

General Order

Houston Police Department



ISSUE DATE:

May 21, 2013

NO.

400-05

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 400-05, dated December 18, 2008

SUBJECT: FIREARMS QUALIFICATION AND CONTROL

POLICY

Officers shall carry only those firearms that meet department standards. Officers are responsible for attaining and maintaining proficiency in the use of the approved firearms they carry and shall obey all department policies and procedures related to firearms control.

Except as noted in this General Order, officers shall carry only those firearms listed in *Attachment A* of this General Order. All approved weapons used by officers in the performance of their official duties shall not be altered from the manufacturer specifications nor changed in any way that affects the safety or function of the weapons.

All weapons carried on or off duty shall be professional and conservative in appearance. Frames, slides, and barrels shall be traditional in color with a black or silver finish.

A complete description of all firearms carried by each officer shall be listed in the Houston Police Department's firearms registration database maintained by the Training Division.

Division commanders shall ensure officers under their command comply with the firearms policies and procedures contained in this General Order.

This General Order applies to all employees. Section 20, *Places Weapons Prohibited for Civilian Employees*, of this General Order applies specifically to civilian employees.

DEFINITIONS

Academy Firearms Range. The firearms training facility located in the academy fire-

arms complex and supervised by Houston Police Department academy range personnel.

Academy Range Personnel. Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE) certified firearms instructors assigned to an academy firearms range.

Attempt to Qualify. When an officer during an official qualifying line scored by academy range personnel shoots and attempts to pass the appropriate firearms qualification course with a firearm the officer intends to carry.

Back-up Weapon. A firearm that meets the guidelines set forth in this General Order, that is registered in the department's firearms registration database as a back-up weapon, and that may be carried only as described in this General Order.

Off-Duty Weapon. A handgun registered in the department's firearms registration database and that may be carried in an off-duty capacity once guidelines set forth in this General Order are met. An off-duty weapon may also be carried as a back-up weapon when all criteria and qualifications have been met.

Plainclothes. For the purposes of this General Order only, plainclothes refers to all manner of dress other than approved department uniforms.

Primary Weapon. A handgun that meets the guidelines set forth in this General Order, that is registered in the department's firearms registration database as a primary weapon, and that may be carried alone.

Qualification. When an officer during an official qualifying line scored by academy range personnel shoots and passes the

appropriate firearms *qualification* course with a firearm the officer intends to carry. *Qualification* remains current until the end of the officer's next birthday month.

Quarterly Remedial Firearms Training. Individualized training sessions scheduled by the Training Division once every three months over a 12-month period until the officer's next birthday month *qualification*.

Shoulder Fired Weapon. A shotgun or carbine that meets the guidelines set forth in this General Order, that is registered in the department's firearms registration database, and that may be carried only with a *primary weapon* if the officer is in police uniform, on duty, or working police-related extra employment.

Specialized. Only divisions, units, weapons, and ammunition so designated in writing by the Chief of Police shall be considered *specialized*. Only officers assigned full or part time to a *specialized* division or unit and while carrying out those assignments, duties, and functions are allowed to carry *specialized* weapons and ammunition.

Under the Influence of Alcohol. Any measurable concentration of alcohol in a person's blood, breath, or urine.

1 PRIMARY WEAPONS

Except as noted in this General Order, officers shall carry a *primary weapon* while in police uniform, on duty, or working police-related extra employment. Officers shall qualify annually with such weapons on the department's *primary weapons* course.

Regardless of assignment or exceptions stated in this section, all officers must qualify annually with an approved *primary weapon* prior to *qualification* with any other weapon. *Qualification* with a *primary weapon* must be on the *primary weapons* course at an *academy firearms range*.

Uniformed Officers

Only the weapons listed under *Uniformed Officers* in *Attachment A* are approved *primary weapons* for officers while in uniform, unless included as an exception as described in section 10 of this General Order.

Plainclothes Officers

Only the weapons listed under *Plainclothes Officers* in *Attachment A* are approved *primary weapons* for officers while in *plainclothes*, unless included as an exception as described in section 10 of this General Order.

Undercover Officers

Officers working in an undercover capacity shall carry a weapon included in the *primary weapons* list for uniformed or *plainclothes* officers in *Attachment A*.

Any exceptions to the above paragraph must be approved in writing by the officer's division commander. The correspondence asking for an exception shall include the details of the operation and justification for the exception. With the exception of rifles and fully automatic weapons, the division commander may approve an officer working in an undercover capacity to carry as a *primary weapon* any firearm that will enable the safe completion of an operation.

