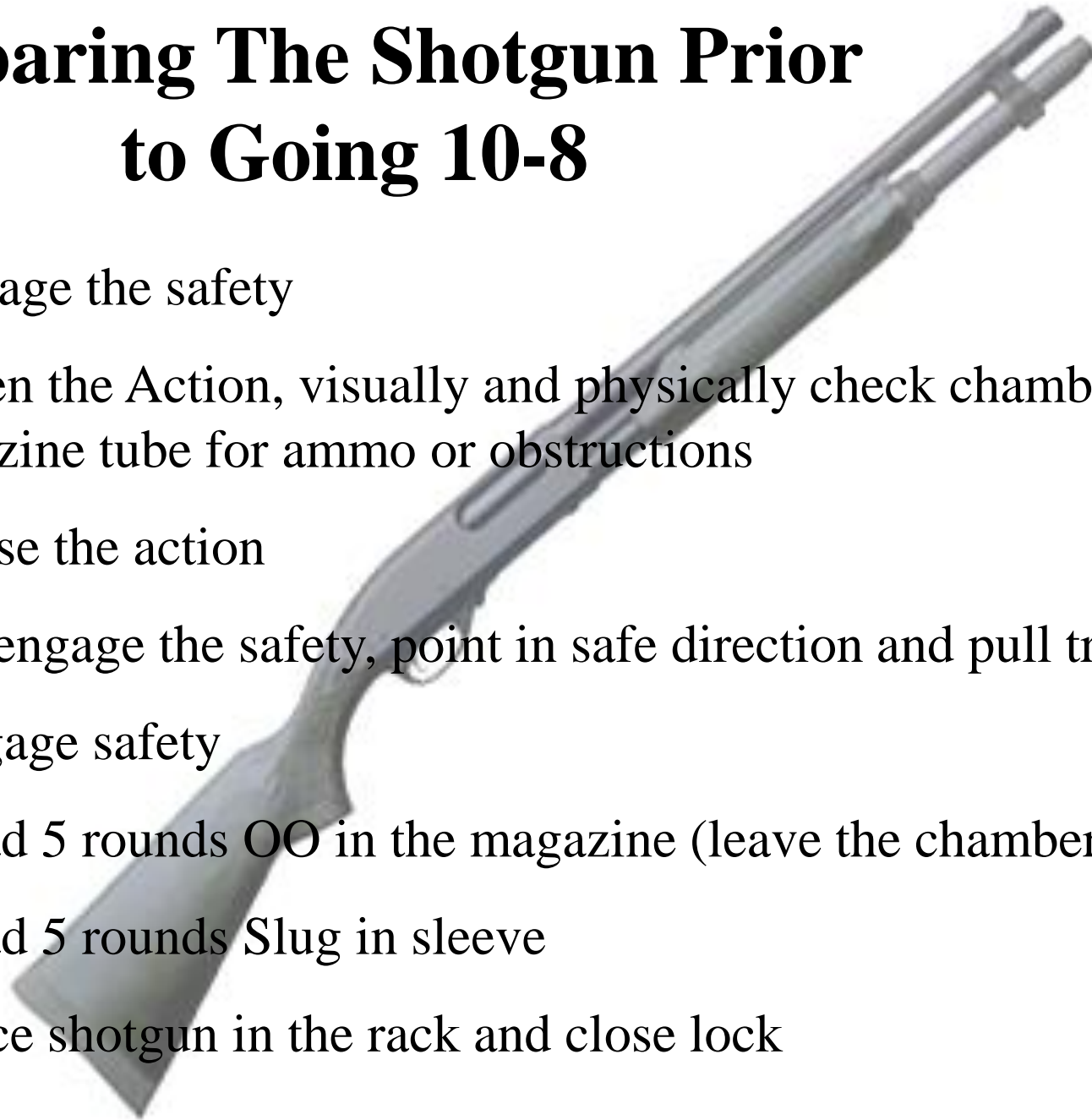
# REPORTING DISCREPANCIES

If you identify any discrepancies or issues with a Shotgun:

- Do not allow the shotgun to be deployed in the field
- Attach a tag with the vehicle number, shotgun number and a CLEAR description of the discrepancies, to the shotgun itself.
- Go to the Equipment Room in the hallway near the Patrol Sergeant Office and place the damaged shotgun in the locker. Draw a spare shotgun from the same locker, inspecting it as before deploying.
- Repairs will only be done by a member of the Range Staff.

