

Berkeley Police Department General Order Revision Form

SUMMARY OF CHANGES

02/07/2025

G.O. 13 -Department Authorized Weapons

Page 2: Paragraph two (2) added the description of the Pepper Spray **10% oleoresin capsicum (O.C).**

Page 3: Added a description #3 **“Handguns: Ammunition will be .40 caliber ammunition duty grade factory-loaded ammunition, not to exceed 180 grains.”**

Page 4: Added to Ammunition #8 Less Lethal Shotgun: Only department-issued less lethal **12-gauge “Bean Bag”** style ammunition shall be used.

	BERKELEY POLICE DEPARTMENT GENERAL ORDER	GENERAL ORDER: 13
DEPARTMENT AUTHORIZED WEAPONS		
ISSUE DATE:	EFFECTIVE DATE:	DISTRIBUTION: ALL PERSONNEL
AMENDED:		RESCINDS: ALL PREVIOUS VERSIONS
• ACCREDITATION STANDARDS: 4.3.1, 4.3.2, 4.3.3, 4.3.4		NUMBER OF PAGES: 6

Purpose:

To establish guidelines relating to the use and carry of department-authorized weapons, both lethal and less lethal.

Policy:

It is the policy of the Berkeley Police Department to define and control the types of weaponry carried and/or utilized by commissioned department personnel.

Definitions:

Authorized Firearms: Issued firearms given to the officer upon employment. The issued firearm serial number must be filled by the Department Armorer. Any additional firearms must be approved by the Chief of Police with firearm information and serial number prior to usage. Once approved, the Department Firearms Instructor will properly train the officer for the use of all approved firearms.

Ammunition: Department-issued/approved projectiles such as bullets, shells, rounds, slugs, cartridges, munitions, etc.

Lethal Weapons: Any weapon, device, instrument, material, or any other substance that is capable of causing death or serious bodily injury from the manner it is used or intended to be used.

Less Lethal Weapons: Are weapons or any devices that are less likely to cause death or serious bodily injury.

General:

Pursuant to RSMO 571.030, Subdivision 2 (1), all sworn personnel having the duty and power of arrest are authorized to carry department-approved firearms and less-lethal weapons. This statute applies to all sworn personnel, both on and off duty. Any firearm and/or other weapon intended for on-duty or off-duty use must first be approved and authorized by the Chief of Police. All firearms shall be inspected by the primary department armorer or his designee, as authorized by the Chief of Police, prior to being authorized for use. All unsafe weapons will be retained by the department's Armorer until rendered safe. Only ammunition that has been approved and authorized by the Chief of Police shall be used in any authorized weapon. Only personnel demonstrating proficiency in the use of authorized weapons may carry such weapons. Only department-approved certified weapons instructors are authorized to conduct in-service training on department-authorized weapons. (4.3.1.c, 4.3.1.d, 4.3.2)

The department Armorer is responsible for documenting and maintaining files of all the department-authorized weapons, related inventory, and training. The department Firearms Instructor shall be responsible for ensuring that all personnel satisfy all training requirements related to the issuance and use of department-authorized weapons. The department Armorer shall be responsible for maintaining an inventory of all department-owned weapons and their issuance. (4.3.2, 4.3.3.a)

Only department-issued less lethal weapons shall be carried by members of this department. Authorized less lethal weapons are: Less-Lethal Orange Stocked 12-gauge shotgun, Chemical Weapons (Pepper Spray **10% oleoresin capsicum (O.C)**), Collapsible Baton (ASP), and Electronic Control Device (TASER) are the only authorized less lethal weapons. (See General Orders 9, 10, 11, 12, and 63 for policy and procedures for less lethal weapons). (4.3.1.a)

Procedures:

Authorization of Lethal or Less Lethal Weapon

- A. Before being authorized to carry any lethal or less lethal weapon, commissioned personnel will be given instruction on and issued copies of (either through print or electronic media) the policies pertaining to the specific weapon. The issuance and instruction will be documented. (4.3.1.c & 4.3.1.e, 4.3.3.a, 4.3.3.b, 4.3.4)
 - 1. A complete record of all weapons approved by the agency will be maintained. For firearms, the record will list the type, description, identifying model, and serial numbers of each firearm, as well as the identity of the owner or assignee. The record will also include the name of the official making the approval, the date of approval, the course fired, and all scores used to qualify the user on the demonstration of proficiency. (4.3.1.c, 4.3.1.e, 4.3.2, 4.3.3.a, 4.3.3.b))
 - 2. Remedial training shall take place for any employee unable to qualify with an authorized weapon prior to assuming official duties. That training will be documented, and a training record will provide the date, name of instructor, type of weapon, and test score for the remedial training. That training record will be kept in the employee's training file. (4.3.3.c)
- B. On-Duty Firearms (4.3.1.a)

