

BOARD OF PUBLIC WORKS AND SAFETY
Agenda Request Form

(Form B-01-2012)

Organizations and individuals are asked to submit a request form and supporting documents to be placed on the agenda. You will be contacted by the City confirming the date of the meeting in which your request will be heard.

Please make sure that your contact information is accurate in case we need to get in touch with you. The Board of Works meets on the 1st and 3rd Monday of each month at 5:00 p.m. in City Hall located at 70 E. Monroe Street.

Date Submitted:	September 24, 2014	Requested Meeting Date:	October 6, 2014
		Confirmed Meeting Date:	
Received by:			
Contact Information: Please provide all requested information in the fields below. (Print or Type)			
On Behalf of Organization or Individual:		Franklin Police Department	
Name:	Tim O'Sullivan	Telephone:	317-736-3670
Title or Position:	Chief of Police		
E-Mail:	tosullivan@franklin.in.gov		
Address:	2801 N Morton Street		
City:	Franklin	State:	IN
		ZIP:	46131
Who will attend the meeting and present the request?			
Name:	Tim O'Sullivan	Telephone:	317-736-3670
Title or Position:	Chief of Police		
E-Mail:	tosullivan@franklin.in.gov		
Please describe the purpose or title of your presentation.			
Updated SOP 2.1_Patrol Rifles.			
Supporting documents: All supporting documents should be submitted with the request form.			
1. Listed SOP			
2.			
3.			
4.			

FRANKLIN POLICE DEPARTMENT STANDARD OPERATING PROCEDURE NO. 2.1

Subject: FIREARMS		References:
Special Instructions:		No. of pages: -7-
Distribution: All Units	Effective Date:	Reevaluation Date:

2.1.1 PURPOSE

Establishes guidelines regarding agency authorized firearms and ammunition.

2.1.2 POLICY

The policy of this agency is that members shall exhaust every other reasonable means of apprehension before resorting to the use of firearms. The officer may discharge his/her firearm, only as a last resort, when in the considered opinion of the officer; there is danger of loss of life or serious bodily injury to him/herself or to another.

2.1.3 PROCEDURE

A. AN OFFICER SHALL BE JUSTIFIED IN DISCHARGING HIS/HER FIREARM UNDER THE FOLLOWING CIRCUMSTANCES:

1. In the necessary defense of him/herself from death or serious bodily injury.
2. In the necessary defense of another person from death or serious bodily injury.
3. To affect an arrest of an adult felon, to prevent the escape of an adult felon, or to recapture and adult felon escapee, when other means have failed, provided:
 - a. The crime for which the arrest is sought, involved conduct including the use of, or threatened use of deadly force; and
 - b. There is a substantial risk that the person, whose arrest is sought, will cause death or serious bodily harm if his apprehension is delayed.
4. To kill a dangerous animal or one that is so badly injured that humanity requires its removal from further suffering and other disposition is impractical.
5. To call for assistance when no other means can be used.
6. For target practice at an approved range.
7. The safety of citizens and fellow officers shall always be a consideration in any decision to use a firearm.

B. FIREARMS SHALL NOT BE DISCHARGED UNDER THE FOLLOWING CIRCUMSTANCES:

1. As a warning.
2. At or from moving vehicles unless the circumstances come within the provisions of section A, 1 and 2 as outlined earlier in this policy.

3. Into crowds unless the circumstances come within the provisions of section A, 1 and 2 as outlined earlier in this policy, and the officer has carefully considered section A 7 as outlined in this policy.
4. Into buildings or through doors, windows, or openings when the person is not clearly visible, except in a tactical situation where conditions may require immediate action.

C. FIREARMS SHALL BE THE RESPONSIBILITY OF THE OFFICER:

1. The officer shall keep safe and secure retention of all firearms issued to them by the agency.
2. Officers shall insure that firearms are safely secured away from all persons, when not in use.
3. In no event shall an officer be in a radio-equipped, agency operated vehicle or appear in public in uniform without their issued firearm.
4. An officer shall file a written report through established channels to the Chief and the firearms staff immediately following the loss or disposition of a firearm issued by this agency. Said report shall list a complete description including the serial number and all facts concerning the loss (including theft) of an issued firearm.
5. Officers found to be negligent, may be subject to disciplinary action, reimbursement to the agency of the cost of the firearm, or both.

D. NOTIFICATION AND REPORT/FIREARM DISCHARGED:

1. Whenever an officer discharges his/her firearm either, (A) accidentally, or (B) in the performance of his police duty, he/she shall verbally notify his/her on-duty supervisor immediately. If a supervisor is not on duty in his/her division at the time of the discharge, the officer shall verbally notify the ranking officer on duty at the time.
2. The officer who discharged a firearm shall file a written report of the incident through established channels with the Chief and a copy to the Operations Commander.
3. If the officer who discharged a firearm is hospitalized or fatally injured during the tour of duty and is incapable of filing the report, his/her supervisor shall be responsible for filing as complete a report as possible, pending further investigation.
4. After the initial investigation is completed a determination will be made by the command staff on the officer's return to duty. He/she may be assigned to return to work or may have restrictions (desk duty) imposed.

