

FREDERICK POLICE DEPARTMENT GENERAL ORDER

Section 17: Training and Proficiency
Topic: FIREARMS QUALIFICATION
Approved: 07/13/17
Review: Annually in September by Support Services Division Commander
Supersedes: G.O. 1732 dated 09/04/15

Order Number: 1732
Issued By: Chief of Police

.01 PURPOSE:

To set firearms qualification procedures for police officers.

.02 CROSS-REF:

G.O. [720](#), "Deadly Force Guidelines and Investigations"
G.O. [920](#), "Firearms Equipment Regulations"
G.O. [955](#), "Take Home and Assigned Vehicles"
G.O. [1720](#), "Remedial Training"
Maryland Police and Corrections Training Commission Standards
CALEA STANDARDS 1.3.11; 1.3.12; 33.1.5
Form [OCP-004 Off duty Firearms Request](#)

.03 DISCUSSION:

As long as citizens are victims of violent crimes and officers of the Department are confronted with deadly force in performing their duties, it remains necessary that the officers of the Frederick Police Department be properly armed to protect society and themselves. The Department has an obligation to see that its officers are properly trained in the use of all authorized firearms.

Qualification with the Department-issued firearm is a performance requirement that must be met as an essential job function of a police officer.

.04 POLICY:

All officers will qualify annually with a Department-issued handgun and with any other firearm to be carried on or off-duty. Frederick police officers are authorized to carry departmental or authorized personally-owned firearms (off-duty only) for the primary purpose of the protection of their lives and those of the public.

.05 DEFINITIONS:

DUTY FIREARM: The handgun issued to sworn personnel to be carried while on-duty or in uniform.

FIREARM: Any firearm from which a shot is fired by explosive force except for less lethal firearms.

FIREARMS COORDINATOR: A Certified Firearms Instructor, assigned to the Training Unit, who is designated to coordinate all firearms training, programs, and equipment.

LATERAL STUDENT-OFFICER: A member of the agency who is in the process of attending the Department's Lateral Academy but has not yet graduated the Lateral Academy.

SWORN LATERAL STUDENT- OFFICER: A sworn member of the agency who has successfully completed the Department's Academy but has not yet successfully completed the Field Training and Evaluation Program.

OFF-DUTY FIREARM: A handgun, supplied by a sworn officer and approved by the Department, to be carried when not on-duty or in uniform.

PATROL RIFLE: A firearm classified by MPCTC as a Type 3 Long Gun and issued to certified users and SRT personnel. A Type 3 long gun is characterized as a long gun (rifle) without an optical sighting device, or with an optical sighting device of 4 power or less.

REDUCED LIGHT: The normal outdoor lighting conditions that exist between dusk and dawn.

RETIRED LAW ENFORCEMENT OFFICER: A person who can lawfully own a firearm and:

1. Retired in good standing with this agency as a law enforcement officer, other than for reasons of mental instability;
2. Before retirement, this person was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;
3. Before retirement, was regularly employed as a law enforcement officer for an aggregate of 10 years or more; or
4. Retired from service from this agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by the agency;
5. Has a non-forfeitable right to benefits under the retirement plan of the agency;

SPECIAL FIREARM: A Department firearm, other than a duty firearm, training firearm, patrol rifle, or shotgun.

STUDENT-OFFICER: A member of the agency who is in the process of attending the Department's Entry Level Academy but has not yet graduated the Entry Level Academy.

SWORN STUDENT- OFFICER: A sworn member of the agency who has successfully completed the Department's Entry Level Academy but has not yet successfully completed the Field Training and Evaluation Program.

TRAINING FIREARM: A Department firearm for that the only purpose is use during training, and therefore with that officers do not need to qualify.

TYPE 1 LONG GUN: A long gun with an optical sighting device greater than 4 power intended to be used as a counter-sniper firearm.

TYPE 2 LONG GUN: A long gun with an optical sighting device greater than 4 power intended for use other than as a counter-sniper firearm.

TYPE 3 LONG GUN: A long gun without an optical sighting device, or with an optical sighting device of 4 power or less. The patrol rifle issued to certified users and SRT personnel are classified as a Type 3 long gun.

TYPE 4 LONG GUN: A long gun manufactured and sold as a shotgun, regardless of the action or sighting device.

.10 QUALIFY WITH ALL FIREARMS USED:

1. Officers will qualify, at least annually, with their assigned duty firearm.
2. Officers authorized to use Type 4 long guns (shotguns) will qualify, at least annually, with that firearm.