Unless otherwise authorized and approved by the Chief of Police, all commissioned personnel shall carry only authorized firearms on duty. Authorized firearms include:

- 1. Glock Model 22, .40 caliber pistol (department authorized for commissioned personnel)
- 2. Remington 308 Tactical Sniper Rifle
- 3. Remington model 870 pump action 12-gauge shotgun;
- 4. Bushmaster or Colt AR15 5.56mm/223 caliber Rifle
- 5. Less-Lethal Orange Stocked 12-gauge shotgun

- C. Secondary Firearm (4.3.1.a)

1. The Armorer will inspect the weapon to ensure that it is operational and meets the department requirements for a secondary firearm.
2. Commissioned personnel may carry one personally owned/secondary weapon while on duty with the following restrictions:
 - a. The weapon carried must be a revolver or semi-automatic pistol with a minimum capacity of five (5) rounds.
 - b. The weapon must be a minimum caliber of .380 and a maximum caliber of .40 caliber.
 - c. The weapon must be carried concealed in a holster with a retaining strap and shall only contain department-authorized ammunition. (The holster must be approved by the Chief of Police and Firearms Instructor).
 - d. The weapon must be from a reputable firm and approved for use by the primary Firearms Instructor and the Chief of Police.

D. Off-Duty Firearm

1. Prior authorization is required to carry an off-duty firearm.
2. The officer will then be required to complete a qualification course of fire with a department firearms instructor.
3. The firearms instructor will obtain all the information about the weapon, including make, model, and serial number, and keep this information on file.
4. The firearms instructor will then forward documentation to the respective Commander and the Chief of Police (either through print or electronic media) advising the officer has qualified with this weapon. The respective Commander will then approve and authorize the officer to carry this weapon.

E. Ammunition (4.3.1.b)

1. Only department-issued/approved name-brand factory-loaded ammunition will be used in department firearms. Ammunition is subject to vary depending upon availability.
2. Only department-issued practice ammunition disseminated by the department's Armorer at the time of qualification shall be used for training purposes with department-issued duty weapons.
3. **Handguns: Ammunition will be .40 caliber ammunition, duty grade factory-loaded ammunition, not to exceed 180 grains.**
4. Department-issued shotgun: Only department-issued; name brand will vary depending upon availability, 12 gauge, 2 3/4" shell; 00 buck containing nine (9) pellets or 12 gauge, 2 3/4" shell; 1-ounce maximum rifled slug tactical loads shall be used.
5. Patrol rifle: Only department-issued; name brand will vary depending upon availability, .223 caliber REM; 55-grain ammunition shall be used.

6. Only department-issued practice ammunition disseminated by the department's armor at the time of qualification shall be used for training purposes in both shotguns and rifles.
7. All ammunition for personally owned department-approved off-duty firearms will be factory-loaded ammunition that is appropriate for the approved weapon. No reloads or customized ammunition will be carried in any approved off-duty weapon.
8. Less Lethal Shotgun: Only department-issued less lethal 12-gauge "bean-bag" style ammunition shall be used.

