A. Policy

Commissioned Public Safety Officers while on or off duty shall carry only those weapons authorized by the Chief of Public Safety. Weapons that are carried on duty must comply with paragraph B.3.e. of this policy. Personal weapons are only authorized for off duty carry. Personal weapons that are carried off duty must comply with paragraph B.3.d. of this policy. (CALEA 1.2.2)

B. Procedure

1. Officers carrying weapons on or off duty must meet the below listed requirements.

a. Firearms

1) Be commissioned as a State Constable

2) Receive required marksmanship training and qualify on a departmental approved course of fire.

3) Only South Carolina Criminal Justice Academy certified class one and class three police officers will be allowed to carry a firearm.

b. Less Lethal Weapons

Certified Officers and Security Officers may carry less lethal weapons (OC spray or the straight baton). Prior to carrying, they must receive training in the use of less lethal weapons and may only carry such weapons while on duty.
2. **Weapons issue, approval, maintenance, storage, and records:**

   a. **Issue:**

   All weapons (firearms and less lethal weapons) will be issued by the Weapons Officer.

   b. **Approval: (CALEA 1.3.10)**

   All officers will have an authorization/training letter in their training file for each weapon, firearm and less lethal weapon, to be carried on or off duty. The Director will sign authorization letters for off duty weapons that meet the requirements of this policy.

   c. **Maintenance: (CALEA 1.3.9.c.d.)**

   1) Prior to issue, all firearms will be inspected by the weapons officer. If the firearm is found to be unsafe it will be removed from service and turned over to the departmental armorer for repair.

   2) The departmental armorer will inspect all department issued/approved firearms quarterly. Any firearm found to be unsafe will be removed from service and turned over to the departmental armorer for repair.

   d. **Storage (CALEA 1.3.9.f)**

   1) All non-issued Departmental weapons will be stored in the Department weapons safe, located in the secure storage area.

   2) The Weapons Officer, Assistant Weapons Officer, Operations Support Commander and Assistant Operations Support Commander are authorized access to the safe that contains the unissued duty weapons and maintain the combination to the safe.

   3. The Sentry gun safe is used to store weapons that are issued to officers that are not certified and shotguns that will be rotated out of the vehicles and cleaned. All Supervisors, Weapons Instructor, Operations Support Commander, and Assistant Operations Support Commander have access to this safe.

   4. The Stack On gun safe is used to store the Departmental Training Patrol Rifles & Shotguns. The Patrol Rifle Instructor, Patrol Rifle Armorer, Operations Support Commander, and Assistant Operations Support Commander have access to this safe.
e. Records: (CALEA 1.3.9.e)

1) The weapons officer will maintain written records of each firearm issued / approved for on or off duty use. The record will contain:
   - officer’s name
   - firearm make
   - firearm serial number
   - firearm model
   - firearm caliber
   - officer’s signature
   - statement of training/ with the firearms instructor’s signature.
   - approving official’s signature

2) The departmental armorer will maintain written records of weapon inspections and repairs.

3) The weapons officer will maintain a written record of all firearms maintained in the departmental firearms safe. The weapons safe will be inventoried quarterly and a written report will be forwarded to the Director.

   The record will include:
   - Make
   - Model
   - Serial number

3. Authorized firearms:

   The carrying of a firearm while off-duty shall be at the option of the officer. Weapon retention and officer safety are of the utmost importance and are the responsibility of the individual officer. The officer will display his/her badge/credentials in the event their weapon is drawn. If the officer elects to carry a firearm off-duty, it will be in accordance with section “d.” below. (CALEA 1.3.9.a)

   a. Duty firearms: officers while on duty will carry a departmental approved firearms and ammunition:

   1) Uniformed personnel will carry department issued Glock Model 21, 45 Cal. (CALEA 1.3.9.a)

   2) Officers in plain clothes will carry department issued Glock Model 21, 45 Cal., or at their own expense may carry the Glock Model 30
3) Authorized ammunition for all duty weapons will be 230 gr jacketed hollow point. (CALEA 1.3.9.b)

b. Shotgun: Shotguns will be made available to officers for the use in those rare situations when the issued handgun would be considered inappropriate and or insufficient. Use of the shotgun will be in accordance with Departmental Policy #56 (Use of Force).