# Preparing The Shotgun Prior to Going 10-8

- Engage the safety
- Open the Action, visually and physically check chamber and magazine tube for ammo or obstructions
- Close the action
- Disengage the safety, point in safe direction and pull trigger
- Engage safety
- Load 5 rounds OO in the magazine (leave the chamber empty)
- Load 5 rounds Slug in sleeve
- Place shotgun in the rack and close lock



# **Patrol Rifles - Policy 432**

Patrol rifles may be utilized by officers who have attended a POST certified Basic Patrol Rifle course.

The department issues Colt AR-15 to qualified officers.

The department currently allows personally owned rifles per policy section 432.3, for duty use.



# ON-DUTY WEAPONS

- Department Issued Weapons

Sig Sauer P320 in .45 caliber or 9mm, for all new hires is standard issue.

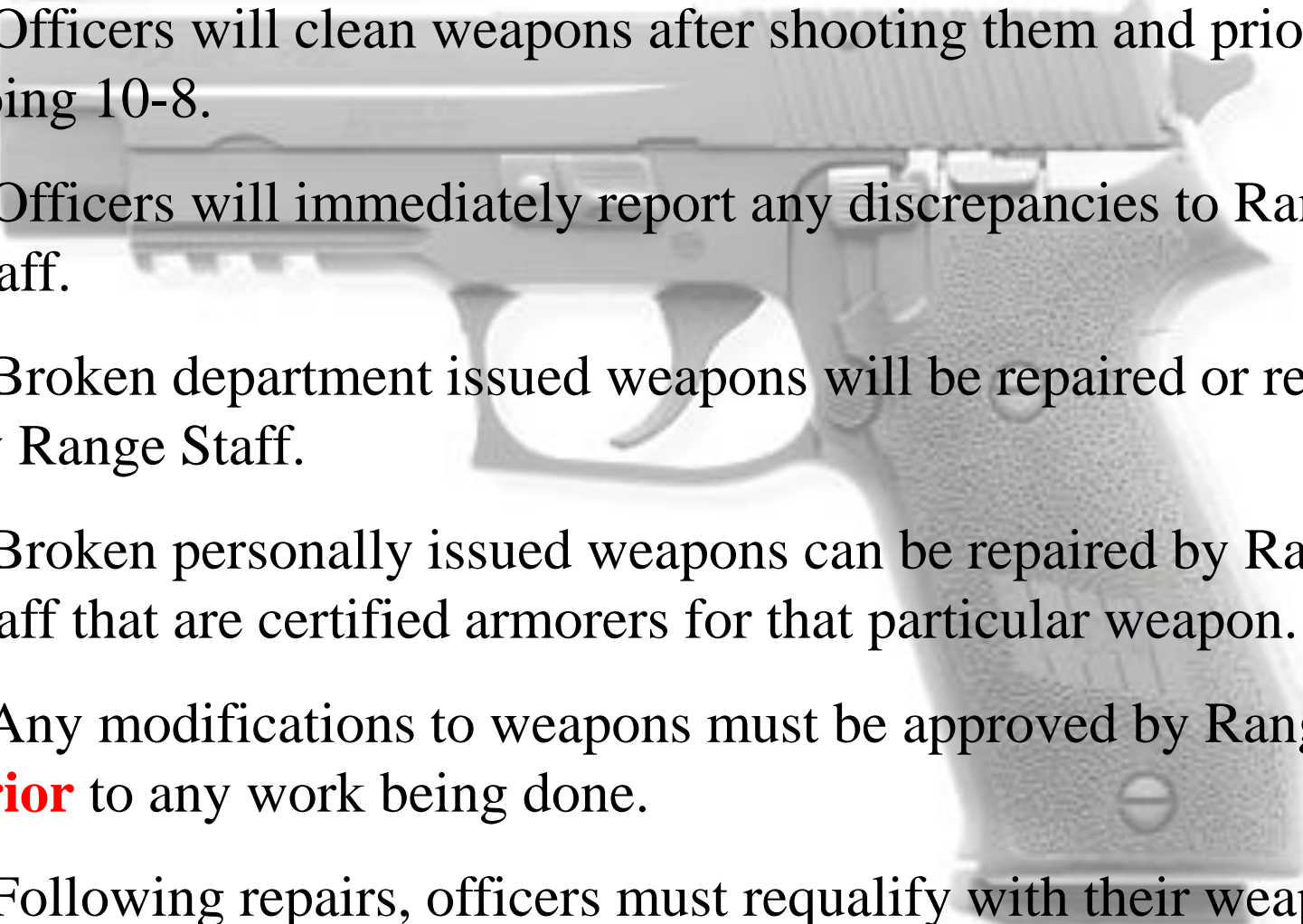
- Other Approved On-Duty Weapons

Glock, Sig Sauer, Smith & Wesson and 1911 style (w/approved course) handguns in .45 caliber and 9mm.

- Trigger pull is SIG factory, Glock 5 lbs. factory, 1911 4.5 lbs. minimum
- Exceptions must be submitted to the Range Staff for review. If approved, the Range Staff will present it for final approval by the Chief of Police. If excepted, it will be recorded with Personnel and Training.

# DUTY WEAPON POLICY

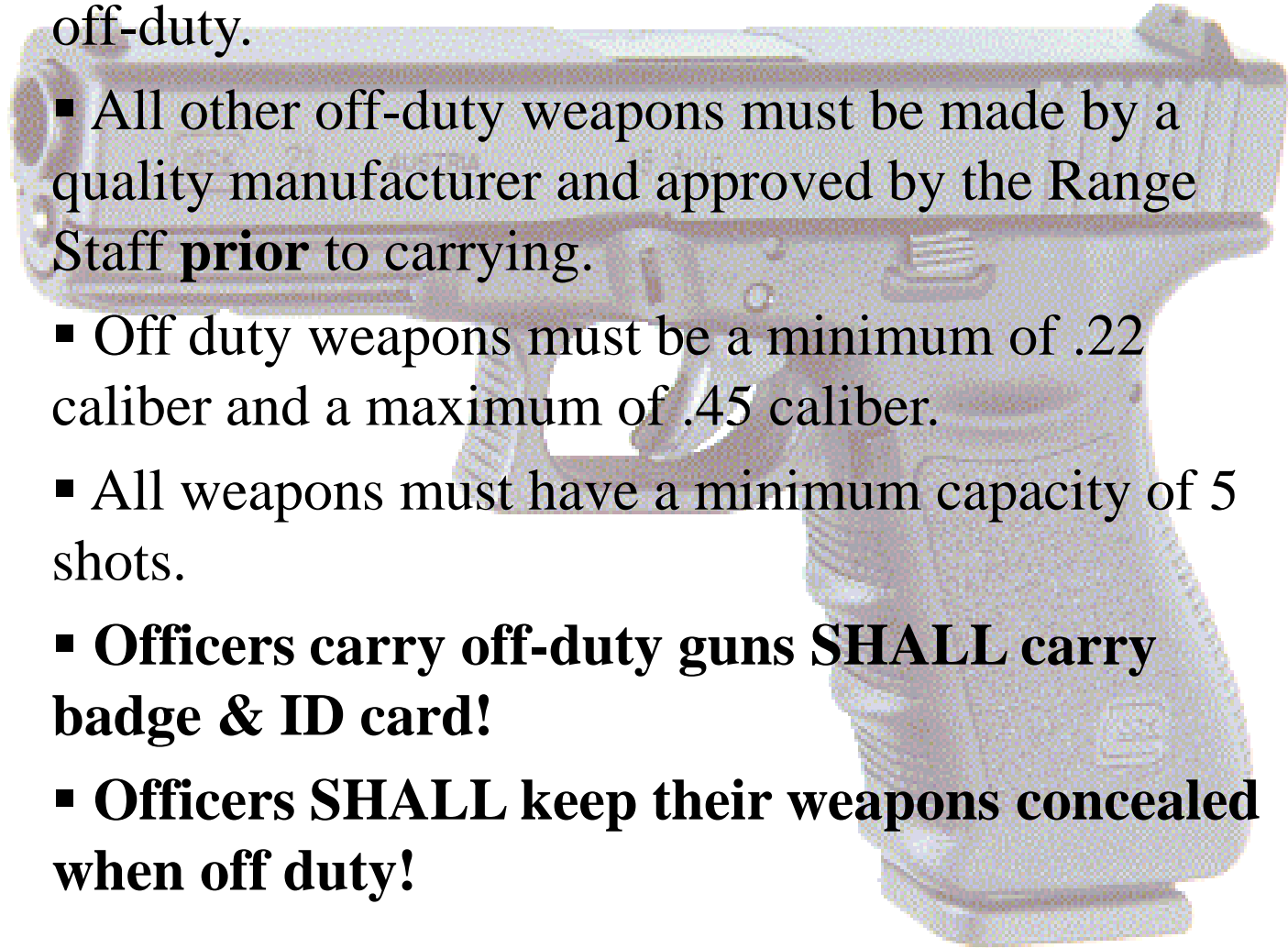
## MAINTAINING, MODIFYING AND REPAIRING FIREARMS