F. Storage of agency-owned firearms (4.3.1.f)

1. All agency-owned firearms not assigned will be stored in the department armory.
2. All agency-owned firearms in storage will be maintained as ready for immediate use. The firearms will be unloaded, and the safety, if applicable, will be set in the "safe" position.
3. All associated magazines will be kept with the firearms and will remain empty while in storage.
4. Any firearms in storage in need of repair and not serviceable will be clearly tagged and set aside in the armory for repair. (4.3.1.d)
5. Storage within the department for both department-issued weapons and, if applicable, any approved secondary weapon is available in both the sallyport and main hallway in the event an officer takes a prisoner into the jail area or into an interview room. No weapons of any kind are allowed in the jail or interview rooms and must be stored in the armory or gun locker prior to entry.
6. Except when utilizing the firearm loading/unloading device or within the designated firing range, officers shall not clean, repair, load, or unload firearms in any place in the police building.
7. When off duty, all sworn officers shall have a method to securely store each departmentally approved weapon as well as any approved secondary firearm. A lockable gun safe or lockable cabinet, or a trigger lock, is an example of a secure method of storage. Officers without access to secure storage or a locking device shall request a cable-style gunlock through the Patrol Captain. When not in use, every officer shall secure and safely store their weapons.
8. Officers who will be issued rifles and/or shotguns at shift change will secure them in the patrol vehicle weapons mounting unit, with no ammunition in the chamber, safety on, and locked in place. After shift change, the rifle and shotgun will be turned back into the gun locker if the vehicle will not be used by an officer on a following shift. Rifles/Shotguns can only be placed in the trunk of a vehicle if that vehicle's automatic trunk release is located inside the driver's compartment and is disabled, and access into the trunk cannot be made through the rear seat.
9. During public presentations where citizens/children are allowed access to any department vehicle, rifles and shotguns shall be removed from their interior vehicle racks, unloaded, and placed into a gun case and secured within the vehicle's trunk. In lieu of securing in the trunk, the rifle and shotgun shall be removed from the vehicle and properly stored within the police department armory.

10. If a police department vehicle is in need of repairs, new equipment, or any other service, all weapons will be removed from the vehicle and properly stored within the police department prior to releasing control of the vehicle to a third party.
11. Civilian employees of the department, who carry firearms under the authority of a valid weapons permit, are prohibited from carrying weapons onto city property unless authorized by the chief of police.
12. Any lost or stolen firearm shall be reported immediately by the officer through their immediate supervisor to their division commander. When appropriate, a report shall be filed with the police agency having jurisdiction over the lost or stolen firearm.

G. Proficiency and Training

1. At least annually, all agency personnel authorized to carry weapons are required to receive in-service training on the agency's use of force policies and demonstrate proficiency with all approved lethal weapons and electronic control weapons that the employee is authorized to use. In-service training for other less lethal weapons and weaponless control techniques shall occur at least biennially.
2. Proficiency training must be monitored by a certified weapons or tactics instructor
3. Training and proficiency must be documented
4. Remedial training will be provided for those unable to qualify with an authorized weapon prior to resuming official duties. Any officer failing to qualify will be placed on administrative duties pending the successful completion of remedial training (see section H for further).
5. A certified weapons instructor shall ensure all officers complete a qualification course for all lethal and less-than-lethal weapons, including secondary weapons and off-duty weapons, prior to carrying such weapons.

H. Remedial firearms training

1. Remedial firearms training shall be provided to any officer identified as being deficient with a specific firearm. Remedial firearms training is personalized training to correct a specific deficiency identified by proficiency testing, other evaluation processes, and training or routine job performance. Remedial firearms training for an officer may be requested by any range instructor or supervisor.
2. Remedial firearms training shall be required for any officer unable to pass proficiency testing after three (3) attempts. The remedial training shall not occur on the same date as the failed proficiency testing. The remedial training shall be customized to correct the deficiencies observed by range instructors. A remedial training plan along with documentation of actual training shall be logged by the range administrator or designee with copies being forwarded to administrative services to be placed in the training file of the officer.
3. If remedial training is needed for a firearm, it shall be completed within five (5) working days. If unable to pass proficiency testing after the remedial training, the chief of police shall determine if the officer will be assigned to restricted duties. If restrictions are implemented, they shall remain in effect until proficiency is obtained. Furthermore, it is the responsibility of all instructors to

inform the range administrator as soon as practical of any officer's failure to pass proficiency testing within the guidelines listed in this policy.

4. If the officer is unable to obtain proficiency after remedial training, the chief of police shall determine how to proceed based on the recommendations of the range administrator. Failure to qualify after remedial training may lead to termination.
5. Officers unable to meet proficiency requirements with a secondary firearm or rifle will not be required to meet the five (5) day remediation requirement and will not be assigned to restricted duty. If unable to meet proficiency requirements, officers will be restricted from utilizing/carrying the secondary firearm or rifle while on duty.

DEVELOPED BY: Captain Evelio Valdespino	DATE:
REVIEWED BY: Colonel Art Jackson	DATE:
AMENDMENT APPROVED BY: Berkeley City Council	DATE: