

**BAY CITY DEPARTMENT OF PUBLIC SAFETY
BAY CITY, MICHIGAN**

SECTION 3 - LAW ENFORCEMENT
GENERAL ORDER

August 10, 2018
INDEX NO. 3.16

FIREARMS: AUTHORIZATION, QUALIFICATION AND MAINTENANCE

I. PURPOSE

To establish policy and regulations for the authorization, qualification and maintenance of firearms by sworn officers of the Bay City Department of Public Safety.

This policy is for internal use only and is not intended to enlarge the employee's civil or criminal liability in any way. It shall not be construed as the creation of a higher legal standard of safety or care in an evidentiary sense with respect to third party claims, insofar as the employee's legal duty is imposed by law.

Noncompliance with this policy constitutes a violation of an employment duty only, except in such cases as any noncompliance is also a violation of the laws of our state and nation. Therefore, violations of this policy shall only form the basis of disciplinary action within this department.

In the event that a violation of the duties imposed by this policy also constitutes a breach of the duties imposed by the laws of our state and nation, nothing herein shall be construed to relieve one from that legal duty or from any action resulting from a breach of that legal duty.

II. AUTHORIZATION TO CARRY FIREARMS

Duly appointed and sworn officers of the Bay City Department of Public Safety having met qualification requirements shall be authorized to carry firearms, on duty, provided:

- A. The officer has completed the Michigan Commission on Law Enforcement Standards (MCOLES) Basic Police Officer Certification or recertification, including successful completion of the firearms component for full-time personnel.
- B. Officers, as designated by the Public Safety Director, shall successfully complete and qualify on the MCOLES handgun course and any other familiarization course as prescribed by the Bay City Department of Public Safety, including, but not limited to, the .223 / AR-15 Patrol Rifle course.

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- C. Officers, as designated by the Public Safety Director, shall successfully qualify on the MCOLES handgun course once a year with each weapon carried.
- D. Officers, as designated by the Public Safety Director, shall successfully qualify on the department's .223 / AR-15 Patrol Rifle course once a year.

III. REVOCATION OF AUTHORIZATION

- A. The officer's proficiency with firearms is a fundamental and mandatory element of his / her fitness for duty.
- B. No officer shall, at any time, carry a weapon with which he / she has not qualified and / or registered as required.
- C. Officers who are excused from annual range qualification while on light duty, approved sick leave / FMLA, or on military leave, must qualify prior to returning to duty.
- D. Officers who do not attend or who fail to qualify at the annual qualification will not be authorized to carry a firearm in a law enforcement capacity.
- E. If an officer fails to qualify at the annual qualification, the firearms instructor shall immediately notify the officer's supervisor and the Firearms Supervisor. They shall then forward a memorandum through the chain of command to the Public Safety Director. The officer may be placed on administrative leave for the duration of his / her shift with the approval of the Public Safety Director or their designee.
- F. Any officer who fails to meet the qualification for each weapon carried at any time, on duty or off duty, will have thirty (30) days in which to achieve qualification.
- G. Any training and / or re-qualifying will take place during an officer's working hours. Overtime will not be paid for additional training or re-qualifying. If an officer's shift precludes attending individual instruction on City time, the officer's duty hours will be temporarily changed to permit attendance.

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- H. Officers may be assigned to an administrative / non-enforcement position until they qualify at the range.
- I. In the event that the officer is unable to qualify with the required firearm after additional training within a thirty (30) day period, he / she shall be deemed unfit for duty and appropriate disciplinary action taken.

IV. WEAPONS

- A. While on duty, officers as directed by the Public Safety Director, shall carry a Glock, model 22, 23, or 27, semi-automatic handgun unless a different weapon is authorized by the Public Safety Director.
- B. Glock model 22 handguns will be issued to personnel assigned to Patrol Operations. Personnel assigned to divisions other than Patrol Operations may choose to carry a department issued Glock model 22, 23, or 27.
- C. While on duty, all officers using a marked patrol vehicle shall carry a Department issued or authorized .223 / AR-15 Patrol Rifle unless a different weapon is authorized by the Public Safety Director.
- D. While on duty, an officer may carry a second weapon, which must be concealed. This weapon must be capable of firing a bullet of not less than a .22 caliber or more than a .40 caliber.
- E. Any officer wishing to carry a second weapon while on duty must have the weapon checked and approved by a Departmental Firearms Instructor. In addition, the officer must successfully complete the qualification course using the second weapon. The firearms instructor will submit a memorandum yearly to the Public Safety Director documenting the inspection, qualification, caliber and serial number of the second weapon. The firearms instructor will also document this in the firearms log book.