3. Officers, including members of the Special Response Team, who are authorized to use other types of long guns and/or other special firearms will qualify during each specified period with all such firearms that they are authorized to use. Qualification with Type 3 long guns must be done on a semi-annual basis. Qualification with Type 1 long guns must be done on a quarterly basis.
4. If an officer fails to qualify each quarter with a Type 1 long gun, the officer must surrender their firearm to the Firearms Coordinator. Once the officer qualifies with the Type 1 Long gun and the scores are processed by MPCTC, the Type 1 long gun will be returned to the officer. Quarterly qualification is mandatory and the weapon will be surrendered on the first available day after the missed quarterly qualification.
5. If an officer fails to qualify semi-annually with a Type 3 long gun, the officer must surrender their firearm to the Firearms Coordinator. Once the officer qualifies with the Type 3 Long gun and the scores are processed by MPCTC, the type 3 long gun will be returned to the officer. Semi-annual qualification is mandatory and the weapon will be surrendered on the first available day after the missed semi-annual qualification.
6. Any member who fails to qualify with their duty firearm or other authorized firearm will be prohibited from carrying or using that particular firearm until they have achieved a passing score.
7. The Firearms Coordinator will coordinate and maintain records of qualifications and qualifying attempts for all officers on all firearms.
8. All scores will be submitted to MPCTC by the supervisor of the training unit.
9. All firearms certifications will be monitored for compliance as per MPCTC regulations by the training unit supervisor on a quarterly, semi-annual, and annual basis.
10. Firearms certifications will be entered into skills manager by the supervisor of the training unit. Entries will be made on a quarterly, semi-annual, and annual basis to remain in compliance with MPCTC firearms regulations.

.20 STANDARDS FOR QUALIFICATION:

1. Only qualification courses approved by the Maryland Police Training Commission will be used. The approved course will include the required minimum standard for qualification. The Firearms Coordinator will coordinate and maintain records of all approved qualification courses.
2. The Firearms Coordinator will ensure and document that all officers receive training in the following subjects, as required by the Maryland Police Training Commission, on at least an annual basis:
 - A. Purpose of firearm instruction;
 - B. Care, cleaning, safe handling and safe storage of a firearm;
 - C. Legal aspects and knowledge of the Department's policies on use of force with firearms, liability, and provision of appropriate medical aid after using force;
 - D. Fundamentals of marksmanship;
 - E. Proficiency training; and
 - F. Reduced light firing techniques.

3. In addition to the annual qualification requirements, officers will also participate in fundamentals drills, firearm handling drills and decision making exercises as determined by the Firearms Coordinator with input from firearms instructors.

.25 FAILURE TO APPEAR--GUIDELINES:

1. Officers who cannot attend their scheduled firearms training due to a scheduling conflict (such as court, vacations, sick leave, etc.) must contact their supervisor to be rescheduled.
2. If an officer is medically suspended or on light-duty as a result of an injury that may affect his ability to properly handle a firearm, his/her Division Commander will make a determination if the officer needs to fire a familiarization course of fire prior to returning to enforcement duties.
3. If an officer is unable to attend firearms qualification during any calendar year (e.g., on sabbatical or medically suspended) s/he must qualify before s/he can return to duty.

.30 FAILURE TO ACHIEVE PASSING SCORE:

1. DUTY FIREARM:
 - A. If any officer has failed to qualify on any course, s/he will receive remedial training immediately and be permitted another attempt to qualify. All remedial training and qualification attempts will be documented. The supervising firearms instructor will determine when efforts to qualify will cease based on time constraints and the shooter's progress towards achieving a qualifying score.
 - B. If the officer has failed to attain a qualifying score on those attempts, his/her police powers will be suspended and s/he will relinquish his/her firearm, badge, and MPCTC certification card to the instructor, who will immediately notify the officer's supervisor and the Firearms Coordinator. The instructor will follow up the initial notification with a written report to the officer's chain of command as well as the Firearms Coordinator. As soon as feasible, the officer will be temporarily assigned to the Training Unit for skills enhancement and remedial training. If the officer utilizes a take-home or assigned vehicle, s/he will be prohibited from driving the vehicle. The training staff will arrange for transportation from the training site. The officer will also be prohibited from carrying any previously approved off-duty firearms until his/her police powers are reinstated.
 - C. After additional training and attainment of the established level of proficiency, the officer will be retested and must achieve a qualification score on three (3) consecutive courses of daylight qualification and one reduced light qualification in order to carry the firearm and have their police powers reinstated. Upon requalification, the officer's firearm and credentials will be returned and the officer will be reassigned to his normal duties. The remedial training and qualification will be documented in a written report to the Chief of Police via the chain of command, with a copy to the officer's training file.
 - D. The Firearms Coordinator will notify, in writing via the chain of command, the Chief of Police of the unsatisfactory performance of any officer that cannot complete this requirement after all reasonable training avenues have been exhausted.
 - E. If the officer is unable to attain the minimum passing score within 30 days, the Firearms Coordinator will notify MPCTC, in writing, as required by MPCTC regulations.
 - F. If the officer is able to qualify, the officer's supervisor shall explain to the officer that it is incumbent that a sufficient level of firearms proficiency be maintained and that

s/he should take advantage of every opportunity to practice his/her skills. This can be accomplished by taking advantage of open range dates or, as appropriate, scheduling time with the Firearms Coordinator to determine how any deficiencies can be best addressed. The responsibility for maintaining firearms proficiency is the officer's and it is up to the officer to make every effort to practice his/her skills.

