

# UW Whitewater Police



## Weapons and Ammunition

Number: 4.3	No. Pages: 5		
Special Instructions: CALEA 4.3.1, 4.3.2, 4.3.3, 4.3.4			
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### I. Purpose

The purpose of this policy is to provide officers guidance on approved weapons and ammunition for on and off-duty, as well as proficiency training requirements.

### II. Definitions

**Concealed:** To keep an item from being seen, found, observed, or discovered by another individual.

**Deadly Force [Wis Stat. 175.44(2)(c)]:** A law enforcement officer may use deadly force only as a last resort when the law enforcement officer reasonably believes that all other options have been exhausted or would be ineffective. A law enforcement officer may use deadly force only to stop behavior that has caused or imminently threatens to cause death or great bodily harm to the law enforcement officer or another person. If both practicable and feasible, a law enforcement officer shall give a verbal warning before using deadly force.

**Force:** Any physical strike, instrumental contact with a person, or any significant physical contact that restricts movement of a person. The term includes, but is not limited to, the use of: firearms, electronic control device, oleoresin capsicum, taking of a person to the ground, or the deployment of a canine. The term does not include escorting or handcuffing a person with no or minimal resistance.

**Use of Force:** When using force, a law enforcement officer is required to act in good faith to achieve a legitimate law enforcement objective. A law enforcement officer is authorized to use force that is objectively reasonable based on the totality of the circumstances, including:

1. The severity of the alleged crime at issue.
2. Whether the suspect poses an imminent threat to the safety of law enforcement officers or others.
3. Whether the suspect is actively resisting or attempting to evade arrest by flight. [Wis. Stat. 175.44(2)(b)]

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## III. Policy

It is the policy of the UW-Whitewater Police Department (UWWPD) that personnel will follow the procedures outlined in this policy and utilize only authorized weapons and ammunition. Additionally, personnel must follow training as outlined by Wisconsin Department of Justice Training and Standards Bureau and department policies.

## IV. Procedure

### A. Authorized Weapons and Ammunition (4.3.1)

1. All officers are issued semi-automatic duty weapons and ammunition supplied by the department. See Attachment A for current list of authorized weapons, ammunition and optics. Officers are authorized to personally install approved optics on their duty weapons. Officers must qualify with their duty weapons with the approved optics installed prior to carrying it on duty. Approved optics must be listed in Attachment A.
2. A qualified firearms instructor or armorer shall maintain a record of each firearm approved for official use and shall inspect all firearms approved for use before they are issued to a police officer. A supervisory officer, armorer or firearms instructor shall remove a weapon from duty use if they have reason to believe it may be unsafe and shall replace the suspect weapon immediately and be responsible for directing further inspection or repair.
3. Police officers must be armed with all permanently issued duty weapons when in uniform. Police officers may, but are not required to, carry a firearm while off-duty. They may carry the department issued firearm or a personally owned firearm, but if an officer elects to carry a personally owned weapon, it must first be reviewed and approved by a supervisor and a firearms instructor. When an officer elects to carry a firearm off-duty it shall be carried concealed, so as not to raise suspicion and fear of the public, and the officer must carry their badge and identification card. Any personally carried ammunition must be commercially available and manufactured ammunition that is approved by a firearms instructor. See Attachment B for authorized off-duty weapons and ammunition.
  - a. Officers shall not carry a firearm if/when they have been consuming alcohol. If an officer is assigned to an authorized, specialized, undercover unit or detail where the non-consumption of alcohol would place him/her or the investigation in jeopardy, a firearm may be carried as long as the officer remains under the legally impaired limit of a blood alcohol content of 0.08.
  - b. Officers must report to their immediate supervisor any use of prescription or other medication that they reasonably believe would impair their ability or judgment to use a firearm. This includes but is not limited to medication which may induce drowsiness and/or suggests not driving.

