

**THE UNIVERSITY OF TEXAS AT AUSTIN POLICE DEPARTMENT
POLICY A-13**

TITLE:	Operations / Policy A-13	Effective Date: 12-03-12
		Rescinds: 1-20-10
SUBJECT:	Duty Weapons / Lethal & Less-Lethal	
PURPOSE:	To establish departmental policy regarding carry and use of duty weapons.	
SCOPE:	This directive applies to commissioned officers.	
REFERENCE:	Policy B-7, B-25, System Policy 604	
CALEA:	Chapters 1	

A. General Specifications:

1. Only weapons and ammunition that meet agency authorized specifications, approved by the Chief of Police, and registered with the department may be used by officers in the performance of their responsibilities while on and off-duty.
2. All weapons will be inspected and approved before issuing. When officers discontinue employment with the department:
 - a. The departmental issued pistol will be given to the armorer for inspection and function testing prior to being stored. The inspection and function testing will be recorded. Prior to a pistol being issued to an officer, the armorer will function test and approve the firearm for issue. The function test and approval will be recorded. Pistols that do not pass inspection will be repaired before being stored or reissued.
 - b. The A.S.P. baton will be inspected by an A.S.P. instructor for proper operation before being stored. Before being reissued, an A.S.P. instructor will inspect the baton for proper operation. If a baton does not pass inspection, it will be repaired if possible, or destroyed. The inspection will be recorded.
 - c. The canister of O.C. spray will be inspected by an O.C. instructor for leaks, damage, and expiration. Prior to being issued, the O.C. instructor will inspect the canister for leaks, damage, and expiration. If a canister does not pass inspection, it will be used for training purposes or destroyed. The inspection will be recorded.
 - d. The TASER will be inspected by a TASER instructor to ensure that is functioning properly. The stored information will be downloaded, and the memory will be cleared before storing. The TASER instructor will inspect the TASER before it is reissued. The inspection will be recorded.
3. Officers are required to receive training on any weapon system and demonstrate proficiency with the weapon before being authorized to carry it. For handgun, shotgun, baton, and chemical spray, this requirement is satisfied while attending the University of Texas System Police Academy. For TASER and patrol rifle, the officer will receive the training class and proficiency qualifications during the PTO program.
4. When off-duty, officers may carry a weapon provided they have obtained the approval of the Chief of Police and the weapon complies with UT System Police policy # 604 § IX. Officers will refrain from carrying a firearm while engaged in activities that would make the carrying of a firearm inherently dangerous, improper, or impractical. An officer may not be subject to disciplinary action if an occasion should arise in which the officer could have taken action but did not do so because they were unarmed
5. The above provisions pertain to normally carried sidearms and not to weapons that may be carried during events such as, but not limited to, hunting, target practice, or competitive shooting.

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6. Nothing in this policy shall be construed to prevent officers from using any weapon at their disposal to protect themselves or third parties from death or serious bodily injury in a bona fide emergency.
 7. All officers will ensure that their firearms are safely and properly stored both on duty and off duty. This may be accomplished many ways with some examples being trigger locks, cable locks, lockable boxes, or gun safes. Officers are reminded; it is against the laws of the state to leave a firearm accessible to a child.
- B. Inspection and Care of Firearms:
1. System Police Policy #604 addresses care of firearms.
 2. All firearms will be inspected by a firearms instructor during firearms proficiency qualification. Any firearm deemed unsafe by a firearms instructor or departmental armorer will be removed from service until that firearm is repaired or replaced.
 3. Officers will not, in any way, alter or modify the trigger or any other part of a firearm without written permission from the department armorer. Each employee will, by every practical means, secure all weapons from unauthorized access.
 4. A record of firearm type, model, description, and serial number for each authorized firearm shall be maintained by the department.
 - a. For department issued firearms, that data will be maintained by the procurement officer.
 - b. For personally owned firearms, that data will be maintained by the departmental range master at the initial proficiency demonstration and subsequent proficiency demonstrations. This data, as well as ammunition data, will be recorded on the departmental "Personally Owned Firearm Authorization Form". This form with the record of demonstrated proficiency will be submitted to the Chief of Police for approval.
 5. All repairs to departmental or personal firearms must be made by a certified armorer or authorized gunsmith. Repairs shall always be within manufacturer specifications. In the event that a departmental or personally owned firearm is deemed unsafe and not suitable for duty carry, the officer must cease carrying the firearms and notify the range master and direct supervisor as soon as practical.
- C. Training:
1. In compliance with the policy of the Office of Director of Police, all personnel authorized to carry firearms are required to fire a qualifying score with all firearms authorized to be carried on duty at least two times per year.
 2. UTPD Policy B-7 (Firearms & Qualification Standards) addresses training, proficiency, and qualification standards.
 3. In-service training for baton and OC spray will be conducted biennially. In service training for TASER will be conducted annually.
- D. Texas Concealed Handgun Law:
1. This policy prohibits non-commissioned or civilian employees who obtain a concealed handgun permit from carrying a weapon on The University of Texas at Austin property.
- E. Uniformed Duty Handguns:
1. Department Issued:
 - a. The departmental issued handgun is the Glock Model 22 and Glock Model 23. Authorized ammunition is Winchester / Ranger 40 cal. Smith & Wesson / 165 grain. Substitutions may be authorized by the range master if supplier(s) cannot provide this ammunition.
 - b. An alternative departmental issued handgun is the Glock Model 19. The decision to issue the Glock Model 19 will be made by the Range Master. Authorized ammunition is Winchester / Ranger 9 mm / 147 grain. Substitutions may be authorized by the range master if supplier(s) cannot provide this ammunition.

