

1.3.8 Only Agency Approved Weapons/Ammo

I. POLICY

It is the policy of the Johnstown Police Department that all personnel comply with the provisions of this general order. All personnel shall be trained yearly on this general order

II. PURPOSE

The purpose of this general order is to provide guidelines to personnel in regard to the use of force and weapon safety. This general order outlines Chapter 5 of the Pennsylvania Crimes Code, weapon proficiency and qualification of personnel, medical aid after the use of force and reporting procedures for the use of force.

III. DEFINITIONS

1. Reasonable belief – the fact or circumstances the officer knows, or should know, that are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances.
2. Serious bodily injury – bodily injury which creates a substantial risk of death or which causes permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.
3. Forcible felony – the crimes of murder, voluntary manslaughter, rape, robbery, kidnapping, involuntary deviate sexual intercourse, arson, endangering persons and aggravated assault causing serious bodily injury.
4. Deadly force – force which, under the circumstances in which it is used, is readily capable of causing death or serious bodily injury.

IV. PROCEDURES

Persons, regardless of their involvement in a situation, shall be treated with humanity, courtesy and the dignity due any human being to the extent that such treatment is allowed by the subject's actions. Johnstown Police Officers and civilian employees shall maintain a professional bearing at all times. They shall not be argumentative or engage in acts that might incite a subject to become physically aggressive. Personnel shall never use a greater degree of force than that which is lawful, reasonable and necessary for the specific situation. Such reasonable and necessary force may be used to affect an arrest, to overcome unlawful resistance, to prevent an escape from

custody to neutralize an unlawful resistance, or to neutralize an unlawfully assault upon an officer or another person. The use of physical force will end immediately when resistance ceases or when the arrest has been accomplished. Emphasis shall always be on obtaining control over the situation rather than forcing submission. Personnel shall not mentally or physically abuse any person that they contact or take into custody or control.

Justification for the use of force is limited to what reasonably appears to be the facts known or perceived by the officer at the time he/she decides to use such force. Facts unknown to the officer no matter how compelling cannot be considered in determining whether the action was justified.

Officers using force must be able to articulate the need and justification for the use of force and the reasons[s] why the level of force utilized was selected.

Full disclosure of the circumstances requiring the use of force, and the type and the extent of force, shall be thoroughly documented in the departmentally required "Suspect Resistance Report," and in an incident report.

A. The following types of less-than-lethal weapons are authorized to be issued, carried and used by Johnstown Police Officers:

1. Oleoresin Capsicum [O.C.]

a. Only O.C. issued by the department and approved by the Chief of Police is authorized to be carried in the performance of their duties as a Johnstown Police Officer.

2. Batons

a. Only the "Asp" baton issued by the department or an approved baton authorized by the Chief of Police will be carried in the performance of their duty as a Johnstown Police officer.

3. Advanced Taser

a. Only the Advanced Taser issued by the department and authorized by the Chief of Police will be carried in the performance of their duty as a Johnstown Police officer.

4. Weapons of Last Resort

- a. The department recognizes that in some extreme circumstances, where the safety or survival of the officer is in jeopardy, the situation might dictate utilizing other implements as weapons. These weapons might include the officer's flashlight, metal clipboard, knife, or even a motor vehicle, etc. However, such implements used as weapons should be viewed as weapons of last resort.
- b. Use of such weapons will be closely examined, as well as, the degree of exigency present in the situation, the totality of the circumstances, and the existence or absence of other acceptable alternatives.

B. The following types and specifications of firearms and ammunition are approved for use by Johnstown Police Officers:

1. Duty Weapons - Patrol

- a. Glock, model G17 Gen 5 semi-automatic handguns, caliber 9mm, issued by the department to officers.
 - i. Officers must have a full magazine; then place a round in the chamber
 - ii. Officers must have at the minimum two loaded magazines on their duty belt.
- b. Mossberg, model 590, 12-gauge shotgun, maintained by the department and available in certain police vehicles.
- c. Springfield Saint (AR-15 .223/5.56mm) or similar style semi-automatic rifle assigned to patrol officers
- d. Any other handgun, rifle or shotgun or combination thereof approved by the Chief of Police.

3. Duty Weapons – Non- Uniformed Officers

Members of the Johnstown Police Department will be authorized to carry personal handguns, in lieu of and/or in addition to departmental issue, while on-duty in a non-uniform status, under the following criteria:

- a. The weapon must be approved by the Chief of Police.
- b. The weapon must be a quality manufacture, inspected and approved by the Chief of Police.
- c. Revolvers are to have a minimum of five [5] shot capacity, with no less than a two [2] inch barrel, and capable of double action fire.
- d. Semi-automatic is to be capable of double action fire, have a minimum of six [6] shot capacity, no less than a two [2] inch barrel.
- e. Ammunition must be Federal Hydra-shock in the appropriate caliber.
- f. A total minimum of seventeen [17] rounds of ammo will be carried on your person.
- g. No modifications of any type are permitted to either the weapon or ammo without prior approval.

4. Ammunition

- a. Only that which is approved and purchased by the department and subsequently issued through the Chief of Police may be used in departmental issued handguns, shotguns and rifles.
- b. Non-uniformed officers carrying approved handguns not issued by the department must have their ammunition approved by the Chief of Police.

5. Off-Duty Weapons

- a. Firearms may be carried off duty when approved and inspected by a firearms instructor and when the officer has qualified on the firearm, as per general order.

C. Review, Inspection and Approval of Firearms for On-duty and Off-duty Use.

- 1. Departmentally approved weapons shall be reviewed on an annual basis by a certified firearms instructor.

2. Visual inspection of all authorized firearms shall be conducted on at least an annual basis by a certified firearms instructor.
 - a. Visual inspection shall include an observation of the firearms working condition and visible parts.
3. Approval of firearms for individual on-duty and off-duty use shall be at the discretion of a certified firearms instructor after having observed, at a minimum:
 - a. The officer's knowledge and safe handling ability of each firearm approved for use.
 - b. Successful completion of an approved course of fire with a passing score.

D. Records on Firearms Approved by the Department for Official Use

1. The following records shall be maintained by the Captain of Police.
 - a. Make, model, serial number and caliber of all authorized weapons for each individual officer.
 - b. Course of fire and classroom documentation for each approved firearm with documentation as to the prescribed course of fire requirements.
 - c. Records that are outdated and over two [2] years old shall be expunged.

Effective:

Date: October 28, 2019

Revised:

Date: October 28, 2019

By Order Of:



Robert F. Johnson
Chief of Police