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- c. Removal of firearms from their holster or other carrying devices for other than authorized purposes, such as tactical use, training and qualification, inspection, or cleaning and maintenance is prohibited.
4. Police officers assigned to plain-clothes assignments will carry a concealed firearm, their badge and identification card while on duty, with the exception of training. Those individuals attending training may elect to wear a firearm but will not be required unless necessary for the course of instruction.
5. The department shall allow officers to carry a personally owned knife while on duty, but it shall only be carried if approved by a supervisor and noted on the officer's "Patrol Equipment Inventory." While the knife is not intended to be a defensive weapon, it may be used in those situations where the officer is authorized to use deadly force, and when no other alternative is readily available.
6. An officer may, but is not required to, carry a backup firearm on duty. This firearm must be approved by a supervisor and a firearms instructor. The officer must carry this firearm in a secure manner and must only use commercially available ammunition approved by a firearms instructor. The officer will need to qualify with a firearms instructor using a certified off duty qualification course before it can be carried on duty.
7. **Weapon Storage:** All weapons must be securely stored.
  - a. Inside the department: All officers are issued storage lockers and/or secure firearm safes in their office or substation. When not on their person, weapons shall be secured in one of these locations. Weapons that are not assigned to a specific person are to be secured in designated storage lockers.
  - b. Inside marked department vehicles: All marked department vehicles have gun locks or storage containers for lethal weapons, and weapons shall be secured in those if not worn on the employee's person.
  - c. Officers that take their duty weapons home shall secure them as defined and required by state law. All officers who have a department issued pistol are provided with safety locks. The agency leaves the decision up to individual officers on how they wish to properly store weapons in their homes.

## **B. Use of Force Policy Training**

1. Sworn employees authorized to carry lethal weapons, electronic controlled weapons, and less-than-lethal weapons must be given access to, and be instructed in, the policies and trainings described below before being authorized to carry a weapon.
2. The issuance and training shall be documented.

## **C. Weapon Proficiency (4.3.2, 4.3.4)**

Personnel will receive all use of force policies and related instruction before being given authorization to carry a weapon. This includes state level training and the UWWPD's own Use of Force Policies. Only sworn employees demonstrating proficiency in the use of agency

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authorized weapons will be approved to carry such weapons. Non-sworn members of the UWWPD are not authorized to carry lethal or non-lethal weapons. Each sworn employee must successfully complete the following requirements, which shall be properly documented, before being authorized to carry any weapon:

1. Complete the weapons portion of a basic law enforcement academy curriculum approved for certification by the State of Wisconsin for that weapon; AND
2. Receive and be instructed in the Department's policies regarding the use of force; AND
3. Qualify and demonstrate proficiency with all authorized weapons. Qualification is accomplished through a pass/fail system that incorporates grip, stance, verbalization and number of rounds on the target. The firearms instructor makes the pass/fail determination. Proficiency for baton, oleoresin capsicum, or other weapons is completed with a trained instructor that will observe the officers use of each weapon.

## **D. Annual Proficiency Training (4.3.3)**

1. Sworn employees, on an annual basis, will receive in-service training and be required to demonstrate proficiency on:
  - a. The Department's use of force policy; AND
  - b. Integrating Communication, Assessment and Tactics (ICAT); AND
  - c. All approved lethal weapons.
2. Sworn employees, on a biennial basis, will receive in-service training and be required to demonstrate proficiency on:
  - a. The State of Wisconsin's DAAT system principles; AND
  - b. All less-than-lethal weapons.
3. Proficiency training shall be monitored by a certified weapons or tactics instructor and shall be properly documented. Sworn employees unable to demonstrate proficiency during annual weapons in-service training shall be required to successfully complete a remedial training session structured and documented by a certified instructor prior to resuming official duties.
4. Demonstrated proficiency includes:
  - a. Achieving minimum qualifying scores on a prescribed course;
  - b. Attaining and demonstrating a knowledge of the laws concerning the use of authorized weapons and knowledge of agency policy(s) on the use of force, escalating force, and deadly force; and,  
Being familiar with recognized safe-handling procedures for the use of these weapons.
5. Any sworn employee that does not meet proficiently will be given the opportunity to bring their level of expertise to the level needed to show proficiency. Below are the steps that will be taken:
  - a. The sworn employee will be given one on one remedial training with an authorized instructor immediately after an issue is detected to attempt to make them proficient

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- b. If they still can't show proficiency, then training will be rescheduled with an authorized instructor that is different than the initial one on one instructor either from within the department or from an outside agency
  - c. If they still can't show proficiency, the person may be sent through available trainings or additional police academy instruction if the Chief of Police believes this may bring the employee to the level of proficiency
6. If all other options are exhausted and still unable to perform essential job duties they will be referred to Human Resources discipline process.