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- Officers will clean weapons after shooting them and prior to going 10-8.
  - Officers will immediately report any discrepancies to Range Staff.
  - Broken department issued weapons will be repaired or replaced by Range Staff.
  - Broken personally issued weapons can be repaired by Range Staff that are certified armorers for that particular weapon.
  - Any modifications to weapons must be approved by Range Staff **prior** to any work being done.
  - Following repairs, officers must requalify with their weapon.

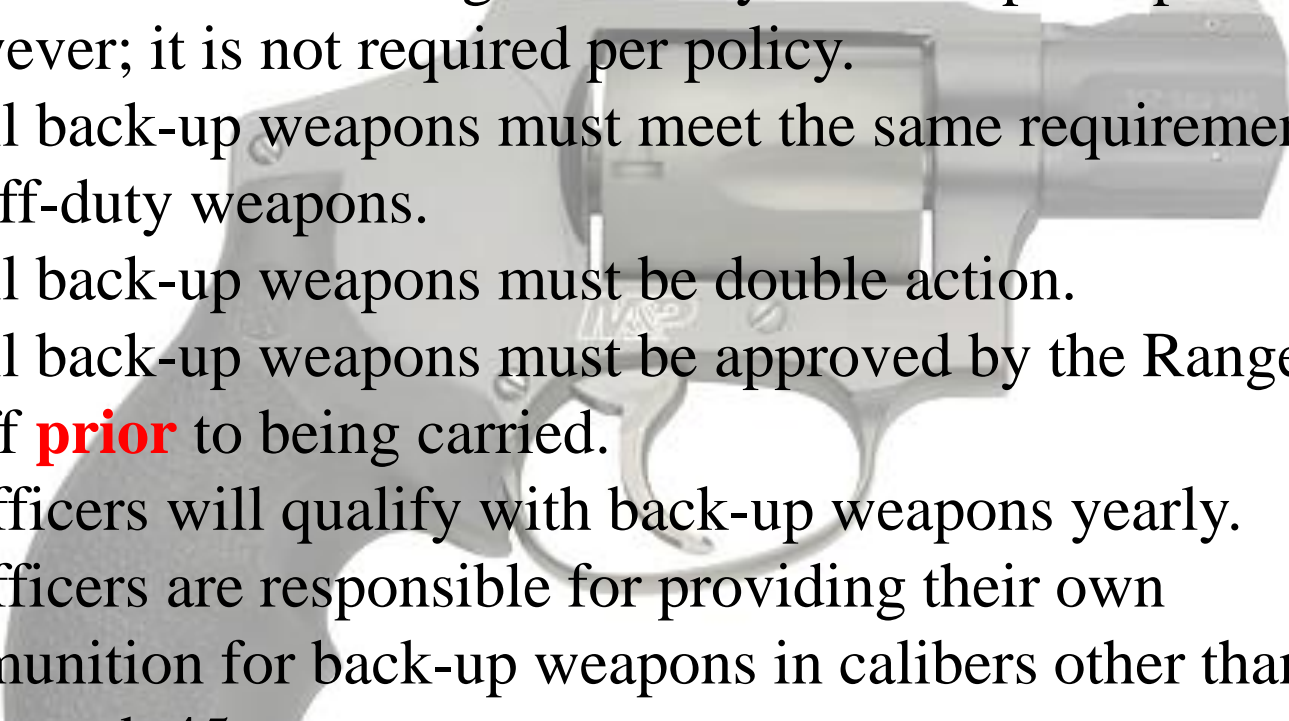


# OFF-DUTY WEAPONS

- Any approved on-duty weapon may be carried off-duty.
- All other off-duty weapons must be made by a quality manufacturer and approved by the Range Staff **prior** to carrying.
- Off duty weapons must be a minimum of .22 caliber and a maximum of .45 caliber.
- All weapons must have a minimum capacity of 5 shots.
- **Officers carry off-duty guns SHALL carry badge & ID card!**
- **Officers SHALL keep their weapons concealed when off duty!**



# BACK-UP WEAPONS

- 
- Officers are encouraged to carry a back-up weapon however; it is not required per policy.
  - All back-up weapons must meet the same requirements as off-duty weapons.
  - All back-up weapons must be double action.
  - All back-up weapons must be approved by the Range Staff **prior** to being carried.
  - Officers will qualify with back-up weapons yearly.
  - Officers are responsible for providing their own ammunition for back-up weapons in calibers other than 9mm and .45
  - FMJ ammunition is not authorized for duty use.

# AMMUNITION POLICIES

- Department issue ammunition will be used at all times while on-duty.
- Officers are responsible for buying their own off-duty and back-up weapon ammo.
- Officers will not use re-loaded or FMJ ammunition except for qualification or practice.



# OFFICER RESPONSIBILITIES

- Officers shall secure their weapons at all times.
- Officers will keep their weapons clean and in good working order.
- With exception of field emergency, officers shall not trade, borrow, or lend their weapon(s).
- Any modifications must have **prior** approval from the Range Staff.



