

Tactical Rifle Operator Program

349.1 PURPOSE AND SCOPE

The purpose of this policy is to outline administrative protocols for the Tactical Rifle Operator Program.

349.2 POLICY

The Berkeley Police Department shall employ authorized sworn personnel equipped with tactical rifles to exercise expeditious control over critical incidents or potentially violent situations.

Tactical Rifle Operators shall conduct themselves with respect to Patrol Response Procedures described in relevant Department policy documents, and in accordance with Tactical Rifle Operator Procedures set forth in this policy.

349.3 DEFINITIONS

Definitions related to this policy include:

Tactical Rifle - The rifle, detachable box magazines, and ammunition authorized by the Chief of Police for use by designated Tactical Rifle Operators.

Tactical Rifle Operator (TRO) - A sworn employee of the Berkeley Police Department who has been trained and qualified to possess and deploy a tactical rifle in the course of their primary duty assignment.

349.4 EMPLOYEE OWNED TACTICAL RIFLES

Employees who purchase their own tactical rifles for on-duty use must adhere to this policy and the procedures herein. Employee owned rifles may not be deployed without the successful completion of the required training and the approval of the Lead Armorer and Division Captain.

349.5 TACTICAL RIFLE SPECIFICATIONS

- (a) **Rifles:** The COLT LE6920 and the COLT LE6940 models, 16 inch barrel, chambered in the 5.56x45mm NATO, solid black color, are the approved models.
- (b) **Magazines:** 30 round Colt factory magazines and Magpul polymer magazines (PMAGS) or their equivalent are authorized for duty use.
- (c) **Aiming Devices:** Lasers and/or other electronic aiming devices are not approved for duty use unless authorized by the Chief of Police.
- (d) **Ammunition:** Duty ammunition will be supplied by the Department. Only departmentally approved ammunition shall be used for duty.
- (e) **Accessories:** Approved aftermarket accessories include, but are not limited to:
 - 1. Pistol grips
 - 2. Stocks

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3. Accessory rail systems
4. Optic sighting devices
5. Slings
6. Lights

It is the responsibility of the Departmental Armorer to install all approved aftermarket accessories on tactical rifles.

349.6 DEPLOYMENT OF RIFLES

Tactical rifles shall be deployed only by Tactical Rifle Operators.

In light of known or potential risks, a TRO should deploy the firearm which best meets the needs of the police response, and in which he/she has the greatest accuracy and operational confidence.

349.7 STORAGE OF RIFLES

TROs shall be responsible for the care and storage of their assigned tactical rifle and associated equipment.

349.7.1 GENERAL

- (a) When not in use, TROs shall securely store their tactical rifle in a carry case within an authorized location at the Public Safety Building (PSB) or Traffic Substation.
 1. A TRO may temporarily store his/her tactical rifle in a location other than the PSB or Traffic Substation to facilitate training or other official duty, provided all reasonable safety and security precautions are taken during transportation and storage.
- (b) When stored, the tactical rifle shall be in the following condition:
 1. Selector lever is in the "safe" position;
 2. The chamber of the weapon is empty; and
 3. The magazine well is vacant.

349.7.2 INTO SERVICE

- (a) When placed into service and transported in a vehicle, the tactical rifle shall be maintained*:
 1. Within its carry case in the vehicle's secure trunk; (sedan only) or in a storage rack specifically designed to secure the tactical rifle within the vehicle's passenger compartment (sedan, truck, or SUV).
 - *There may be times when placing the rifle in the trunk or storage rack isn't feasible, such as when responding to a call in progress immediately after briefing. On such occasions, the rifle may be placed in the vehicle on a seat or floorboard, with the understanding that it will be deployed or otherwise secured upon arrival at the scene.

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- (b) When placed into service and transported in a vehicle, the tactical rifle shall be in the following operational condition:
 - 1. Selector lever is in the “safe” position; and,
 - 2. The chamber of the weapon is empty.
- (c) When a tactical rifle is placed into service in conformance with this policy, a loaded magazine may be inserted into and maintained within the magazine well.

349.7.3 REMOVAL FROM SERVICE

When a tactical rifle is removed from service and returned to storage, a TRO shall perform the following firearm safety procedures:

- (a) Remove the tactical rifle from the vehicle’s weapon rack or its carry case;
- (b) Confirm the selector lever is in the “safe” position;
- (c) Confirm the magazine well is vacant;
 - 1. If necessary, remove the magazine from the magazine well and secure it in the tactical rifle carry case;
- (d) Lock the bolt open and conduct a visual and physical inspection to ensure the chamber is empty;
- (e) Close the bolt on an empty chamber; and,
- (f) Secure the rifle within its carry case.