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2. Personally Owned Handguns – This section ONLY applies to officers hired prior to October 21, 2011 who have received prior authorization to carry a personally owned handgun for uniform duty. See UT System Policy #604 § III E.
 - a. Commissioned officers may choose to carry a personally owned handgun for uniformed duty. Officers who choose to use an authorized personal handgun will not be issued a department handgun and must return any issued handgun. A personally owned handgun must be worn anytime a departmental handgun would be worn. The department will supply the same authorized ammunition issued with departmental handguns for regular duty carry and scheduled qualifications of personally owned handguns. Personally owned handguns will conform to the following:
 1. Chambered in either .40 S&W or 9 mm Luger/Parabellum
 2. Glock model 17, 19, 22, or 23
 3. SIG SAUER P226 DAK or P229 DAK
 4. Springfield Armory XD or XD(M), Service model
 5. Smith and Wesson M&P 9 or M&P
 6. Factory-original configuration
 7. Equipped with tritium, self-luminous night sights
 8. Void of any barrel porting or compensator
 9. Uniformly black in appearance.
 10. Double action trigger with the inability to be fired single action.
 - b. Commissioned officers will be responsible for purchasing the holster and double magazine pouch to be worn with the duty belt for the SIG SAUER, Springfield Armory, or Smith and Wesson handguns. The department will supply the holster and magazine pouch for the Glock handguns. Officers will purchase a third magazine if the firearm is not sold with three magazines. Holsters must be one of the following:
 1. Safariland model 6280 in plain finish with a model 6000 SLS Holster Hood Guard.
 2. Blackhawk Serpa Duty Auto-Lock level III in matte finish.
 - c. If officers are members of the Honor Guard or SRT, the officer will be responsible for purchasing the appropriate holster and magazine pouch so all members' equipment is uniform.
 - d. Personally owned handguns may not be carried until the officer has demonstrated proficiency with that weapon and a firearms instructor has inspected and function tested the firearm.
 1. The inspection and proficiency qualification will be documented on the Personally Owned Firearm Authorization form. Authorization is by signature of both the Range Master and Chief of Police. A copy of the completed form will be supplied to the officer if desired.
 2. The department is not responsible or liable for any wear, damage, or repair to any personally owned weapons. The department is not responsible or liable for any reimbursement due to denying authorization of a weapon, or seizure or loss of a personal weapon. The department will not pay for any personal weapon or related equipment required by this policy. All personal weapons are subject to inspection at any time and bound by all department or System Police policies and procedures.
 3. Personally owned, off-duty ammunition will be limited to Winchester, Remington, Federal, or Speer brands as approved by the departmental range master.
- F. Laser Sights: A laser sighting system may be added to an officer's duty handgun.
 1. The laser system must be purchased at the officer's expense and be either a Crimson Trace brand or LaserMax brand.
 2. All officers that choose to purchase a laser system for the duty weapon must attend a laser orientation class conducted by the Range Master or designee prior to being authorized to carry the weapon.

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3. Laser systems will only be installed by a certified armorer, preferably one of the department armorers. If a department armorer cannot complete the installation, a certified armorer at a retail business may install the laser system with approval of the Captain of Field Operations.
4. The officer will be responsible for scheduling with the Range Master and armorer so the laser system is installed just before the orientation class to prevent the officer from carrying the laser system on duty without the proper training.
5. Officers that have a laser system will have to qualify with the laser system at least twice per year and supply the ammunition for the qualification. The only qualification score that will count towards the System required qualifications will be the score shot with the traditional sighting system during official department qualifications.