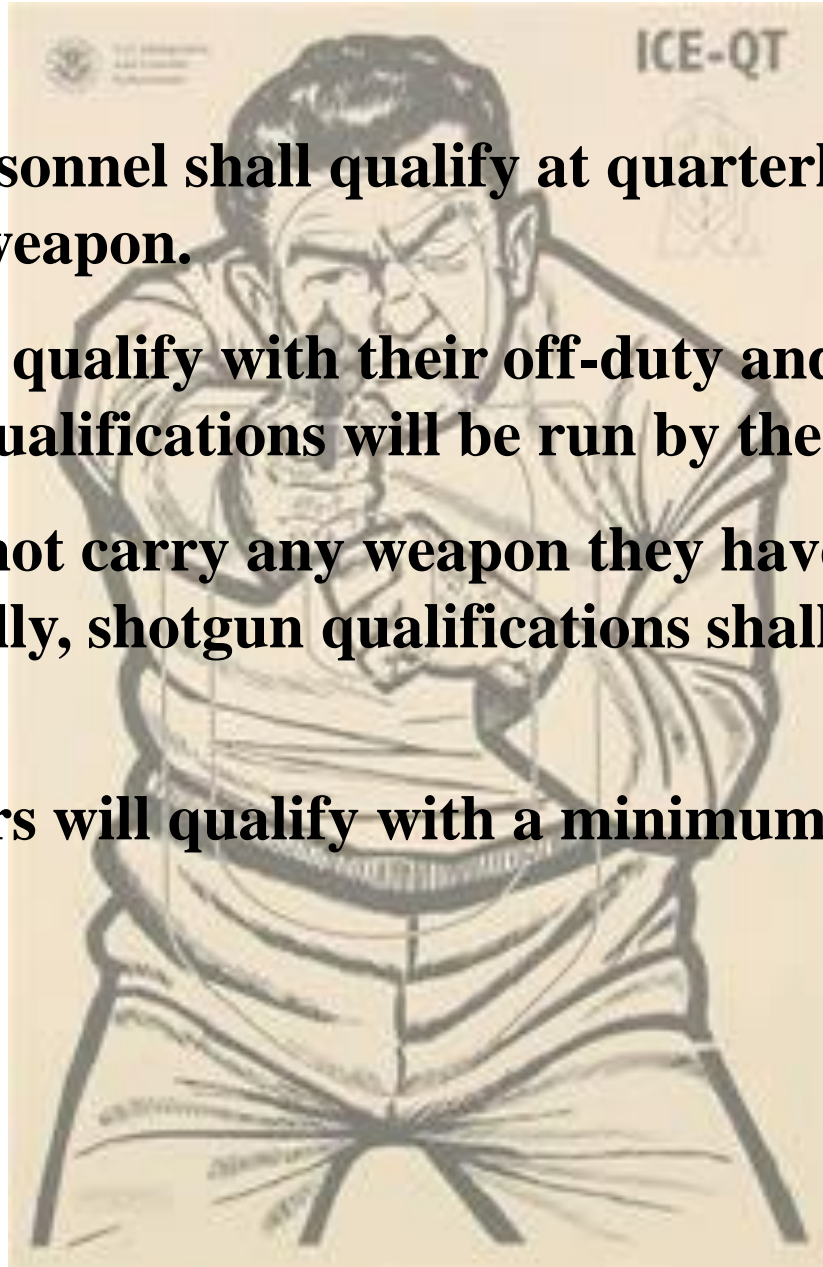
# FIREARMS TRAINING

## QUARTERLY SHOOTS

- All sworn shall participate in quarterly shoots unless excused by Division Commander.
- Failure to attend a shoot may result in disciplinary action.
- A memo must be forwarded to the Rangemaster, through the Division Commander, explaining reason for missed shoot.
- Officers on disability, bereavement vacation, extended sick time, or away at school may be excused.
- Under no circumstances shall an officer miss 2 consecutive shoots and still be authorized to carry a weapon.
- Officers on extended light duty must qualify prior to returning to full duty.
- Officers who miss a shoot due to a short duration illness must contact the Rangemaster to reschedule a shoot time.

# WEAPON QUALIFICATIONS

- All sworn personnel shall qualify at quarterly shoots with their assigned duty weapon.
- Officers must qualify with their off-duty and back-up weapons yearly. Those qualifications will be run by the Range Staff.
- Officers will not carry any weapon they have not qualified with, additionally, shotgun qualifications shall occur at least once a year.
- SWAT Officers will qualify with a minimum passing score of 90%



# ***Standard Qualifications***

- Standard Qualifications will be conducted on a quarterly basis
- The Standard Qualification is set by the Range Staff.
- In order to be allowed to carry a weapon on or off duty, an officer must meet minimum standards.
- Qualifications will be pass/fail.
- Normal passing score is 70% unless otherwise noted.
- Number of rounds is determined by lesson plan.
- Officers must demonstrate acceptable performance IN ALL RELATED AREAS (i.e. reloads, malfunctions, general safety, etc.).

# FAILURE TO QUALIFY

- An officer who fails to qualify on their first attempt will be given immediate verbal feedback as to nature of shooting problem.
- If an officer fails to meet minimum standards, they will be provided remedial training until such a time they demonstrate proficiency and successfully qualify.
- Those who do not demonstrate proficiency will be subject to policy 208.10 Remedial Training and subject to disciplinary action.
- Repeated failure to meet minimum standards will be cause for removal from a field assignment.