If an officer is authorized to carry a weapon described in section 2, *Off-Duty Weapons*, as a *primary weapon* during a particular operation, the officer must be currently qualified with the weapon on the department's *primary weapons* course prior to the operation.

If an officer is authorized to carry a weapon described in section 3, *Back-up Weapons*, as a *primary weapon* during a particular operation, the officer must be currently qualified with the weapon on the department's *off-duty weapons* course prior to the operation.

If a division commander approves a weapon that does not meet any of the above criteria, the officer must be currently qualified with the weapon on the department's *off-duty weapons* course prior to the operation.

If a particular operation makes it impractical for an officer to carry a firearm, the division commander may authorize the involved officer to not carry a firearm for the duration of the assignment.

2 OFF-DUTY WEAPONS

Officers who are off duty are not required to carry a firearm, and may be specifically prohibited from doing so by General Order 300-28, **Use of Intoxicants** or section 12, subsection "Limitations" of this General Order.

Officers are reminded that even if they elect not to carry a firearm while off duty, they are considered to be a Houston police officer 24 hours a day, 7 days a week. Officers shall remain responsible for complying with all department policies and procedures, and are still required to take appropriate action when required. If unarmed, appropriate action may include contacting 9-1-1 or the police dispatcher about a crime in progress rather than attempting to make an arrest.

Off-duty officers working police-related extra employment or wearing a police uniform are required to carry a *primary weapon* in accordance with all applicable provisions of this General Order.

If an off-duty officer not wearing a police uniform and not working police-related extra employment elects to carry a handgun, the officer shall carry a *primary weapon* and/or an *off-duty weapon* that matches one of the following descriptions:

- a. **Revolvers.** Revolvers shall be double action and chambered for .38 special or larger cartridges. Revolvers shall have a

barrel length of at least two inches, but not more than four inches.

- b. **Semiautomatic pistols.** Semiautomatic pistols shall be chambered for .380 caliber cartridges or larger and have a barrel length of at least two inches.

Handguns carried off duty shall hold a minimum of five rounds of ammunition.

Officers shall qualify annually on the department's *off-duty weapons* course with all *off-duty weapons* they intend to carry.

3 BACK-UP WEAPONS

While in police uniform, on duty, or working police-related extra employment, officers are not allowed to carry a *back-up weapon* alone without an approved *primary weapon*.

While off duty and not wearing a police uniform and not working police-related extra employment, officers are not allowed to carry a *back-up handgun* alone without an approved *primary* or *off-duty weapon*.

Except as noted elsewhere in this General Order, the department approved *back-up weapons* described in the following subsections are the only firearms officers may carry in addition to their *primary weapon* if the officer is in police uniform, on duty, or working police-related extra employment.

Handguns

Back-up handguns shall be .22 caliber or larger (.25 caliber is prohibited) and have a barrel length of two to four inches. If an officer's back-up handgun is a revolver it shall be double action. Back-up handguns shall hold at least five rounds of ammunition.

Officers shall qualify with these weapons annually on the department's *off-duty weapons* course.

Back-up handguns shall be carried in a concealed and inconspicuous manner.

Shotguns

Officers who carry shotguns as a *back-up weapon* while in uniform, on duty, or working police-related extra employment shall qualify annually in a manner dictated by *academy range personnel* and shall demonstrate a working knowledge of the specific shotgun. *Academy range personnel* shall inspect shotguns at the time of annual *qualification* for compliance and unauthorized modifications.

Only those shotguns listed in *Attachment A* have been approved by the department unless included as an exception as described in section 10 of this General Order.

Officers who desire to carry shotguns not currently approved by the department shall submit their requests in writing to the Chief of Police for approval. Each shotgun submitted to the Chief of Police for approval must meet a list of requirements and be inspected and approved by *academy range personnel*. The *academy range personnel* shall maintain the list of requirements.

Only shotguns having all of the following features shall be approved by the department:

- a. 12 gauge
- b. Pump or semiautomatic
- c. Dual action bars (applicable to pump action shotguns)
- d. Cross-bolt safety
- e. Barrel length of 18 to 20 inches
- f. Black or silver finish
- g. Bead or iron sights
- h. Loading and ejection through two different ports
- i. No optical devices

Shotguns may have folding or retractable stocks. Pistol-grip only shotguns are not approved.

Carbines

Officers of any rank from any division who successfully complete all portions of the requisite carbine rifle training may carry approved carbines as a *back-up weapon* while in uniform, on duty, or working police-related extra employment. Once trained, officers shall qualify annually in a manner dictated by the department and shall demonstrate a working knowledge of the specific carbine.