E. INVESTIGATION BY A COMMAND OFFICER:

1. Each discharge of a firearm shall be investigated personally by the on-duty supervisor of the officer involved. If the officer involved is the supervisor then the Operations Commander or his/her designee will investigate.

2. Any police action shooting will be investigated by the detective division. If the discharge occurs when there is no supervisor on duty in the division to which the officer is assigned, the ranking officer then on duty shall personally conduct the investigation when notified that the discharge of firearm has taken place.
3. After conducting a thorough investigation of the circumstances attending the discharge of firearm(s), the command officer shall submit a detailed written report of the results of the investigation to the Chief, through established channels.
4. When a firearm has been discharged in a police action shooting a replacement weapon will be issued to the officer(s) involved.

F. FIREARMS REVIEW BOARD:

1. Membership of the Board
 - a. The Operations Commander, who is also designated chairman.
 - b. A member of the firearms staff.
 - c. One supervisor of the officer involved.
 - d. The Chief has the authority to assign or remove members from this board.
2. A meeting of the Board shall be called by the chairman within a reasonable time after the report of a firearms discharge comes to his/her attention.
3. The Board is authorized to review the circumstances attending each discharge of firearms by a member of the agency, and to recommend to the Chief, officer cleared or disciplinary action. The Chief makes the final decision whether any action is to be taken against the officer, and the nature and extent of the action.
4. The Board may make recommendations for the modification of the agency's firearms use policy and may make recommendations concerning training necessary for the effective implementation of such policy.
5. No firearms review board will be necessary in instances where animals are put down to prevent further suffering. The only exception would be when the projectile causes damage to persons or property.

G. ALTERING FIREARMS:

1. All officers are strictly prohibited from altering or adjusting any agency issued firearm in any manner.
2. Any modifications must be approved by the Chief and the Firearms Staff.
3. If for any reason, a firearm is not working properly, or requires some type of adjustment, the officer shall report to his supervisor with said firearm. The supervisor shall make appropriate arrangements to secure a replacement firearm.

4. Only assigned members of the agency, authorized to work on Franklin Police Department firearms, shall make any type of adjustment or repair. The firearms staff may authorize necessary changes if the request is appropriately justified.

H. AUTHORIZED FIREARMS AND AMMUNITION:

1. ON DUTY:

All officers shall carry the agency issued or approved firearm(s) and ammunition.

2. ON DUTY BACKUP FIREARM:

When in an on duty status and in uniform, Franklin Police Department Employees shall carry the primary handgun. In addition to the primary handgun, Franklin Police Department Employees may carry an authorized non issued backup handgun.

3. OFF DUTY FIREARM:

All officers operating a city owned vehicle, and off duty, shall carry the primary issued firearm, or an authorized non-issued firearm.

Officers off duty may carry their primary issued firearm, or an authorized non-issued firearm and ammunition in a discreet manner.

I. PERSONAL FIREARMS:

1. Officer's wanting to carry an additional firearm on duty shall submit a request to the Chief and Firearm's Staff for their approval. Make, Model, Caliber, Barrel Length, and Serial Number of the firearm shall be included in the request.
2. The City of Franklin is not responsible for the loss or damage to personal-owned weapons.

J. TRAINING AND QUALIFICATION:

1. All officers shall be required to successfully complete all training sessions throughout the year. This includes successfully passing the mandated qualification course required by the Franklin Police Department.

The certification courses will be determined by the firearms staff.

2. Every sworn officer shall be required to successfully complete the firearms qualification course with their department issued firearm in order to maintain their police powers.
3. If an officer desires to carry a backup/off duty weapon they will also need to successfully complete the qualification course with that weapon.
4. Prior to carrying any issued firearm by a member of the Franklin Police Department in an official capacity, the officer must qualify with the firearm using the standards set forth by the Franklin Police Department.
5. The qualification course will include physical requirements such as kneeling, going prone, and running, to name a few.

6. If an officer fails to qualify, he/she will be given a chance to qualify again within 7 days after remedial training from the firearms staff. If the officer fails to qualify the second time, he/she will be placed on paid administrative leave pending a hearing in front of the Merit Commission.