G. Patrol Rifle:

1. The departmental issued patrol rifle is the Bushmaster AR-15 type carbine capable of semi-automatic fire only. Authorized ammunition for the Bushmaster AR-15 is Winchester 223 Remington 64 Grain Power Point. Substitutions may be authorized by the range master if supplier(s) cannot provide this ammunition.
2. Commissioned officers may choose to carry a personally owned patrol rifle for uniform duty. A personally owned patrol rifle may be carried anytime a departmental patrol rifle would be carried. The department will supply the same authorized ammunition issued for use with departmental patrol rifles for regular duty carry. Personally owned rifles will conform to the following:
 - a. Chambered in NATO 5.56/.223 Remington
 - b. AR-15 Platform
 - c. Equipped with both iron sights and rifle optic or sighting system, including optics by Eotech, Aimpoint, or other as approved by the department Proficiency Officer.
 - d. Factory-original configuration, or with aftermarket parts as approved by the department Proficiency Officer
 - e. Equipped with a sling
 - f. Semi-Automatic only carbine with a safety/selector lever
 - g. The rifle may be equipped with a mounted light, tactical rail, or foregrip with approval from a department Proficiency Officer.
3. Personally owned patrol rifles may not be carried until the officer has demonstrated proficiency with that weapon, including a working knowledge of all of its safety features, and a firearms instructor has inspected and function tested the firearm.
 - a. The inspection and proficiency qualification on a UT System course of fire will be documented on the Personally Owned Firearm Authorization form. Authorization is by signature of both the Proficiency Officer and Chief of Police. A copy of the completed form will be supplied to the officer if desired.
 - b. The department is not responsible or liable for any wear, damage, or repair to any personally owned weapons. The department is not responsible or liable for any reimbursement due to denying authorization of a weapon, or seizure or loss of a personal weapon. The department will not pay for any personal weapon or related equipment required by this policy. All personal weapons are subject to inspection at any time and bound by all department or System Police policies and procedures.
 - c. The Chief of Police may remove an officer from the personally owned patrol rifle program at any time. Circumstances under which an officer might be removed are, but not limited to:
 1. An improper deployment with the rifle
 2. Having a negligent discharge with the patrol rifle
 3. Failing to properly maintain the patrol rifle
 4. Handling the patrol rifle in an unsafe manner while deployed or in training
 5. Failure to qualify with the patrol rifle
 6. Failure to qualify with the duty handgun

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7. Failure to attend firearms qualification
8. Violation of the department Use of Force policy
4. While in a patrol vehicle, patrol rifles are to be stored in the trunk/rear storage area of patrol vehicles. Commissioned officers carrying personal rifles will be responsible for purchasing a hard or soft gun case for storing the patrol rifle. The weapons are to be kept in the following condition:
 - a. Chamber empty
 - b. Hammer forward on an empty chamber
 - c. Magazine loaded with 28 rounds and inserted in the weapon
 - d. At least one spare magazine
5. Personal rifles, when removed from officers' personal vehicles, will be transported inside a discreet hard or soft case. Officers will not carry rifles between UPB and their personal vehicle unless the rifle is inside such a case.
6. Qualified officers are responsible for checking the weapon's condition prior to beginning each shift to include verifying that the batteries are charged. Personally owned rifles will not need to be inspected or function checked daily. However, upon request of a supervisor, any personally owned weapon will be inspected for cleanliness, functionality, and compliance with this policy.
7. Deployment:
 - a. The patrol rifle may be deployed at the discretion of the officer in any situation where drawing the handgun or deploying a shotgun in the anticipation of using deadly force would be appropriate. The operator will then perform the following pre-operation functions:
 1. Power up, verify the sight is operating, and adjust reticle brightness, if needed
 2. Chamber a round
 3. Place selector lever in SAFE position
8. Manual Safety Protocols: The following procedure will be followed by officers operating the weapon in a tactical environment:
 - a. Carry the weapon on SAFE until ready to fire the weapon
 - b. Engage the safety when carrying the weapon in a non-tactical situation
 - c. Engage the safety anytime both hands are removed from the weapon (i.e. slinging the weapon or handing the weapon to another officer)
9. Returning the weapon to ready condition using the following procedure:
 - a. Ensure the selector lever is in SAFE position
 - b. Power down the sight, if needed
 - c. Remove the magazine
 - d. Eject the chambered cartridge
 - e. Visually and manually ensure the chamber is empty
 - f. Point the muzzle in a safe direction and pull the trigger allowing the hammer to go forward on an empty chamber
 - g. Re-insert the magazine after topping off with ammunition
 - h. Place the weapon in the vehicle after reloading
10. Maintenance:
 - a. The department issued patrol rifle will be cleaned by the assigned shift at least once a month and after any live fire. The department armorer will inspect and log the cleaning. Supervisors may direct additional cleaning as needed.
11. When a police unit is removed from the line for repair, it will be the responsibility of the officer driving the unit to ensure that the rifle is removed from the unit and placed in the spare unit. If no spare unit is available the officer will ensure the rifle is removed from the unit, and that the weapon and ammunition are turned in to their supervisor.
12. Safety Function Check:
 - a. Officers performing maintenance on the patrol rifle will perform the following safety function check upon reassembly: **WARNING:** If the rifle fails any of the following tests,