Only those carbines listed in *Attachment A* and having a barrel length of 16 to 20 inches and an overall length of more than 26 inches shall be used for *qualification* and deployment. Approved carbines may have retractable or folding stocks. No officer shall carry a rifle or a carbine of any other type or configuration unless specifically authorized in writing by the Chief of Police.

Only .223 caliber, 55-grain soft point ammunition shall be used for deployment.

Approved carbines must have iron sights and may in addition have electronic optical sights as listed in *Attachment A*. Allowable electronic optical sights shall have no magnification and must be mounted either with a quick release return to zero mount or in a manner that allows the immediate use of the back-up iron sights should the electronic optic fail for any reason.

Officers shall transport carbines in the trunk of the vehicle inside a case. Carbines shall be stored with a magazine seated in the magazine well, safety engaged, and with the chamber empty.

Officers may respond and deploy with an approved carbine in any high-risk situation in which a suspect:

- a. Possesses a rifle, assault rifle, machine gun, or shotgun.
- b. Possesses or uses body armor.

- c. Employs measures that put any officer at a tactical disadvantage that cannot be overcome with a handgun.

Officers may also respond with a carbine at any special threat situation as long as the requirements in General Order 600-05, **Special Threat Situations**, are also satisfied.

Officers shall not volunteer or participate in the execution of preplanned high-risk warrants with their carbines in lieu of contacting the Tactical Operations Division, SWAT Detail.

At the end of a high-risk situation in which a carbine was deployed, officers shall immediately render the carbine safe as described above and place it back in the vehicle.

No officer shall carry a fully automatic weapon unless the Chief of Police has authorized its use as part of a job assignment.

4 SPECIALIZED WEAPONS

Specialized divisions and units may need to utilize weapons that do not meet the approved weapon criteria outlined in this General Order.

Any weapon that does not meet the approved weapon criteria outlined in this General Order may not be utilized unless the weapon is approved for use in writing by the Chief of Police. Weapons such as rifles, fully automatic weapons, and carbines not otherwise approved may be designated as *specialized* weapons by the Chief of Police in writing.

Specialized weapons may not be utilized in any manner inconsistent with this General Order or other department policies without written approval by the Chief of Police.

Officers in *specialized* units may carry any weapon or ammunition in any configuration

that meets their needs as long as the configuration is approved in writing by the Chief of Police.

Once a *specialized* weapon is approved in writing by the Chief of Police, the division commander shall be responsible for that weapon's use, control, and inventory.

5 AMMUNITION

Except upon approval by the Chief of Police, no officer shall carry any of the following types of ammunition in any weapon.

- a. Armor piercing
- b. Tracer ammunition
- c. Glaser safety slug
- d. Rat shot
- e. Frangible ammunition

All shotguns shall be loaded with either "00" or No. 4 buckshot. Slugs may be used upon completion of the department's *Select Slug* training course.

6 GRIPS

All weapons carried while an officer is in uniform, on duty, or working police-related extra employment shall have black or brown grips made of wood, plastic, metal, or rubber.

Grips shall not have religious, political, or "freedom of expression" emblems or designs.

7 HOLSTERS

Approved uniform holsters are listed in *Attachment A* of this General Order. The following procedures regarding uniform holsters shall be followed.

- a. Holsters shall not be modified in any way.

- b. Each holster is to be used for only the particular weapon or configuration for which it was made.
- c. Officers shall bring their "Sam Browne" and uniform holsters when reporting to qualify during their birthday month. *Academy range personnel* shall inspect the holsters to ensure they are in good working order and are appropriate for the type and configuration of weapons the officers are carrying.
- d. Officers shall contact Uniform Supply before acquiring a new *primary weapon* to determine if an approved holster is available through the City's current holster vendor.
 - 1. If an approved holster is available, officers shall go to Uniform Supply and pick up the appropriate holster.

Before the holster can be worn on duty, officers shall report to an *academy firearms range*, qualify with the handgun, and receive a new or updated *qualification* card. After qualifying with a new weapon, officers shall return the old holster to Uniform Supply within two business days and provide proof they qualified using the new holster.

If an officer does not qualify within 14 calendar days, the officer shall contact Uniform Supply to make arrangements to return the new holster.

- 2. If an approved holster is not available, officers shall be responsible for purchasing an appropriate holster and having it approved by *academy range personnel* before qualifying or using it on duty.
- e. Officers requiring replacement of a damaged holster for their existing weapon shall contact Uniform Supply to

determine availability and replacement requirements.

