

BERKELEY POLICE DEPARTMENT

DATE ISSUED: September 29, 2008

GENERAL ORDER F-6

SUBJECT: TACTICAL RIFLE OPERATOR PROGRAM

PURPOSE

- 1 - The purpose of this General Order is to outline administrative protocols for the Tactical Rifle Operator Program. It is also intended to communicate procedures governing the training, deployment, storage and maintenance of tactical rifles issued to and employed by sworn employees assigned to Patrol Teams, the Detective Bureau, and the Special Enforcement Unit.

POLICY

- 2 - The Berkeley Police Department shall employ authorized sworn personnel equipped with tactical rifles to exercise expeditious control over critical incidents or potentially violent situations.
- 3 - Tactical Rifle Operators shall conduct themselves with respect to Patrol Response Procedures described in relevant Department policy documents, and in accordance with procedures set forth in this Order.

DEFINITIONS

- 4 - Tactical Rifle: The rifle, detachable box magazines, and ammunition authorized by the Chief of Police for use by designated Tactical Rifle Operators.
- 5 - 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.
 - (a) This designation does not include sworn employees authorized to possess and deploy approved rifles pursuant to General Order X-1.
- 6 - Terminology definitions described in General Order U-2 shall be applicable to this Order.

PROCEDURES

Deployment of Rifles

- 7 - Tactical rifles shall be deployed only by Tactical Rifle Operators.
- 8 - 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.
- 9 - Not including deployment during a planned operation, a TRO who deploys a tactical rifle shall make a verbal notification of the deployment to their supervisor, as soon as practical.

BERKELEY POLICE DEPARTMENT

DATE ISSUED: September 29, 2008

GENERAL ORDER F-6

Storage and Maintenance of Tactical Rifles

- 10 - TROs shall be responsible for the care and storage of their assigned tactical rifle and associated equipment.
- 11 - When not in use, TROs shall securely store their tactical rifle in the issued carry case within an authorized location at the Public Safety Building (PSB).
 - (a) A TRO may temporarily store his/her tactical rifle in a location other than the PSB to facilitate training or other official duty, provided all reasonable safety and security precautions are taken during transportation and storage.
- 12 - When in storage, the tactical rifle shall be in the following condition:
 - (a) Selector lever is in the "safe" position;
 - (b) The chamber of the weapon is empty; and,
 - (c) The magazine well is vacant.
- 13 - When placed into service and transported in a vehicle, the tactical rifle shall be maintained:
 - (a) Within its carry case in the vehicle's secure trunk; or,
 - (b) In a storage rack specifically designed to secure the tactical rifle within the vehicle's passenger compartment.
- 14 - When placed into service and transported in a vehicle, the tactical rifle shall be in the following operational condition:
 - (a) Selector lever is in the "safe" position; and,
 - (b) The chamber of the weapon is empty.
- 15 - When a tactical rifle is placed into service in conformance with paragraphs 13 and 14 of this Order, a loaded magazine may be inserted into and maintained within the magazine well.
- 16 - 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;

BERKELEY POLICE DEPARTMENT

DATE ISSUED: September 29, 2008

GENERAL ORDER F-6

- (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.
- 17 - When not secured in an authorized location, the tactical rifle shall be under the control of the TRO.
- 18 - A TRO shall be responsible for routine maintenance of their tactical rifle, including effective cleaning and sufficient lubrication subsequent to weapon use.
- 19 - Advanced maintenance (i.e., that which is beyond normal cleaning and lubrication), authorized modification to, and periodic 'quality/assurance' inspection of tactical rifles shall be the responsibility of trained and certified department armorers.
- 20 - A TRO shall not make or facilitate unauthorized modifications, maintenance or repair of a tactical rifle.
- 21 - Modification to a tactical rifle may only occur upon the authorization of the Patrol Division Captain and carried out by certified department armorers.

Program Administration

- 22 - The coordination and administration of the Program shall be the responsibility of a Patrol Division Lieutenant designated by the Patrol Division Captain.
- 23 - 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) Ensure instruction of 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 Barricaded Subject/Hostage Negotiation Team, including, but not limited to, fundamental tactics and communication protocols.

BERKELEY POLICE DEPARTMENT

DATE ISSUED: September 29, 2008

GENERAL ORDER F-6

- 24 - Upon recommendation of the Patrol Division Captain, appointment of an applicant officer to the Program will be at the discretion of the Chief of Police.

Selection Process

- 25 - 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.
 - (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.
- 26 - 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.
 - (d) The applicant will participate in an interview panel comprised of officers, sergeants and/or command officers assigned by the Patrol Division Captain.
 - (1) The interview will include questions regarding General Order U-2, as well as situational questions intended to assess the applicant's qualifications.
- 27 - A TRO who has been inactive for any period of time may be reactivated at the discretion of the Patrol Division Captain.

BERKELEY POLICE DEPARTMENT

DATE ISSUED: September 29, 2008

GENERAL ORDER F-6

- (a) A TRO requesting reactivation to the Program must meet the minimum selection criteria listed in paragraph 25 of this Order, and successfully complete a recertification training and related firearms qualification program.
- 28 - When an officer becomes inactive, resigns, or is decertified from the Program, his/her tactical rifle and associated equipment shall be returned to the Department in the unmodified condition it was issued.

Decertification Process

- 29 - A TRO may be decertified by the Chief of Police for any of the following reasons:
- (a) Work performance deemed “Unsatisfactory” or “Needs Improvement” over an extended period of time, as defined in General Order P-28, 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 Order.

References: General Orders F-2, P-28, U-2 and X-1