

APRIL 11, 2011

PARK DIRECTIVE 3005

FIREARMS POLICY

The purpose of the following policy is to establish certain guidelines to be followed in the use and care of service-issued firearms and personal secondary weapons for commissioned State Parks Law Enforcement Officers. In the interest of uniformity and regulation, the Department shall control the type of firearm to be used, all aspects of its official use, and the area and degree of proficiency required by officers. Prior to issue, officers must successfully complete a training course for the use and care the Department-issued firearm.

The greatest trust placed in a law enforcement officer is the responsibility for proper use of a firearm. Each officer is accountable for discriminate use of firearms based on policy, sound judgment, and discretion. Deadly force will be used only to protect the life of the officer or other individuals and will not be used to apprehend an escaping felon unless loss of life or serious physical injury to the officer or other persons is imminent.

I. **USE OF DEPARTMENT-ISSUED FIREARMS – ON DUTY**

- A. No employee of the Arkansas Department of Parks and Tourism will carry a firearm while on duty without written authorization from the Director of Arkansas State Parks or the Manager of Operations.

Rangers will carry Department-issued weapons while on duty. Superintendents and other commissioned personnel will carry Department-issued weapons on duty only when circumstances warrant such action. When carrying firearms, the Department-issued identification card, badge, agency telephone number, and the name of a contact person for verification must also be carried by the officer.

- B. Firearms will at all times be maintained and handled in a safe manner to prevent accidental discharge.
- C. While on duty, officers will carry Department-issued pistols with a round in the chamber and with magazines fully loaded. Patrol rifles and shotguns will be carried in “cruiser ready” condition as described in Section IV of this PD.

- D. While on duty, all law enforcement personnel excluding the Manager of Operations, Regional Supervisors, and Chief Ranger, shall be in - class "A" or "B" uniforms with the following exception: civilian clothing and military BDUs may be worn on special assignments such as stake-outs and undercover assignments.
- E. A lost or damaged duty firearm must be reported immediately to the park officer's supervisor, Regional Supervisor, Chief Ranger, and Manager of Operations. (Note: A park officer may be held liable for the replacement or repair costs if officer negligence is determined.)
- F. Department-issued pistols will be carried in an approved leather or nylon holster or stored in a secure area while officers are on duty. Rangers must carry the Department-issued pistol while on duty. Park Superintendents and other commissioned personnel will carry the Department-issued pistol and other defensive equipment when circumstances warrant such action while on duty. The Manager of Operations, Regional Supervisors, Chief Ranger, and others authorized by management are authorized to carry their duty weapon in a Department-issued paddle style holster.
- G. Upon termination of employment and/or at the request of Department officials, issued firearms, weapons, ammunition, and defensive equipment will be returned to the agency.

II. USE OF DEPARTMENT-ISSUED FIREARMS – OFF DUTY

- A. The Law Enforcement Officer Safety Act of 2004 authorizes law enforcement officers to carry concealed weapons outside their respective states.
- B. Officers may carry the Department-issued pistol in a concealed manner while off-duty.
- C. The holster for use while off-duty will be purchased at the officer's expense and must be approved by the Chief Ranger.
- D. Officers must use good judgment in knowing when to become involved in an off-duty incident. Decisions must weigh the benefits to the public against the tactical and liability risks due to the lack of back up, other equipment, and uniform, etc. It is the responsibility of the law enforcement officer to understand the laws of any state he/she may be traveling in when carrying a concealed weapon.

III. CARE OF DEPARTMENT-ISSUED FIREARMS

- A. Park Law Enforcement Officer's will keep the Department-issued firearm maintained and functional and will adhere to maintenance training instructions provided by Department Armorers.
- B. Failure to properly maintain the Department-issued firearm will result in a maintenance reprimand and could result in required attendance at a remedial weapon maintenance training course.
- C. Only armorers who have been trained by the firearms manufacturer are authorized to perform repairs or disassemble the firearm beyond the basic maintenance field-stripping.
- D. Firearms found to be defective shall be removed from service until a Department armorer has completed all repairs and deems the firearm safe. Any duty firearm found to be non-repairable shall be removed from service.