- f. Officers may, at their own expense, purchase and wear custom-made holsters, provided the holsters meet all criteria and specifications set forth for the official City-issued holsters or approved alternatives and are approved by *academy range personnel* in writing.

Prior to wearing any alternative holster, officers must demonstrate proficiency with the holster to *academy range personnel*.

Any rejected holster may be submitted with justification for the alternative or modification to the Chief of Police who may direct the department's Planning office to evaluate the holster. Following this evaluation, the Chief of Police shall determine whether the holster may be used.

- g. Officers must demonstrate proficiency when transitioning to a different approved holster before using it on duty.

8 SIGHTS

Firearms shall not be altered to accommodate laser sights; nor shall officers carry firearms with laser sights. However, specialized units may use laser sights if approved in writing by the Chief of Police.

9 WEAPON-MOUNTED LIGHTS

The use of weapon-mounted lights on carbines, shotguns, or handguns is an option for officers upon successful completion of the requisite training. Officers who wish to use weapon-mounted lights are responsible for purchasing an appropriate weapon-mounted light and holster according to the specifications listed in *Attachment A* of this General Order.

10 WEAPON EXCEPTIONS

Primary Weapons

Officers, who graduated from the Houston Police Academy before cadet class 170 graduated, may continue to carry as a *primary weapon* a handgun not on the *primary weapons* list, provided the firearm was registered with the department prior to September 1, 1997. This applies to only handguns remaining continuously registered in the department's firearms registration database since before September 1, 1997. In order to carry these firearms, officers shall qualify with them on the *primary weapons* course during their birthday month.

Barrel Length

Primary weapon revolvers shall have a barrel length of at least three inches, but not more than four inches. Officers may carry revolvers with a barrel length exceeding four inches but not more than six and one-half inches provided the weapons were registered with the department prior to April 3, 1985, and have remained continuously registered.

Shotguns

Any shotgun that has remained continuously registered in an officer's firearms record since before August 24, 2000, may continue to be carried as a *back-up* weapon while the officer is in uniform, on duty, or working police-related extra employment as long as the officer continues to qualify annually with the weapon on the appropriate *qualification* course as designated by *academy range personnel*.

Weapon Replacement

In the event a handgun that is not on the *primary weapons* list on *Attachment A* but has been continuously registered with the department since before September 1,

1997, becomes stolen, lost, or non-repairable, officers have the option of replacing that *primary weapon* with an identical firearm. If an identical replacement firearm is not available, the firearm must be replaced with one from the approved list on *Attachment A*. This replacement policy also applies to shotguns that have remained continuously registered in an officer's department firearms record since before August 24, 2000.

Prior to carrying any replacement weapon, officers shall qualify with the weapon on the appropriate *qualification* course.

11 PERSONAL WEAPONS

Officers often own or possess firearms for which they have no reasonable expectation of being called upon to use while acting in a police capacity (e.g., weapons normally used only for hunting or as part of a personal collection). Weapons possessed solely for such purposes and that are never carried while the individuals are acting in the capacity of police officers, need not be registered with the department.

12 CARRYING A WEAPON

In compliance with General Order 200-08, **Conduct and Authority**, officers, regardless of rank or assignment, while in the state of Texas are required to take prompt, effective, and appropriate police action with respect to violations of the law coming to their attention whether they are on or off duty, unless doing so would compromise the safety of an officer working in an undercover capacity. Therefore, officers are encouraged to carry firearms that meet department standards at all times while in the state of Texas.

Officers shall see General Order 200-08, **Conduct and Authority**, for information regarding off-duty intervention protocol while in the state of Texas.

Section 46.15 of the *Texas Penal Code*, "Non-applicability" (to police officers), states that restrictions for carrying concealed weapons as outlined in sections 46.02 and 46.03 of the *Texas Penal Code* do not apply to police officers while on or off duty.

Officers shall see General Order 400-06, **Carrying Concealed Firearms**, for information regarding carrying a concealed firearm outside the state of Texas.

When in *plainclothes*, officers, regardless of rank or duty status, shall carry their firearm in a manner that is not exposed to public view. This regulation does not apply:

- a. During the course of tactical operations
- b. When conducting raids
- c. When running warrants
- d. While on Police Department property

In the above listed exception circumstances, officers shall wear their official Houston Police Department identification card in a visible manner.

Limitations

Limitations apply to officers carrying firearms in the following areas and circumstances.