1) Shotguns will be the 12 gauge Remington Model 870 pump action. (CALEA 1.3.9.a)

2) Standard 00 buckshot will be used. (CALEA 1.3.9.b)

3) Shotguns will be stored in the trunk of all patrol vehicles. Except for use and maintenance, shotguns will remain secured in a case and placed in the trunk. (CALEA 1.3.9.f)

4) Shotguns will be stored with a full magazine and empty chamber, Rack Ready. To make the shotgun rack ready, the firearm must be unloaded, chamber and magazine. With the shotgun empty and on safety, pull the slide to the rear, approximately one inch and look into the chamber to ensure there is no round in the chamber. Do this three times. When you are sure there is no round in the chamber, take the weapon off safety and pull the trigger. Do not pull the slide to the rear. The shotgun is now ready for you to load the magazine only, Do Not Put A Round In The Chamber. The shotgun is rack ready when the chamber is empty and the magazine is loaded.

5) The Shift Supervisors will ensure that the vehicle shotguns and rifle are inspected weekly. The weapons will be wiped down with a cloth and gun oil as needed. Leave a light coat of oil on the firearm to prevent rusting.

6) Shotguns will be inspected and cleaned monthly by the departmental armor/s. (CALEA 1.3.9.c)

7) Officers will receive annual shotgun proficiency training.

c. Rifle: Rifles will be made available to officers for the use in those rare situations when the issued handgun would be considered inappropriate and or insufficient. Use of the rifle will be in accordance with Departmental Policy #56 (Use of Force).
1) Rifles will be the .223 Bushmaster AR-15 patrol Rifles. (CALEA 1.3.9.a)

2) Hornady .223, 55ar Tap Ammunition will be used. (CALEA 1.3.9.b)

3) Rifles will be stored in the trunk of the on-duty patrol vehicle. Except for use and maintenance, rifles will remain secured in the trunk. Two additional rifles will be in Vehicle C-46 for use in the event of an active shooter. (CALEA 1.3.9.f)

4) Rifles will be stored with a full magazine and empty chamber, Rack Ready. To make the rifle rack ready, the firearm must be unloaded, chamber and magazine. With the rifle empty and on safety, pull the slide to the rear, approximately one inch and look into the chamber to ensure there is no round in the chamber. Do this three times. When you are sure there is no round in the chamber, take the weapon off safety and pull the trigger. Do not pull the slide to the rear. The rifle is now ready for you to load the magazine only, Do Not Put A Round In The Chamber. The rifle is rack ready when the chamber is empty and the magazine is loaded.

5) The rifle Armorer will ensure that the rifles are wiped down with a cloth and gun oil once a month. Leave a light coat of oil on the firearm to prevent rusting.

6) Rifles will be inspected and cleaned monthly by the departmental armor/s. (CALEA 1.3.9.c)

7) Officers will receive annual rifle proficiency training.

d. Back-up firearms:

The carrying of a Back-up firearm shall be at the option of the officer. Back-up firearms will be carried concealed at all times. If the officer elects to carry a back-up firearm, it must be inspected and approved by the weapons officer. The officer must annually demonstrate proficiency in accordance with Department requirements. The Chief/Director must approve a formal request via PSD36 (Weapons Letter of Authorization/Training) prior to carry. The weapons officer will record and monitor the back-up qualification and requalification, but it is the responsibility of the officer to ensure their back-up weapons qualification remains current.

POLICY AND PROCEDURE # 57 Weapons
1) Uniformed officers are permitted to carry one (1) back-up firearm if they choose. Officers are responsible for providing their own weapon and ammunition for use.

2) Back-up firearms will be one of the following: (CALEA 1.3.9.a)
   
a) .38/.357 revolver, barrel length 2 to 5 ¼ inches,
   
b) Auto pistols, 9mm, 40 cal, 45 cal, or 380 cal, with a barrel length of 2 to 4 inches are authorized.

3) The back-up firearm must be carried in a properly fitting, secure holster, designed for concealed carry of the firearm on the officer’s body.

4) The officer must remember to secure his/her back-up firearm with their duty weapon prior to entering the Institute of Psychiatry, Charleston County Jail and any other secure facility prohibiting Law Enforcement from carrying a firearm.

e. Off duty firearms:

   The carrying of a firearm while off-duty shall be at the option of the officer. Off duty firearms will be carried concealed at all times. If the officer elects to carry a firearm off-duty, it must be inspected and approved by the weapons officer. The officer must annually demonstrate proficiency in accordance with Department requirements. The Chief/Director must approve a formal request via PSD36 (Weapons Letter of Authorization/Training) prior to carry. The weapons officer will record and monitor the off duty qualification and re-qualification but it is the responsibility of the officer to ensure their off duty weapons qualification remains current.