IV. SECONDARY FIREARMS

While on duty, park law enforcement officers may carry approved personal secondary firearms (pistols, rifles, and/or shotguns) in conjunction with the Department-issued firearm. Secondary pistols must be carried in an approved concealed holster that is securely fastened and hidden from public view. Secondary pistols shall not be carried in any other manner. "Long weapons" (rifles and/or shotguns) will be carried in a locking weapon rack specifically designed for this purpose, a locking weapon case, or similar secure location to prevent unauthorized access by the general public and/or non-commissioned staff.

In addition, secondary pistols are to be considered only as a weapon of last resort and their use will be limited to those where:

- A. An officer's use of deadly force is authorized under Department policy;
- B. An officer's Department-issued firearm has been lost, stolen, rendered inaccessible or inoperable during the course of the specific incident;
- C. An officer has exhausted all ammunition under circumstances which clearly limit the officers ability to reload; or
- D. When an assailant(s) prevents an officer from utilizing his/her duty Department-issued firearm in a situation where deadly force is authorized.

Secondary pistols authorized for on and off-duty carry must meet the following standards:

- A. The operation and maintenance of personal secondary firearms will be the responsibility of the individual Park Officer.
- B. Secondary pistols, holsters, and ammunition for the secondary pistols will be purchased at the officer's expense.
- C. Only revolvers or semi-automatic pistols will be authorized, i.e. double action revolvers (minimum .380 caliber to a maximum .45 caliber with a barrel length of not less than 2" or more than 5"), semi-automatic pistols (double action minimum .380 caliber to .45 caliber with a firing pin block and a barrel length of not less than 2" or more than 5"). No single-action revolvers will be authorized.
- D. An authorized patrol rifle/carbine or shotgun may be Department-issued or individually officer purchased/owned. The Chief Ranger or his designee shall:
 - Approve any variation in type or caliber of the patrol rifle/carbine or shotgun.
 - Inspect and approve firearms carried by officers for use while on duty.

Rifles and shotguns, whether Department-issued or personally owned, to be authorized for on and off-duty carry must meet the following standards:

1. All **patrol rifle/carbines** must meet the following specifications:
 - a. An approved patrol rifle/carbine shall be an M-16 / AR-15 / CAR-15/M-4 type weapon (or similar as approved by the Chief Ranger) secured in a locking weapon rack, locked in the car trunk, locked in an approved weapon case, or locked with/by an approved device.
 - b. The rifle will be carried in "Cruiser-Ready" condition:
 1. Bolt forward and closed on an empty chamber
 2. Full magazine, inserted/locked in the magazine well

3. Safety is engaged; trigger is NOT pulled in preparation for patrol carry.
 - c. Chambered for 5.56mm/.223 cal. rifle ammunition.
 1. Ammunition will be factory production-run, commercial quality as approved by the Chief Ranger (i.e.: Winchester, Remington, Federal, etc.).
 2. Re-loaded, toxic, explosive, pre-fragmented, full metal jacketed ammunition, or any other ammunition deemed unsuitable by the Chief Ranger will not be permitted for patrol carry.
 - d. A barrel length of at least 16 inches (meets BATF federal regulations).
 - e. Semiautomatic only.
 - f. Iron sights. Red dot optics may be approved as specified below in "Modifications".
 - g. The butt stock may be either fixed or collapsible.
 - h. Primary magazines may be either 20 or 30 round capacity.
 - i. Backup magazines may be either 20 or 30 round capacity.
 - j. Equipped with a sling system suitable for tactical deployment where the weapon may be retained "hands free" yet ready for immediate use.
2. All **patrol shotguns** must meet the following specifications:
- a. An approved patrol shotgun shall be a 12 gauge "riot" or police-style weapon (examples include Remington model 870, Remington model 1100/11-87, Winchester, Ithaca, or similar as approved by the Chief Ranger) secured in a locking weapon rack, locked in the car trunk, locked in an approved weapon case, or locked with/by an approved device.
 - b. The shotgun will be carried in "Cruiser-Ready" condition:
 1. Bolt forward and closed on an empty chamber;

2. Full magazine tube, loaded with either buckshot or slugs;
 3. Safety is engaged; trigger is NOT pulled to free the action.
- c. Chambered for 2 3/4" or 3" magnum shotgun ammunition.
1. Ammunition will be factory production-run, commercial quality as approved by the Chief Ranger (i.e.: Winchester, Remington, Federal, etc.).
 2. Re-loaded, toxic, explosive, birdshot, or any other ammunition deemed unsuitable by the Chief Ranger will not be permitted.
- d. A barrel length of at least 18 inches (meets BATF federal regulations).
- e. Semiautomatic or manual pump-action only with cross-bolt safety.
- f. Iron sights.
- g. The butt stock may be either fixed (wood or synthetic) or collapsible M-4 type recoil-reducing.
- h. Factory installed or manufactured magazine tube extensions are approved.
- i. Equipped with a sling system suitable for tactical deployment where the weapon may be retained "hands free" yet ready for immediate use.

3. MODIFICATIONS

- a. No modifications, other than the following list, will be permitted without prior approval of the Chief Ranger.
- b. Requests for any other modifications must be submitted in writing through the standard chain of command to the Chief Ranger.

- c. Repairs, maintenance, or modifications to department owned firearms beyond typical & standard user cleaning, is only permitted by the Chief Ranger or his designee and will be restricted to trained department armorers. Officers are responsible for the proper operation and condition of all firearms issued to or carried by them.
- d. Generally approved options:
 - Front night sight (Trijicon or similar luminescent sight)
 - Tactical rail-mounted weapons light or similar, for low/no light use
 - Redi-Mag (an attachment allowing two rifle magazines to be joined as a single unit)
 - Vortex Flash Hider
 - Ambidextrous safety
 - Replacement pistol grip
 - Extractor enhancer d-fender D-ring (improves extractor performance and reliability on patrol rifles)
 - Forearm grip enhancement
 - Picatinny rail fore end
 - Supplemental Sighting System (red dot optics or similar): The optic device must be suitable for tactical, close-quarter engagement and allow immediate access to the iron sights should the system fail.
- E. All Secondary firearms must be submitted to the Chief Ranger and/or Department Armorers using the Department's "Request to Carry Secondary Weapon" form and will be checked though N.C.I.C. The Chief Ranger or a Department Armorer shall establish that the firearm meets standards. Upon approval, a copy of the approved request form will be returned to the officer and the appropriate information will be added to the Department's secondary firearm inventory worksheet.
- F. Officer's shall qualify with the secondary firearm under the supervision of the Chief Ranger and/or agency firearms instructors and demonstrate that the firearm is mechanically safe and that the officer is competent in its use. In addition, the approval of a secondary firearm is based upon the understanding that an officer will demonstrate proficiency with the firearm (80% or higher) during qualifications courses.

- G. Secondary firearms are subject to inspection at any time by the Chief Ranger and/or a Department Armorer.
- H. Officers who fail to qualify with an approved secondary firearm due to lack of proficiency or firearm malfunction on a qualification course will not be allowed to carry a secondary firearm. Officers will refer to the law enforcement procedure manual for re-qualification guidelines.
- I. In the event that an officer wishes to carry a different secondary firearm, the new firearm will be submitted to the inspection process described in this policy.
- J. Any officer who uses, draws, or exhibits a secondary firearm intentionally or unintentionally, on or off duty, will adhere to use of force notification procedures established in the law enforcement procedure manual and as referenced in this park directive.

V. DEPLOYMENT – PATROL RIFLES AND SHOTGUNS

- A. Patrol rifle/carbines and shotguns will be deployed consistent with the Departmental Use-of-Force Policy and firearms training (this policy and Law Enforcement Procedures Manual, Chapter 5).
- B. Officers deploying the patrol rifle/carbine or shotgun will maintain control of the firearm at all times or ensure that the weapon is secured by another law enforcement officer.
- C. Patrol rifle/carbine or shotgun deployment is recommended when the following conditions are identified:
 - 1. Any potentially dangerous/deadly force situation where the officer has reason to believe that deployment of the patrol/carbine or shotgun will contribute to the safe resolution of the incident or diminish risk to the officer or the public.
 - 2. The officer is assigned as a member of a “Rapid Deployment” team (A Rapid Deployment team is defined as an ad hoc group of officers formed to respond to an active shooter incident in progress; this team could be officers from several agencies acting under existing mutual aid agreements to provide emergency responses).