K. METHOD OF ACHIEVING REQUIREMENTS:

1. All officers will report to the range for firearms training and/or qualifications on posted days, with the firearms and related equipment to be used.
2. Every officer will adhere to the Franklin Police Department Range Safety Rules and Procedures posted at the firing range.
3. Only the Chief, Deputy Chief, or Operations Commander may grant an excused absence.
4. Failure to comply with the requirements of training may result in remedial training or could result in disciplinary action.
5. The firearms staff shall be considered the ranking officer while on the range.

2.1.4 SHOTGUNS:

STORAGE AND MAINTENANCE

When not in use, the shotgun should be kept in the department issued rack, if installed in your vehicle, with the lock locked, or in the department issued case with the case zipped up and in a secure location such as the locked trunk of the vehicle. The magazine tube should be fully loaded. The breach should be closed and there should NOT be a shell in the chamber. The shotgun should always be set on safe until such time as it is to be used.

TYPE OF AMMUNITION

Department issued ammunition ONLY should be used. Duty rounds would include slugs and buckshot.

QUALIFICATION

Each officer is required to successfully complete and pass the department's annual shotgun qualification course.

2.1.5 PATROL RIFLES:

REQUIREMENTS

For the purpose of this SOP, approval by the **Department** will mean that both the Chief Firearms Instructor has certified the use/proficiency, and the Department Administration has given approval.

- A. Only the ammunition approved and issued by the Department may be carried and used in the patrol rifle.
- B. Only Department approved equipment and/or accessories will be carried with the patrol rifle.

- C. All patrol rifles will be equipped with the Department approved tactical sling.
- D. All officers carrying/deploying a patrol rifle must successfully complete the Department approved training and qualification course.
- E. All officers carrying/deploying a patrol rifle must successfully qualify with the patrol rifle as specified by the Department.
- F. Any officer who fails to meet the qualification standard set by the Department will not be allowed to carry/deploy the patrol rifle until the qualification standard is met.

DEPLOYMENT

- A. Patrol rifles are primarily intended to be deployed in the following situations:
 - 1. Active shooter incidents
 - 2. High risk critical incidents involving armed suspects
 - 3. Felony crimes in progress where there is reason to believe that the suspect is armed
 - 4. Armed barricaded suspects
 - 5. Armed suspects wearing body armor
 - 6. Multiple armed suspects
 - 7. Armed suspects presenting a threat from distances at which handguns are likely to be ineffective
 - 8. The patrol rifle will be deployed when the threat level warrants the use
- B. Rifle equipped officers must recognize that there are tactical and safety considerations specific to the use and deployment of the patrol rifle. Among these considerations are:
 - 1. The maximum range of the .223 caliber round is approximately 500 yards. Extra care must be taken to ensure a projectile does not leave a safe impact area. Special attention must be given to crossfire issues.
 - 2. Officers armed with a patrol rifle must secure the rifle through the use of the Department approved tactical sling.
 - 3. Officers armed with a patrol rifle must practice strict “muzzle awareness” for safety reasons.
 - 4. Officers should keep the selector switch on “safe” unless actually engaging a target.
 - 5. Rifle equipped officers need to acquire situational awareness before deploying the rifle. Officers are cautioned not to deploy the rifle in situations where it would be difficult to secure or maintain control of the rifle.

- C. The decision to deploy the patrol rifle will be the responsibility of the individual officer in compliance with the provisions of this policy.
- D. Each time a patrol rifle is deployed, and discharged, a Patrol Rifle Deployment Report will be completed detailing the circumstances justifying the deployment, and on-call Administrator notified.

STORAGE AND MAINTENANCE

- A. Officers assigned a patrol rifle will consider the rifle as part of their required equipment. These officers shall have the rifle properly secured and ready for use in their police vehicle at all times.
- B. While carried in the police vehicle, the patrol rifle shall be carried with the chamber empty, bolt in the forward position, and a loaded magazine inserted in the magazine well. The selector switch shall remain in the "safe" position.
- C. The patrol rifle shall be secured in the Department approved carrying case at all times when not in use. The patrol rifle will not be left unsecured or in plain view in the police vehicle or any other location.
- D. Any time the police vehicle is left in the control of an outside entity for service, maintenance, etc., the rifle will be removed from the vehicle.
- E. Individual officers will be responsible for the general field level maintenance and cleaning of the rifle. The rifle will be maintained in a clean and serviceable condition at all times.
- F. Officers shall only be allowed to "field strip" the rifle for cleaning and maintenance. A certified armorer must do any further disassembly of the rifle. Any attempt to convert the rifle to full automatic will result in disciplinary action.
- G. A certified armorer will inspect each rifle on a regular basis, at least annually, to ensure that the rifle is functioning properly.

GENERAL

- A. The on-call Administrator shall be notified on all discharges regardless of the weapon involved.
- B. Nothing in this policy should be construed to supersede the FPD Use of Force Policy or state and federal law concerning the use of deadly force.