   Off-duty firearms will be one of the following: (CALEA 1.3.9.a)
   
   1) .38/.357 revolver, barrel length 2 to 5 1/4 inches,
   
   2) Auto pistols, 9mm, 40 cal, 45 cal, or 380 cal, with barrel length of 2 to 4 inches are authorized.

f. Authorized ammunition for back-up and off duty firearms: (CALEA 1.3.9.b)

   1) .38/.357 revolver, 158 gr semi jacketed hollow point,
2) 380 cal auto = 90 gr jacketed hollow point with muzzle velocity of 1000 fps and energy of 200 ft-lbs or greater,
9 mm auto = 124 gr jacketed hollow point
40 cal auto = 180 gr jacketed hollow point
45 ACP: 230 gr jacketed hollow point
45 GAP: 185 gr jacketed hollow point.

4. Special Assignments

Officers assigned to special assignments, whose official duties may require carrying a firearm other than those authorized above must receive prior written approval from the Director to carry this firearm and must receive training prior to carrying the weapon. (CALEA 1.3.9.a)

5. Less Lethal Weapons: (CALEA 1.3.9.a)

Personnel who are authorized to carry/use the below listed weapons will, prior to carrying these weapons, be trained and qualified with each weapon. Officers will receive in-service training annually on the baton and pin shield and bi-annually on OC spray.

- Expandable straight baton
- OC spray (class room only)
- Convex Riot Shield

6. Training:

a. All officers will receive a copy of the weapons policy prior to being authorized to carry a weapon. Officers will receive annual training on the Department's Use of Force and Weapons Policy. At this time, they will be provided a copy of these policies for which they will sign for. (CALEA 1.3.12)

b. The Department will make every effort to schedule quarterly firearm practical training and qualification opportunities. Officers attending these quarterly training/qualification opportunities are expected to qualify at each session. Failure to qualify will place the officer in a remedial training status. If an officer is unable to attend one of the quarterly training experiences, he/she may be excused by the Director. However, all officers who carry firearms will be required to demonstrate his/her proficiency with duty weapons at least twice a year. The course of fire will be approved by the Director. (CALEA 1.3.10)

c. Remedial
1) If an officer fails to qualify, he/she will not be authorized to carry a weapon on or off duty. The officer will carry his/her weapon to and from training or practice only. The officer will be given one week to qualify. A second instructor will be assigned to work with the officer. If the officer fails to qualify at the end of the week, the officer will be placed in a non-law enforcement position for 30 days at the discretion of the Director. During these 30 days, an instructor will be available one day each week to assist the officer. At the end of the 30 day period the officer will be required to qualify with the senior weapons instructor. If the officer fails to qualify, the Director will take one of the following actions: (CALEA 1.3.11.c)

2) Place the officer in a non-law enforcement officer FTE, if one is available and the officer is qualified for the position.

3) Terminate the officer for failing to meet minimum standards.

4) When an officer is unable to qualify with a firearm due to injury or illness, the Director may assign the officer to administrative duties. While on administrative duties the officer will not carry a firearm on or off duty. The officer may carry a firearm to and from the range to practice. When the officer is cleared to return to work he must report to the training officer for firearms qualification prior to carrying a firearm on or off duty. If the officer is not able to return to full duty within six (6) months, the Director of Public Safety, in conjunction with MUSC Human Resources will determine if and in what position the officer may be retained as a Public Safety Employee.

d. Weapons instructors: (CALEA 1.3.11.a)

1) All firearms training will be conducted by a SCCJA certified firearms instructor.

2) All less lethal weapons instruction will be conducted by an instructor qualified to instruct the use of that weapon.

e. Training Documentation (CALEA 1.3.11 b)

All training will be documented in the officer’s training file. Training rosters will be maintained for a period of five years. Officer’s training files and training roster will be maintained by the Training Officer. All training records will be maintained in the training office. Upon request, officers
may review their training files. The training roster will contain:

- Title of topic
- Time required teaching the topic
- Date
- Instructor name and signature
- Officer’s signature
- Pass or fail

7. Safety

a. Firearms will be loaded and unloaded in accordance with policy #58 (Clearing Barrel).

b. No firearm will be used for any purpose other than that for which it was manufactured.

c. All firearms will be carried in a departmental approved holster with the safety snapped at all times.

d. Misuse, unsafe use or accidental discharge of a firearm:

1) If a firearm is handled, used in an unsafe manner or accidentally discharged, the supervisor concerned will submit a written report via the Chain of Command to the Director of Public Safety. The Department of Public Safety Shooting Review Board will be assigned to conduct an investigation of the incident in accordance with Policy and Procedure #56 (Use of Force). After the investigation is completed, the Director will decide what if any disciplinary action is to be taken.

2) If the incident resulted in a person being injured, the officer involved in the incident will be placed on administrative duties, without his firearm, or suspended pending the outcome of the investigation. The decision to suspend or place the officer on administrative duties will be made by the Director based on the circumstances known at the time.

