



# SYKESVILLE POLICE DEPARTMENT

Use of Firearms and Less-Lethal Weapons

General Order 6-5      Effective: 03/22/17

Authorized By: *Michael A. Spaulding* Chief of Police

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## I. PURPOSE

To provide all Sykesville Police Officers with guidance on the use of firearms and less-lethal weapons.

## II. POLICY

It is the policy of the Sykesville Police Department that sworn officers will use firearms and less-lethal weapons in accordance with this directive.

## III. PROCEDURES

A. Firearms use permitted: A sworn officer may discharge a firearm:

1. When deadly force is permitted in accordance with G.O. 6-3;
2. To kill a dangerous animal that is jeopardizing the safety of the public or an officer;
3. To kill an injured wild animal to relieve its' suffering;
4. To give an alarm or call for assistance when no other means is available;
5. When used in practice on a firing range; and
6. To kill an injured domesticated animal to relieve its' suffering if the officer has:
  - a. the written consent of the owner;
  - b. been requested to do so by a veterinarian; or
  - c. made a reasonable attempt to locate the owner and has failed and a veterinarian is not readily available.

B. Sykesville Police Department personnel authorized to carry lethal and less lethal weapons must demonstrate proficiency in the use of agency-authorized weapons prior to being approved to carry such weapons. Employee shall be issued a copy of General Order 6-3, Use of Force, and receive classroom instruction on its contents prior to being authorized to carry a weapon. General Order 6-3 shall be an annual component of the in-service training program.

C. Restrictions on the Use of Firearms

1. Sykesville Police Department personnel authorized to carry firearms shall not discharge their weapon as a warning.
2. Under no circumstances will members of the Sykesville Police Department display a weapon in a flagrant manner or in any manner which is unsafe or would cause unnecessary alarm to the public.

3. All members of the Sykesville Police Department are prohibited from carrying weapons off-duty while consuming alcoholic beverages.
4. Members of the Sykesville Police Department must reasonably anticipate a situation justifying the use of a weapon before removing it from its holster or otherwise displaying it. The use or display of weapons in circumstances other than those described in this General Order is contrary to department policy.

D. Off- Duty Weapons

1. The carrying of firearms by sworn personnel while off duty shall be optional, leaving the decision up to the professional judgment of the individual officer. When going out into the community while off duty and considering whether or not to arm themselves, personnel should take into consideration their destination, purpose, and dress, as well as any other pertinent variables.
2. While off-duty, officers may carry an approved semi-automatic handgun having a minimum caliber of .380 up to a maximum of .45 so long as the officer remains qualified with the weapon in accordance with department policy contained in this order. Off duty weapons shall be approved by the Chief of Police with recommendations by the Training Coordinator and/or Firearms Instructor.
3. Sworn officers will be permitted to designate two (2) handguns as off-duty weapons.
4. Personnel will be permitted to carry only one (1) of the designated weapons at one time.
5. The Training Coordinator and/or Firearms Instructor shall
  - a. Record the descriptions, including serial numbers, of the weapons designated as the member's off duty weapons; and
  - b. Maintain a file on off-duty weapons and qualification dates, with a copy in each officer's Training file.
  - c. Designate the types of ammunition that will be carried and used by department personnel. Only ammunition that has been approved for use shall be carried by department personnel.

E. Less Lethal Weapons

1. While on-duty, sworn officers at the rank of Sergeant and below will carry on their person at least two (2) less lethal weapons (issued baton, O.C. aerosol spray, and/or the Taser).

2. Officers may be issued and certified in the use of expandable ASP batons which:
  - a. Are considered less lethal weapons
  - b. May only be used in accordance with provisions of this General Order and SPD training standards
  - c. Officers will ensure appropriate medical aid is administered if injuries occur during the use of a baton
  - d. Only those batons that have been approved are permitted to be carried and used by department personnel.
  
3. Officers shall be issued and shall be trained in the use of O.C. (Oleoresin Capsicum) aerosol spray.
  - a. O.C. aerosol spray is considered a less lethal weapon which shall only be used in accordance with provisions of this General Order and SPD training standards
  - b. Only the O.C. aerosol spray issued by the Sykesville Police Department is approved for use by department personnel.
  - c. No personnel shall be issued O.C. aerosol spray before the completion of the O.C. aerosol spray entry-level training, in-service training or a comparable course of instruction.
  
4. O.C. (Oleoresin Capsicum) is an organically based less-than-lethal aerosol weapon designed to incapacitate, with no lasting after-effects. In most cases it will immobilize an attacker for up to 45 minutes. O.C. is an inflammatory agent that:
  - a. Produces rapid physiological and psychological reactions
  - b. Affects eyes, respiratory system, skin, lips and face
  - c. Causes immediate swelling of mucous membranes
  - d. Causes uncontrollable coughing, gagging and gasping for breath
  - e. Produces eye irritation
  - f. Produces an intense burning sensation on skin, nose and mouth
  
5. Because O.C. does not produce any permanent injury, it may be introduced into the "continuum of force" much earlier.
  - a. O.C. agents are considered an alternate use of less lethal force, and not intended to replace the use of a firearm where deadly force is called for.
  - b. With few exceptions (i.e., crowd control, etc.), incidents that necessitate the use of O.C. spray should result in arrest and appropriate charges.

6. After spraying a combative or threatening subject, extreme caution should be used. O.C. is not fail-safe, and subjects may still be dangerous after employing O.C.
  - a. The subject who has been sprayed should be
    - (1) Ordered to remain still
    - (2) Assured they will be treated, and that the effects they are experiencing will dissipate shortly
  - b. First aid and/or medical attention must be rendered after the use of O.C. as soon as practical.
    - (1) The following measures will help to dissipate the effects of O.C.:
      - (a) Removal from the contaminated area
      - (b) Facing into the wind or breeze
      - (c) Flushing the affected area with cool water
      - (d) Blowing the nose
      - (e) Washing with a non-oil based soap or detergent
      - (f) Use of wet towel or ice packs to reduce inflammation
      - (g) Removal and thorough cleaning of contact lenses
    - (2) DO NOT use any of the following:
      - (a) Lotions, salves or creams
      - (b) Commercial eye wash
    - (3) If symptoms persist beyond 45 minutes, seek medical attention immediately. If an arrestee wishes medical attention it should be provided.
7. Any use or discharge of O.C. aerosol spray for purposes other than training shall be reported on an incident report and Use of Force Form #179. Accidental discharges shall be reported immediately to the shift or other appropriate supervisor; and in the case of an off-duty accidental discharge, within 24 hours of its occurrence.
8. The policy regarding the use of Conducted Electrical Weapons, or Tasers is contained in General Order 6-1.

F. Prohibited Weapons

1. No member of the Police Department will carry or use at any time any other lethal or less lethal weapon (except for those weapons described in this General Order) without the approval of the Chief of Police. That includes any other weapon which could be considered a defensive weapon.

G. Special Weapons

The Sykesville Police Department has in its possession certain specialized weapons, such as shotguns and rifles. Only properly authorized and trained personnel are permitted to carry and use these weapons. The Training Coordinator and/or Firearms Instructor will maintain a list of all department personnel who are trained in each of these specialized weapons, as well as the make, model and serial number of each specialized weapon which has been approved to carry.

H. Firearms Qualifications

Personnel of the Sykesville Police Department authorized to carry firearms will comply with COMAR regulation 12.04.01.12, which requires all employees authorized to carry or use a firearm to qualify in each calendar year.

**IV. CANCELLATIONS**

This General Order cancels and replaces the following policies:

General Order 1.3.5 to 1.3.7, dated December 10, 2001.