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immediately remove the rifle from service. Forward the rifle and a memo describing the failure to the department armorer.

1. Remove magazine if installed. Pull Charging Handle assembly to rear. Visually and manually check that chamber is clear. Let bolt and bolt carrier close. Do not pull trigger. Leave hammer in cocked position.
2. Place selector lever in SAFE position. Point the muzzle in a safe direction. Pull trigger. **THE HAMMER SHOULD NOT FALL.**
3. Place selector lever in FIRE position. Pull Trigger. **THE HAMMER SHOULD FALL.**
4. Hold trigger to the rear, pull charging handle to the rear, and release pressure on the trigger with a slow, smooth motion, without hesitations or stops, until the trigger is fully forward. **AN AUDIBLE CLICK SHOULD BE HEARD – THE HAMMER SHOULD NOT FALL.**
5. Repeat the FIRE position test two more times. The rifle must not malfunction during any of these three tests.
6. Check the sight for battery function and turn off when done.
7. Make ready prior to placing the carbine in the vehicle.

H. Shotgun:

1. The departmental issued shotgun is the Remington Model 870. Authorized ammunition for the Remington Model 870 is Federal 12 gauge – “00” Buckshot. Substitutions may be authorized by the range master if supplier(s) cannot provide this ammunition.
2. Shotguns are assigned to most marked police units and to individual officers as needed.
3. Shotguns assigned to a marked police unit may be checked out by any officer driving that marked unit. Other shotguns will be checked out only when authorized by a supervisor.
4. Prior to leaving for assignment, the officer having control of a shotgun is responsible for ensuring that there is no shell in the chamber, the hammer is not cocked, and the weapon is on safe, unless being readied for immediate use. Always ensure the muzzle is pointed in a safe direction while performing these checks.
5. When a police unit is removed from the line for repair, it will be the responsibility of the officer driving the unit to ensure that the shotgun is removed from the unit and placed in the spare unit if the spare unit is equipped with a shotgun rack. If the spare unit does not have a shotgun rack, the officer will put the shotgun inside a hard case and store in the trunk. If a spare unit is not available, the officer will ensure the shotgun is unloaded and turn the weapon and ammunition into their supervisor.

I. Chemical Agents and Munitions and Less-Lethal Impact Munitions:

1. Oleoresin Capsicum (OC) Spray [a.k.a. “Pepper Spray”]
 - a. OC spray is an optional piece of equipment that officers may carry.
 - b. Officers designated to be issued OC spray must be properly trained in its use before being authorized to carry or use it.
 - c. Only department approved OC spray is authorized for use when on-duty or in a Department uniform.
2. Chemical munitions weapons, impact munitions weapons, hand thrown tear gas canisters, and hand thrown colored smoke canisters are considered specialized equipment for use by specifically trained personnel only.
 - a. Specialized chemical munitions weapons and munitions are assigned to, and under the control of, the Special Response Team whose supervisor is responsible for coordinating the training, maintenance and cleaning of the weapons.
 - b. Authorized specialized weapons are: (2) 37mm Defense Technology Gas Guns/Launchers & (2) Remington Wingmaster Model 870 shotguns designated for less lethal munitions by the yellow colored stock and fore grip.

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- c. Authorized munitions are the 12 gauge "tail drag stabilized" bean bags, 37 mm Stinger .60 caliber rubber balls, 37 mm bean bags, and 37 mm muzzle blast OC powder. Substitutions may be authorized by the Chief of his designee if a supplier cannot provide these munitions.

J. Batons:

1. The baton is an optional piece of equipment that officers may carry.
2. Only department issued or authorized batons may be carried.
3. Officers will not be allowed to carry a baton until they have successfully completed a department approved training program and have been specifically authorized to carry it.
4. Officers shall not alter or modify an approved baton. (A replacement end cap does not constitute a modification.)