3. The officer is assigned as a cover officer on perimeter security or a containment team member during a tactical operation.
4. The officer has cause to believe that an armed offender is wearing body armor or is shielded by an intervening barrier.
5. The officer has cause to believe that an offender may be engaged at an extended distance.
6. The destruction of an animal in the manner and under the circumstances set forth below:
 - As an act of self defense or in the defense of others.
 - When an animal is so badly injured that humanity requires its immediate relief from further suffering and the officer has the owner's permission to destroy the animal or the owner cannot be readily identified or is not readily available for the purpose of obtaining such permission.

VI. TRAINING AND QUALIFICATION

- A. Officers must complete a department approved patrol rifle/carbine and/or shotgun training course.
- B. Officers must successfully complete the annual departmental training and qualification course of fire to remain eligible for field deployment of the patrol rifle/carbine and/or shotgun.

VII. SECURITY

All authorized firearms will be secured in the following manner:

A. Office Areas:

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| Attended: | Firearm will be on the officer or stored out of sight. |
| Unattended: | Firearm in locked storage area. |

B. Vehicles:

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| Attended: | On person or secured. |
| Unattended: | Vehicle locked and firearm secured and locked out of sight (including shotguns and rifles). |

NOTE: All firearms must be removed from a vehicle that is being serviced.

C. Residence/ Off-Duty:

Attended: On person or out of sight and stored with the firearm secured with a trigger lock, gun lock, gun locking device, or in a gun locker.

Unattended: Residence or storage area must be locked. The firearm will be secured out of sight and stored with the firearm secured with a trigger lock, gun lock, gun locking device, or gun locker.

VIII. AMMUNITION

- A. The Department will provide all factory loaded ammunition for training and on-duty use. Only Department-issued factory ammunition will be carried on duty.
- B. Only factory loaded ammunition will be permitted in Department-issued firearms for individual officer practice.
- C. Park Officers will be responsible for furnishing ammunition for approved personal secondary firearms. ADPT may issue ammunition for privately-owned shotguns or rifles if, in the interests of consistency in training, a benefit to the Department will be achieved. Ammunition for privately-owned firearms will normally be provided by the officer and will be only that approved by the Chief Ranger.
- D. Only production-run factory ammunition from a reputable manufacturer (Remington, Winchester, etc. similar to duty ammunition) will be approved for secondary firearms. The ammunition will be submitted to the Chief Ranger and/or Department Armorer for approval.
- E. Prohibited ammunitions include:
 - 1. Explosive, poisonous or toxic bullets,
 - 2. Tracers or incendiary bullets,
 - 3. Armor-piercing or Teflon coated bullets,
 - 4. Pre-fragmented ammunition or fully jacketed (ball type) ammunition,
 - 5. And/or any ammunition that the Chief Ranger or Department Armorer deems unsuitable for duty use.

IX. USE OF FIREARM IN THE LINE OF DUTY

Deadly force will be used only to protect the life of the officer or other individuals and will not be used to apprehend an escaping felon unless loss of life or serious physical injury to the officer or other persons is imminent.

Any incident where a law enforcement officer uses or draws and exhibits a firearm so that it can be observed by the public, or when a firearm is discharged by a law enforcement officer either accidentally or in the performance of duty, the Law Enforcement Officer must notify his/her supervisor, the Chief Ranger, and Manager of Operations immediately and file a complete, detailed, written report to the Manager of Operations within 12 hours - unless the officer is physically unable to write the report. The Manager of Operations will immediately notify the Parks Director of the incident. In cases where multiple Park Officers use force within the same incident, each officer will file a separate incident report.

Officers who discharge a Department-authorized firearm to destroy an injured animal must take into consideration the safety of the public.

Whenever the use of a firearm or any defensive equipment results in serious injury or death, the Law Enforcement Officer will immediately be placed on "Inactive Status with Pay" pending results of a Board of Review.

The Board, appointed by the Parks Director, will consist of three (3) commissioned officers each with a minimum of ten (10) years experience and none of which is the immediate supervisor or a subordinate to the officer under review. Two (2) members will be uniformed field staff and one (1) will be a Regional Supervisor. The Regional Supervisor will not be in the chain-of-command of the officer under review. The Director will also appoint the Board Chair.

As soon as possible, following the incident, stress counseling will be made available for the officer through Parks Operations.

Replaces PD 3005 dated January 1, 2006

APPROVED BY:



GREG BUTTS, DIRECTOR
Arkansas State Parks