- a. **Courts.** While attending court, officers shall adhere to that court's policy regarding the carrying of firearms and shall surrender their firearms if a bailiff so requests.
- b. **Psychiatric Wards.** Armed officers shall not enter any facility's psychiatric ward except under the most serious of circumstances, and then only after having received approval from the physician in charge of the unit, or in the absence of the physician in charge, any on-duty physician in the unit.

c. **Under the Influence of Alcohol.** City Ordinance prohibits officers from exercising the authority of their office while off duty and *under the influence of alcohol*. Therefore, officers who are *under the influence of alcohol* and not engaged in the performance of their assigned work duties shall not carry firearms.

d. **Under the Influence of Medication.** Officers shall exercise prudence when taking prescribed or over-the-counter medications that may impair their physical or mental faculties. Medications affect individuals differently and numerous medications come with warnings that they may cause drowsiness or other impairing side effects. Officers who take medication or a combination of medications that they know will cause impairment or that have a high probability of causing impairment shall not carry a firearm. Officers shall not carry a firearm while experiencing impairing side effects from any medication.

Airports and Aircraft

Airports. Armed officers who want to enter the sterile area of an airport shall advise the proper authorities of their intentions to do so before entering the airport security checkpoint. Officers shall present any documents or law enforcement credentials necessary to verify their identity, and shall comply with the decision of airport authorities to allow or deny access.

Aircraft. Officers shall limit a request to carry a firearm aboard an aircraft to a situation in which a weapon is required to ensure the safe completion of a law enforcement mission.

Prior to air travel, officers are required to complete the "Law Enforcement Officers Flying Armed" training program available at the Airport Division (IAH).

A National Law Enforcement Telecommunications System (NLETS) message to Transportation Security Administration (TSA) personnel must be submitted for any officer flying armed. An NLETS message must be generated for each direction of travel.

In order to obtain the NLETS messages of authorization, officers with an operational need to fly armed shall at least 48 hours in advance submit to the Office of the Chief of Police a written request that contains the following information needed by Emergency Communications Division (ECD) personnel:

- a. Officer's name
- b. Employee number
- c. Cellular telephone number
- d. Escorted individual type
- e. Escorted individual's name
- f. Name of airline
- g. Flight numbers
- h. Flight dates
- i. Departing airports
- j. Connecting airports
- k. Final destination airports

The above information must be complete and accurate and is necessary for all flights that are leaving, connecting, or returning to the city of Houston.

Once approved, a copy of the Chief of Police's authorization letter shall be forwarded to the on-duty ECD sergeant for review. The Chief of Police's authorization letter shall authorize ECD to generate the requests via NLETS. The reply from TSA shall contain a unique eight-digit alphanumeric identifier. The on-duty ECD sergeant shall ensure the reply message is received and forwarded to the requesting officer in the most expedient manner possible for presentation to the appropriate authorities at the airport.

Should a flight have to be changed or if a flight is cancelled, particularly when the

date of a flight changes, a new NLETS message must be generated by contacting an ECD supervisor at (713-884-4661) or (713-884-4662).

When time is critical, the Assistant Chief of the Criminal Investigations Command may act as the Chief of Police's representative and send the request letter and authorization directly to the on-duty ECD sergeant.

13 QUALIFICATION WITH FIREARMS AND CONDUCTED ENERGY DEVICES

Officers shall maintain current *qualification* with all weapons they intend to carry per the guidelines in this General Order. Qualification shall be performed at an *academy firearms range*. Regardless of which *academy firearms range* an officer uses, the officer shall comply with that facility's policies. All firearms for which officers hold current *qualification* shall be listed in the department's firearms registration database. Failure to qualify with a weapon shall result in that weapon not being eligible for use as an *on-or off-duty weapon*.

Conducted Energy Devices

Officers shall qualify annually during their birthday month with their department approved conducted energy device (CED) after they have successfully qualified with their *primary weapon*. See General Order 400-26, **Conducted Energy Devices**. *Academy range personnel* shall conduct the annual *qualifications*. Officers who fail *qualification* or do not *attempt to qualify* with their CED during their birthday month are subject to the same requirements and restrictions for failing or failing to *attempt to qualify* with their *primary weapon*.

When to Qualify

Except as noted in this General Order, each year during their respective birthday month, officers must attempt to satisfy the

department's mandatory firearms *qualification* requirement for their *primary weapons*. Officers shall also attempt during their birthday month each year to qualify with any *off-duty weapons* or *back-up weapons*, including *shoulder fired weapons*, they intend to carry. Officers may *attempt to qualify* during their non-birthday months when a new or replacement weapon the officer intends to carry is acquired. Inability to qualify is addressed in sections 14 and 15 of this General Order.

Qualification or attempts to qualify with any weapon shall not be done during an officer's duty hours unless Personal Fitness and Training (PFT) time or other personal leave is taken. The only exceptions are lieutenants and captains who, per the Meet and Confer Agreement, are authorized to qualify while on duty. Officers may also qualify on their own time. Commanders shall give priority to officers needing time off in order to satisfy the department's *qualification* requirements.

Ammunition

The department shall provide up to 120 rounds of ammunition to each officer for use in qualifying with the officer's *primary weapon*. Any additional ammunition needed for *qualification* shall be purchased at the range, if available, or provided by the officer in accordance with *academy firearms range* specifications.

Qualification Content

Annual *qualification* includes a demonstration to *academy range personnel* of a working knowledge of each officer's *primary weapons*, *off-duty weapons*, and *back-up weapons*.

Passing Score

To pass the *qualification* examination, a range score of at least 75 percent is required. Officers shall not carry any firearm

for which their score was less than 75 percent.

Shooting Performance Medals

Shooting performance medals, which remain the property of the City of Houston, shall be based on the highest score an officer obtained while shooting a *primary weapon* on the *primary weapons* course during the officer's birthday month and until the officer's next annual *qualification*. Officers may attempt to upgrade their *qualification* scores on future *qualification* courses prior to the officer's next annual *qualification*.

Shooting performance medals shall be awarded as listed below according to the following percent ranges:

Score (Percent)	Medal
75-79.8	Qualified (no medal)
80-84.8	Marksman
85-94.8	Sharpshooter
95-98.8	Expert
99-100	Distinguished Expert

The appropriate medal, if any, can be obtained from the Firearms Training Unit. Officers who break a medal shall return it to the Firearms Training Unit for replacement. Officers who upgrade or downgrade their *qualification* scores during the next annual *qualification* shall return the medals they were previously awarded before receiving a new one.

Exception: A Distinguished Expert medal, once earned, may be worn on the officer's uniform for the remainder of the officer's career.

Qualification Documents

After successfully completing the department approved *primary weapons* course, each officer shall be given a *qualification* card denoting the officer's skill level and

the month and year the *qualification* expires.

Specialized Divisions and Units

A division or unit that is issued or authorized to use *specialized weapons* and the support gear necessary for proper operation of the *specialized weapons*, shall train, qualify, and maintain records of the officers in the unit who are authorized to use *specialized weapons* while acting in the capacity of a police officer.

14 FAILED ATTEMPT TO QUALIFY

Officers are authorized to carry only those handguns and *shoulder fired weapons* with which they have qualified during or since their most recent birthday month. All handguns and *shoulder fired weapons* for which officers do not hold current *qualification* shall not be carried by officers until they have qualified with those weapons.

Failing Qualification

Any officer who attempts but fails to qualify with an approved *primary weapon* on the *primary weapons* course by the last day of that officer's birthday month or who experiences three failed *attempts to qualify*, shall notify his division commander in writing by the next workday.

Any officer who attempts but fails to qualify with an approved *primary weapon* on the *primary weapons* course by the last day of that officer's birthday month shall not work an assignment that requires the officer to be armed and shall not work police-related extra employment until that officer passes the *qualification standards* with an approved *primary weapon*.

Any officer who fails to qualify after three attempts with an approved *primary weapon* on the *primary weapons* course during that officer's birthday month shall be required to

schedule and attend four hours of remedial firearms training with *qualification range instructors*. Officers who then fail to shoot a passing score of 75 percent or higher shall be required to schedule and attend sixteen hours of remedial firearms training with Indoor Firearms Range instructors.

The four-hour and sixteen-hour remedial firearms training and subsequent *qualifications* shall be done on an off-duty basis. Officers shall use PFT time or other personal leave if the remedial activities occur during duty hours. Division commanders shall give priority to officers needing time off in order to satisfy the remedial firearms training and *qualification requirements*.

The Chief of Police shall be notified in writing to determine the appropriate action to be taken when an officer fails to shoot a passing score of 75 percent or higher after receiving sixteen hours of remedial training.

Any officer who fails to qualify after three attempts with an approved *primary weapon* on the *primary weapons* course during that officer's birthday month shall also be required to attend *quarterly remedial firearms training* until that officer's next birthday month *qualification*. *Quarterly remedial firearms training* shall be done on duty.

Supervisors' Responsibilities

Upon receiving written notification of an officer's failure to qualify as described above, it is the immediate supervisor's responsibility to ensure that corrective measures are taken until the officer is able to qualify with an approved *primary weapon*.

For officers whose *primary weapon qualification* has expired, corrective measures shall include assigning the officer to duties that do not require the officer to be armed and ensuring the officer does not carry a firearm until *qualification standards* have been met. This includes suspending the officer's police-related extra employment.

If necessary, and dependent upon the nature of the officer's assignment, the supervisor shall reassign the officer to ensure safe and appropriate execution of duty. The Chief of Police shall determine any other corrective action.

15 NO ATTEMPT TO QUALIFY

All records relating to officers not attempting to qualify with a *primary weapon* are to be maintained by the officers' division commander.

Except as noted below, officers who make no *attempt to qualify* during their birthday month with an approved *primary weapon* shall be subject to appropriate disciplinary action. Such action may include involuntary reassignment, relief from duty, or dismissal from service.

Except as noted below, officers who make no *attempt to qualify* during their birthday month with an approved *primary weapon* shall not be assigned to duty that requires them to be armed and shall not be allowed to work police-related extra employment until *qualification* requirements are met.

Legitimate Reason

Officers who have a legitimate reason for not attempting to qualify with an approved *primary weapon* during their birthday month shall not be subject to disciplinary action, but shall notify their division commander. Some examples of legitimate reasons include, but are not limited to, authorized absences, documented illnesses, and special assignments.

Division commanders shall inform the Training Division in writing of an officer's legitimate reason for not attempting to qualify. Division commanders or above who have a legitimate reason for not attempting to qualify during their birthday month shall notify their immediate supervisors.

Officers shall *attempt to qualify* as soon as possible after returning to a normal duty assignment. Officers shall be given 30 calendar days to qualify after returning to normal duty. Unless an exigent circumstance exists, an officer on normal duty at least one day during the officer's birthday month shall not be granted the extension.

Officers granted a *qualification* extension shall not be assigned to duty that requires them to be armed and shall not be allowed to work police-related extra employment until *qualification* requirements are met.

Physical Disability

Officers who are physically unable to qualify with an approved *primary weapon* during their birthday month shall not be subject to disciplinary action, but shall provide sufficient, acceptable documentation to their division commander, justifying the nature and extent of the disability. Pregnant officers shall be classified as unable to qualify after appropriate documentation is provided.

Division commanders shall inform the Training Division in writing of an officer's inability to qualify due to a physical condition. The disabled officer is responsible for making arrangements to qualify when physically able to do so.

Any officer who has been declared physically unable to qualify shall not be assigned to any duty requiring the officer to be armed and shall not be allowed to work police-related extra employment until the officer has passed the *qualification* standards with an approved *primary weapon*. Officers assigned to transitional duty shall see General Order 300-10, **Transitional Duty Assignment**, for additional restrictions and requirements.

16 AUTHORIZATION TO CARRY WEAPONS

Department authorization for officers to carry any firearm requires that officers meet all

pertinent specifications of this General Order. Authorization to carry any approved firearm automatically expires 12 months from the last day of an officer's most recent birthday month. Except as noted in this General Order, officers shall complete the *qualification* procedure described in this General Order by that date for any firearms the officers intend to carry.

17 LOAN OF FIREARMS

Any officer who temporarily does not have a *primary weapon* to carry on duty may request the loan of a replacement *primary weapon* if one of the following circumstances exists:

- a. The officer's *primary weapon* has been rendered temporarily inoperable and is being repaired or replaced.
- b. The officer's *primary weapon* has been stolen and properly reported as required by HPD.
- c. The department has retained the officer's *primary weapon* as part of an investigation and the weapon has not been returned.

An officer requiring the loan of a *primary weapon* due to a circumstance outlined in either item "a" or "b" above, shall submit a request in writing through the officer's division commander to the Training Division commander. The officer shall deliver either the original approved letter or a copy to an academy range supervisor and then qualify with the loaner weapon before it will be temporarily issued. The loan of a *primary weapon* shall not exceed 30 calendar days without additional written justification from the officer's division commander.

A letter is not required when the department has retained the officer's *primary weapon* as part of an investigation and the weapon has not been returned.

18 QUALIFICATION FOR RETIRED OFFICERS

Chapter 411 of the *Texas Statutes, Government Code* governs the firearms *qualification* for honorably retired peace officers holding a license to carry concealed handguns in the state of Texas. See General Order 400-02, **Badges and Credentials**, for requirements for honorable retirement.

The following guidelines shall be followed for all honorably retired HPD officers who have submitted a sworn statement from the Chief of Police as required in order to comply with Section 411.199(b) of the *Texas Statutes, Government Code*.

- a. Proficiency testing shall be required once every two years and shall be conducted at an *academy firearms range*, or qualifying scores may also be accepted from any law enforcement firearms range associated with a Texas County Sheriff's Department, the municipal police departments of El Paso, Dallas, Fort Worth, San Antonio, or Austin, or any other agency on the Training Division's list of firearms ranges with a reciprocal agreement.
- b. Testing shall be consistent with the requirements, procedures, and *qualification* course designated for retirees by the Training Division.
- c. Proficiency testing at an *academy firearms range* shall be provided as available at no cost to any person honorably retired from HPD as a law enforcement officer and who currently resides in the state of Texas.
- d. A certificate documenting firearm proficiency shall be provided to honorably retired HPD officers so they may report the successful demonstration of proficiency to the Texas Department of Public Safety.

Retired officers wanting certification under the Federal Law Enforcement Officer Safety

Act of 2004 to carry a concealed firearm in any state within the United States shall see General Order 400-06, **Carrying Concealed Firearms**.

19 QUALIFICATION FOR PHASE DOWN PROGRAM OFFICERS

Officers in the Phase Down Program shall refer to General Order 300-35, **Phase Down Program**, for specific guidelines regarding firearms *qualification*. Any firearm issues not specifically addressed in General Order 300-35, are governed by this General Order or other applicable department policy.

20 PLACES WEAPONS PROHIBITED FOR CIVILIAN EMPLOYEES

City ordinance prohibits civilian employees from carrying firearms into any City owned or controlled building, except as provided by federal or state law. Specifically, state law allows an employee who holds a license to

carry a concealed handgun under Subchapter H, Chapter 411, Texas Government Code or who lawfully possesses a firearm, to transport or store a firearm or ammunition the employee is authorized by law to possess in a locked, privately owned motor vehicle in a City parking lot, City parking garage, or other City parking area that the City provides for its employees.

21 RELATED GENERAL ORDERS

- 200-08, **Conduct and Authority**
- 300-10, **Transitional Duty Assignment**
- 300-14, **Extra Employment**
- 300-15, **Appearance and Grooming Standards – Classified**
- 300-28, **Use of Intoxicants**
- 300-35, **Phase Down Program**
- 400-02, **Badges and Credentials**
- 400-06, **Carrying Concealed Firearms**
- 400-26, **Conducted Energy Devices**
- 500-01, **Effecting Arrests and Searches**
- 600-05, **Special Threat Situations**
- 600-17, **Use of Force**
- 600-19, **Police Headquarters Security**



Charles A. McClelland, Jr.
Chief of Police

GENERAL ORDER 400-05
Attachment A
Approved Weapons and Holsters

PRIMARY WEAPONS

UNIFORMED OFFICERS

Glock

.40 caliber models 22/22C and 23/23C

Sigarms (includes "R" models)

.40 caliber models P229 and P226
(DA/SA or DAK)

Smith & Wesson

.40 caliber model M&P 40

PLAINCLOTHES OFFICERS

All primary weapons listed under Uniformed Officers section, plus

Glock

.40 caliber model G27
9mm model G19

Sigarms

.40 caliber model P239

Smith & Wesson

.40 caliber models, 4013 TSW, SW99, and CS40
.38 caliber, models 10 and 64
.357 caliber, models 13, 19, 65, 66, 586, and 686

SHOULDER FIRED WEAPONS

SHOTGUNS

Benelli: 12 gauge, models M1 Super 90 and M2 Super 90

Remington: 12 gauge, model 870

PATROL CARBINES

AR-15 Style, .223 caliber
Ruger Mini-14, .223 caliber

Aimpoint and EOTech electronic optical sights are optional, but all patrol carbines shall be equipped with iron sights.

UNIFORM HOLSTERS

Safariland 070 SS III
Safariland 6360 ALS

Holsters to accommodate handguns with weapon-mounted lights shall be the appropriate ALS or approved threat level III holster specifically designed for the handgun and weapon-mounted light to be used.

WEAPON-MOUNTED LIGHTS

HANDGUN LIGHT REQUIREMENTS

- LED or incandescent light, with shock buffer, that must generate a minimum of 65 lumens
- Factory designed to affix to the light rail of a handgun
- Fixed mounted – no portable mounts
- Ambidextrous manual pressure switch – no pressure pad switches
- No laser-flashlight combination

SHOTGUN AND CARBINE LIGHT REQUIREMENTS

- All shotguns must use an integrated (built-in) fore-end weapon-mounted light device
- LED or incandescent light, with shock buffer, that must generate a minimum of 65 lumens
- Factory designed to affix to the weapon
- Ambidextrous manual pressure or pressure pad switch
- No laser-flashlight combination