H. Should the officer fail to qualify again during the following year's qualification, a review of the officer's actions to maintain firearms proficiency will be undertaken by his chain of command and appropriate recommendations will be made. Maintaining firearms proficiency at all times is a basic performance skill that is required for employment as a police officer.

2. OTHER FIREARMS:

Any officer who fails to achieve a passing score with a firearm other than their duty firearm will not be allowed to carry or use that firearm until a passing score is achieved. If necessary, the supervising firearms instructor will make arrangements for storage of the firearm in question. The Firearms Coordinator will notify the officer's chain of command in writing and, if determined appropriate, make arrangements for remedial training.

.35 OPEN RANGE PRACTICE TIMES:

Open Range practice times will be scheduled and posted by the Training Unit. Open range dates are provided primarily for officers to qualify with their off-duty firearms and to work on shooting fundamentals and firearm handling drills.

.40 PROCEDURES TO CARRY PRIVATELY-OWNED FIREARMS WHILE OFF-DUTY:

1. Sworn student-officers, sworn lateral student-officers, or officers will qualify with each firearm during an open range date or as otherwise scheduled by the Firearms Coordinator using a holster or "fanny pack" approved by the Firearms Coordinator or his designee and the approved ammunition they want to carry. The firearm, holster and ammunition will be inspected by the Firearms Coordinator or his designee prior to firing. Sworn student-officer, sworn lateral student-officer, or the officer will demonstrate his or her knowledge and ability to safely handle the firearm.
2. Sworn student-officers, sworn lateral student-officers, or officers must complete an "Off-Duty Firearm Request" form (OCP-04) for each personally-owned firearm they wish to carry. Once the sworn student-officer, sworn lateral student-officer, or officer achieves qualifying scores, the Firearms Coordinator or his designee will complete the appropriate portion of the "Off-Duty Firearm Request" form and return it to the officer. The officer will then submit the request form to the Chief of Police, through the chain of command, for approval to carry the firearm off-duty.
3. Once approval has been granted, the sworn student-officer, sworn lateral student-officer, or officer may carry the firearm in an off-duty capacity. Sworn student-officers, sworn lateral student-officers, or officers must resubmit approval forms and repeat the procedure once every calendar year for personally-owned firearms that will be carried off-duty. No personally-owned firearms will be carried while on-duty.
4. The Firearms Coordinator will maintain a record of all off-duty firearms and ammunition that officers have qualified with during each calendar year.
5. Sworn student-officers and sworn lateral student-officers may also qualify and carry off-duty firearms after gaining the approval of their chain of command and after meeting all the criteria listed in this section of the general order. Any member of the sworn student-officer's or sworn lateral student-officer's chain of command may disapprove the "Off-Duty Firearms Request" form (OCP-04) for any reason. Each request will be handled on case-by-case bases.

.45 LAW ENFORCEMENT OFFICERS SAFETY ACT OF 2004:

1. The Law Enforcement Officers Safety Act (LEOSA) of 2004 allows officers who have retired in good standing to carry a firearm in certain circumstances, after meeting qualification requirements. Retired persons eligible for this qualification must meet the definition of "Retired Law Enforcement Officer" as listed in Section .05 of this order. Only persons who retired from the Frederick Police Department and the Federal Bureau of Investigations (FBI) will be considered for LEOSA qualification.
2. Training associated with LEOSA qualification will be conducted by the Training Unit and will be limited to the person's qualification with a firearm. All other requirements for LEOSA carry are the responsibility of the person wishing to carry a firearm, not of the Department. The Department will not furnish ammunition, firearms or other firearms related equipment to persons attempting LEOSA qualification.
3. Persons meeting all qualification requirements will be issued an identification card to furnish proof of meeting minimum LEOSA qualification requirements. The Training Unit will coordinate the development and issuance of the LEOSA identification cards with the Personnel Unit.
4. The Training Unit will develop and follow a Standard Operating Procedure concerning LEOSA qualifications and issuance of LEOSA identification cards.