3) When a weapon is discharged on or off duty, an investigation will be conducted by the Department of Public Safety Shooting Review Board. This investigation will be conducted regardless of the incident location and in conjunction with other police investigations. The only exceptions to this policy will be when firearms are discharged in training, practice or sporting events.
e. The indiscriminate or careless use of a firearm is strictly prohibited. Firing of warning shots is strictly prohibited. (CALEA 1.3.3).

8. Cleaning

Officers will clean their firearm a minimum of one time per month. Supervisors will conduct a monthly weapons inspection and submit a written report to the Patrol Commander by the 5th day of each month.

9. Guidelines On The Discharge Of Firearms

The following guidelines are provided to aid officers who are required to discharge firearms at a felon:

a. The discharge of a firearm is an irreversible action and if possible an officer should, prior to firing, evaluate the following:

1) The nature of the felony committed and other methods of effecting the arrest and/or apprehension.

2) Age of the suspect(s).

3) Shooting background.

4) Is the subject in plain view, armed and dangerous? Extreme caution must be used at night as darkness may obscure the officer's vision. Reasonableness of the action necessary will be the gauge for officer's action.

b. In summary, every possible consideration should be taken prior to the use of a firearm and if an officer believes that under existing conditions he should not use a firearm to apprehend a felon, he will not be criticized nor disciplined for such decision to employ every other means of arrest.

10. Guidelines on The Use of Firearms to Dispose of Animals

The following guidelines are provided to aid officers who are required to destroy an animal. These options have been discussed and approved by Charleston City Animal Control and the SPCA.

a. An animal will be destroyed only after all attempts to notify the owner of the animal have been made and approval has been granted by the Patrol Commander. Local animal control authorities should be contacted before any action is taken, if possible.
b. If time permits, officers will adhere to the following steps:

1) Effect steps to ensure the safety of all citizens, property and other animals by moving the animal that is to be destroyed to an area of relative safety and out of public view, if possible. The primary concern is that the animal should be placed upon the ground (not hard surfaces) to decrease the possibility of ricochet.

2) Shoot the animal from as close range as possible protecting oneself from any back blast of the weapon.

3) Shoot "down" into the animal so that the projectile, if exiting the animal's body, will enter the ground. Shooting into a hard surface will cause a ricochet.

4) Shoot the animal in the brain to minimize suffering.

EXCEPTION: If the possibility of rabies or that the animal has bitten someone exists, the animal cannot be shot in the brain. In these cases the animal should be shot in the chest cavity directly behind foreleg and the body secured and removed to a veterinarian.

11. Security of Firearms (CALEA 1.3.9.f)

a. All officers must provide maximum security for all firearms and ammunition in their custody at the place of duty, their residence or while traveling.

b. It is the responsibility of all officers to maintain direct possession of their firearms. At no time will firearms be left unsecured for any reason. If an officer becomes sick or is injured to the extent that they cannot be responsible for their firearm, the supervisor or another certified Police Officer will take custody of the firearm and insure that it is properly secured.

c. Prudent and reasonable action must be taken by all officers to protect firearms in the home or anytime the firearm is not in direct possession of the officer. Such firearms must be made safe by use of a cable lock provided by the department. The cable lock will be used even when the weapon is unloaded and or locked in a secure box, cabinet or other container. Weapons must never be stored or kept in such a manner that will provide access by children.

d. No person other than certified law enforcement officers will be allowed to handle and or fire the weapon. The only exception will be departmental
personnel in training.

e. Normally when traveling, officers should maintain direct possession of their assigned or approved firearm. If it becomes necessary to secure the firearm while traveling by automobile, the firearm may be locked in the trunk provided the officer maintains control of the key. When traveling out of state, care must be taken not to violate other City, County, State or Federal laws. When in another state, officers of this department must comply with all of the laws, rules and regulations applicable to private citizens in that particular state. (In accordance with HR218 “Law Enforcement Officers’ Safety Act)

f. When traveling via commercial air officers must have prior written approval from the Director of Public Safety. All officers will comply with all federal regulations and airline requirements.

g. Lost or stolen Departmental Firearms must be reported immediately.

12. Retired Law Enforcement Officers to Retain Status and Weapons

As stated in State Statute 23-1-225, “Upon retirement, state law enforcement officers may retain their commissions in retired status with all rights and privileges, including the right to retain their service weapons issued while serving in active duty status.”

A sworn officer, who has been with the Department 15 years or more, will receive their duty weapon at no charge upon retirement.

A sworn officer, who has been with the Department from 5 years up to 15 years, may purchase their duty weapon at fair market value upon retirement. Fair market value will be determined by an independent agent from outside this agency.