When not secured in an authorized location, the tactical rifle shall be under the control of the TRO.

349.8 MAINTENANCE OF RIFLES

A TRO shall be responsible for routine maintenance of their tactical rifle, including effective cleaning and sufficient lubrication subsequent to weapon use.

Advanced maintenance (i.e., that which is beyond normal cleaning and lubrication) and periodic ‘quality/assurance’ inspection of tactical rifles shall be the responsibility of trained and certified departmental armorers or their designee.

349.9 MODIFICATION OF RIFLES

A TRO shall not make or facilitate unauthorized modifications, maintenance or repair of a tactical rifle.

Modification to a tactical rifle may only occur upon the authorization of the Operations Division Captain and when carried out by certified departmental armorers.

Defective parts or parts needing replacement will be the financial responsibility of the weapon’s owner. Departmental Armorers shall be responsible for the installation of replacement parts outside of the factory, or factory service providers.

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349.10 PROGRAM ADMINISTRATION

The coordination and administration of the Program shall be the responsibility of a Patrol Bureau Lieutenant designated by the Operations Division Captain.

The Firearms and Tactics Unit (FTU) will develop and implement a training program for TROs that will address:

- (a) Initial and periodic training and qualification for TROs;
- (b) Weapon system fundamentals, including, but not limited to, tactical rifle nomenclature, operation, emergency action procedures, and render safe procedures.
- (c) Tactical containment procedures employed by the Special Response Team, including, but not limited to, fundamental tactics and communication protocols.

349.11 SELECTION

349.11.1 CRITERIA

Officers may apply for appointment to the Program if the following criteria are met:

- (a) Applicants must be a full time, sworn officer, with a minimum of one year of experience as a sworn officer with the Berkeley Police Department.
 - 1. Upon recommendation of the Operations Division Captain, appointment of an applicant officer to the Program will be at the discretion of the Chief of Police.
- (b) Applicants must have demonstrated their ability to work with minimal supervision.
- (c) Applicants must have demonstrated their ability to maintain a calm and professional demeanor during stressful situations.
- (d) Applicants must have demonstrated their ability to exercise good judgment and make sound decisions.
- (e) Applicants must have demonstrated their ability to handle firearms safely and effectively during departmental firearms training.

349.11.2 PROCESS

The selection process shall include:

- (a) A review of the applicant's personnel file for sustained complaints involving the improper use of force, poor judgment, dishonesty or mistreatment of equipment.
- (b) A review of comments by the applicant's supervisors and commanding officers, as presented in annual evaluations and the applicant's special assignment form, relating to the applicant's job performance and suitability to be a TRO.
- (c) A review of the applicant's firearms training records and comments by FTU instructors regarding the applicant's participation and demonstrated abilities during firearms training.

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- (d) The applicant will participate in an interview panel comprised of officers, sergeants and/or command officers assigned by the Operations Division Captain.
 - 1. The interview will include questions regarding the Use of Force Policy as well as situational questions intended to assess the applicant's qualifications.

349.11.3 INACTIVITY

A TRO who has been inactive for any period of time may be reactivated at the discretion of the Operations Division Captain.

- (a) A TRO requesting reactivation to the Program must meet the previously listed minimum selection criteria and successfully complete a recertification training and related firearms qualification program.

When an officer becomes inactive, resigns, or is decertified from the Program, his/her departmentally purchased equipment shall be returned to the Department in the unmodified condition it was issued.

349.12 DECERTIFICATION PROCESS

A TRO may be decertified by the Chief of Police for any of the following reasons:

- (a) When work performance has been deemed "Unsatisfactory" or "Needs Improvement" over an extended period of time in the TRO's Performance Appraisal Report and the TRO has not demonstrated significant improvement in the course of a Performance Improvement Plan.
- (b) Failure to attend or successfully complete required Program training.
- (c) Any documented mistreatment, neglect, or improper use of a tactical rifle, other firearm or weapon.
- (d) Exhibiting a pattern of unsafe weapon handling or tactics during tactical rifle deployment or firearms training programs.
- (e) Demonstration of poor judgment or inability to make sound decisions during his/her regular assigned duties.
- (f) Failure to comply with the provisions of this policy.