K. TASER / Models M-26 / X-26:

1. The TASER is deployed as an additional police tool and is not intended to replace firearms or self-defense techniques. The TASER may be used to control a dangerous or violent subject when deadly force does not appear to be justified and/or necessary; or attempts to subdue the subject by other conventional tactics have been, or will likely be, ineffective in the situation at hand; or there is reasonable expectation that it will be unsafe for officers to approach within contact range of the subject.
2. Qualification and Certification.
 - a. Officers must successfully complete a department approved training program before they carry or use the TASER.
 - b. Authorized officers will only carry a department issued M-26 / X-26 Advanced TASER, M-26 / X-26 TASER cartridges and equipment.
 - c. Officers shall not, in any way, alter or modify these weapons.
3. Deployment of TASER
 - a. When deploying the TASER, do not aim at the chest. The aiming point on the front of the body is below the chest, center mass between the sternum and waistline. It is understood that in dynamic situations, unintentional impacts to the chest could occur but efforts must be made to avoid chest impacts.
 - b. A TASER application shall not exceed five (5) seconds.
 - c. Officers utilizing the TASER shall activate it for one standard cycle (5 seconds) and immediately attempt to control and restrain the subject to minimize the necessity of an additional cycle. Officers may activate an additional cycle (up to a maximum of two) only if the person continues to be an immediate threat to himself or others and a lesser force option would be ineffective or unsafe. The TASER shall not be activated more than two times on any single subject unless the person continues to be an immediate threat to himself or others and the person has the means to commit serious bodily injury or death to himself or others.
 - d. After deploying the TASER on an individual, assess their condition and re-evaluate the threat before actuating the TASER again.
 - e. It is imperative that each activation of the TASER (i.e. each trigger pull) must be justified independently under current UTPD Use of Force policy and actions of the violator must rise to the level of force justifying the use of TASER upon each individual activation.
 - f. The TASER may be used as a drive- stun device. When in this mode, the use of the TASER is subject to the same guidelines and restrictions when used during cartridge deployment. The frontal area is an approved impact area. The chest should be avoided. It is understood that in dynamic situations, unintentional impacts to the chest could occur but efforts must be made to avoid chest impacts.
4. Duties after Deployment of TASER.
 - a. TASER probes that penetrate the skin should be removed by medical personnel.
 - b. Photographs will be taken of probe impact sites and any other related injuries and placed into evidence.

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- c. Probes, which have penetrated the skin, should be treated as biohazards. Probes should be carefully placed, sharp tip first, back into the expended cartridge bores and secured with tape.
- d. Cartridge should be labeled, secured and placed into the evidence locker.
- 5. Reporting Procedures
 - a. Use of the M-26 / X-26 Advanced TASER is considered a use of force and is subject to the same reporting requirements as other uses of force required by this agency.
 - b. With the exception of training, all instances of TASER usage, including accidental discharges, shall be reported in a use of force offense/incident report.
- 6. Maintenance
 - a. Testing and maintenance of the TASER shall be consistent with manufacturer's specification. Officers shall check the TASER at the start of their tour of duty to insure that the weapon has a full battery charge.
- 7. Situations when the TASER should generally not be deployed
 - a. A handcuffed person should not be subjected to a TASER unless they are exhibiting active aggression, or to prevent individuals from harming themselves or others.
 - b. The "fleeing" of a subject should not be the sole justification for the use of the TASER. The severity of the offense, threat to one's self, or threat to others should be considered before officers use a TASER on a fleeing person.
 - c. The TASER should not be used against persons displaying passive resistance (passive resistance means a subject offers no physical resistance to arrest, simply goes limp, or makes no overt act of aggressive behavior). This does not preclude the use of "drive stuns" on an individual actively resisting arrest by locking arms or using mechanical devices to impede the arrest procedure at mass arrests.
 - d. The TASER should not be used when an officer believes flammable liquids or gases are present. If OC spray has been used, it will be deemed that a flammable liquid is present.
 - e. The TASER should not be used on the following individuals unless exigent circumstances exist:
 - 1. Females know or suspected of being pregnant.
 - 2. Persons holding or carrying an infant.
 - 3. Young children, which by physical stature and size appear to be under the age of 14
 - 4. Elderly or disabled persons as defined by section 22.04 of the Texas Penal Code
 - f. The TASER should not be used on people positioned on an elevated surface because they cannot control their fall (i.e., ledges, balconies, bridges, or steep embankments)
 - g. The TASER should not be used on people positioned in water deeper than 1" because they may not be able to keep their airway above the water's surface to prevent the inhalation of water.

APPROVED:

Chief of Police