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- F. While on duty, an officer may carry an IOP (Individual Officer Purchased) AR-15 rifle. The rifle shall be from a reputable manufacturer that is approved by the Public Safety Director or designee. The rifle shall be an AR-15 style .223 / 5.56mm caliber rifle with the same basic operational functioning as Department issued AR-15 rifles. The rifle shall have semi-automatic function only, a minimum 10.5 inch or maximum 16 inch barrel, an approved light system and an approved sling. Polymer lowers are not allowed.
- G. The IOP AR-15 rifle shall be equipped with an EOTech Holographic Weapon Sight that has a single point of aim. This sight shall be approved by the Public Safety Director or their designee. The IOP AR-15 rifle may be equipped with iron sights as long as they do not interfere with the operation of the EOTech optic. Officers shall report any service of the rifle that requires the optic to be removed. If the optic has to be removed for any reason, the rifle shall be taken out of service until it can be sighted in with a Department Firearms Instructor.
- H. The IOP AR-15 rifle requested to be utilized on duty shall be inspected annually by a Department AR-15 Armorer, prior to use, to assure it meets these requirements.
- I. The IOP AR-15 rifle shall be qualified with annually (see Section II. AUTHORIZATION TO CARRY FIREARMS).
- J. Any changes or modifications beyond original factory specs to the firing or functionality of the IOP AR-15 rifle must be pre-approved by the Public Safety Director or their designee. Some changes to the IOP AR-15 rifle may require it to be taken out of service until it can be sighted in with a Department Firearms Instructor.
- K. Maintenance and replacement of parts shall be the responsibility of the owner of the IOP firearm. Damage beyond normal wear and tear will be examined on a case by case basis for Department coverage. Manufacturer warranty items will not be covered by the Department. Damage due to officer neglect, carelessness, etc. will not be covered. Damage occurring off duty will not be covered.
- L. Routine maintenance, such as field stripping and cleaning, will be the responsibility of the individual officer on the Glock handgun models 22, 23, and 27 only. Any weapon problems that are discovered should be immediately brought to the attention of a firearms instructor / armor or supervisor.

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- M. Certified Glock armors will clean / inspect their assigned Glock handguns annually. Glock armors will maintain a Weapons Maintenance Log listing the date they performed the annual cleaning / inspection of each Glock handgun, as well as any repairs performed.
- N. The Firearms Supervisor will maintain a log listing the serial number of the Glock handguns, any IOP firearms and their respective assignments.
- O. No officer shall, at any time, carry a weapon while under the influence of alcohol or drugs.
- P. No officer shall, at any time, carry his / her departmental issued duty weapon out-of-state while not on duty related activity.

V. AMMUNITION

- A. The official ammunition of the Bay City Department of Public Safety will be the only round that officers will be permitted to carry and use while on duty in department issued weapons.
- B. The primary ammunition used in the IOP AR-15 shall be Department issued ammunition and magazines.
- C. Ammunition carried and used in all secondary weapons and IOP AR-15 secondary magazines shall be submitted to and approved by a Departmental Firearms Instructor. The firearms instructor will record the inspection and approval of the ammunition in the firearms log book.
- D. While on duty, officers shall carry their departmental issued Glock magazines and their personal, secondary handgun magazines loaded to capacity. Officers shall also have a round chambered in their departmental issued Glock handgun while on duty.
- E. Ammunition carried and used in all secondary weapons, although subject to departmental approval, will not be furnished by the Department, but must be purchased by the officer.

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VI. OFF-DUTY WEAPONS

- A. Sworn personnel will not be required to carry a weapon while off duty. Should an officer decide to carry an off-duty weapon, the weapon and ammunition must be presented to a Departmental Firearms Instructor for inspection and approval for off-duty use. The officer must qualify with any weapon that he / she carries off-duty.

- B. Nothing in this General Order is intended to prevent an officer from owning or using any type of handgun the officer chooses for sporting purposes such as, but not limited to: collecting, hunting or target practice.

By order of:


Michael J. Cecchini
Public Safety Director