

**406 – Procedures for the Use of the Colt AR-15 .223 Caliber Rifle & Ruger PC4 .40 S&W Caliber Police Carbine**

# **Santa Ana Police Department**

Departmental Order #406 – Procedures for the Use of the Colt AR-15 .223 Caliber Rifle & Ruger PC4 .40 S&W Caliber Police Carbine

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## Purpose

This order sets forth policy and procedure for deployment of the Ruger Police Carbine and for the Colt AR-15 .223 Caliber Rifle through the **Police Rifle Deployment Program**. It also establishes policy for issue, handling, maintenance, and inspection of Department-issued Ruger .40 Caliber Police Carbines and Colt AR-15 .223 rifles and individually purchased AR-15 style rifles.

## Background

The Santa Ana Police Department has adopted the Ruger .40 S&W Caliber Police Carbine and the Colt AR-15 .223 Caliber Rifle for use as authorized Department rifles. The addition of these rifles will provide officers a more effective means with which to protect the community and themselves in situations involving suspects utilizing body armor, protective cover and/or high powered, high capacity weapons.

Under authority of this order, officers will be trained in the use of Department-issued Ruger .40 S&W Caliber Police Carbines and may carry carbines in police vehicles while engaged in field enforcement duties as an alternative to the police shotgun. Additionally, a limited number of officers will be selected for the **Police Rifle Deployment Program**. Officers selected for this program will be trained with and authorized to carry Department-issued Colt AR-15 .223 Caliber rifles while on duty for deployment in situations where the increased range, power, and penetration capability of this weapon is necessary for the protection of life or to accomplish a police objective.

At his discretion, the Chief may authorize qualifying sworn full-time peace officers to purchase his or her own AR-15 style rifle where permitted under state law (Penal Code section 12280(f)(2), as it currently reads or as it may be hereafter amended). Such weapons shall be used only for legitimate law enforcement purposes and only as authorized by state and federal laws and this and other applicable Departmental policies and procedures, including but not limited to Departmental Order Nos. 400 and 430.

## I. General Procedures for Storage, Inspection and Issue of the Ruger Police Carbine and Colt AR-15 Rifle

- A. The Department Armorer shall establish a maintenance record for each carbine and rifle, and shall maintain a complete maintenance history of each weapon so as to ensure that each weapon is kept in good working order.
- B. Officers selected to carry the Colt AR-15 Rifle shall attend and successfully complete a Department-approved basic police rifle training course. Selected officers shall also qualify and demonstrate proficiency with the rifle on a periodic basis by completing qualification and training requirements as established and administered by the Training Division. Failure to complete mandatory qualifications may result in revocation of the authorization to carry either rifle.
- C. All sworn personnel shall be trained in the use of the Ruger Police Carbine and be required to maintain proficiency during qualification. All officers shall also be required to complete proficiency qualification with the carbine in addition to the handgun and police shotgun on a periodic basis as established by Departmental Order No. 430 (Firearms Training Program).
- D. Each carbine and rifle will be inspected by the Department Armorer on a regular basis, and in compliance with a maintenance schedule established by that section to ensure that each rifle and carbine is clean, in good working order, and that inspection records are updated at time of

inspection. At a minimum they shall be inspected by the Department Armorer at least once per calendar year.

- E. A storage area for Ruger Police Carbines shall be designated within the Department's Central Distribution Center, where carbines shall be stored for issue to police officers.
- F. A key to this storage area shall be accessible to Watch Commanders so that carbines may be issued in compliance with existing policy governing access to the Central Distribution Center in the absence of Property Services Section personnel. A written log shall be maintained in the Central Distribution Center for the purpose of recording pertinent information regarding issue and return of carbines and magazines; and, it shall be the responsibility of personnel issuing this equipment to ensure that the log is properly completed as equipment is issued or received.
- G. A clearing barrel shall be maintained by the Department Armorer in the parking structure adjacent to the Range entrance for the purpose of clearing loaded Ruger or AR-15 rifles, should that be necessary. All clearing or checking of rifles conducted outside the Police Range shall be performed with the weapon muzzle inserted into the clearing barrel to ensure the safety of Police personnel. Ruger Police Carbines and Colt AR-15 rifles shall not be permitted within the Police Administration facility at any time with a magazine inserted in the magazine well, or with a round of ammunition in the firing chamber, except as necessary for the processing of weapons as evidence. Carbines shall be unloaded and shall have the magazine removed from the magazine well and the bolt locked open with the safety on prior to being brought into the Police Administration facility to be returned to the Central Distribution Center at end of shift. The Ruger, along with three issued magazines and ammunition, shall be returned to CDC when the officer goes EOW.
- H. When issued from CDC, the Ruger Police Carbine will have an empty magazine well, will be on safe, and will have the bolt locked in the open position. Each officer will receive three magazines loaded with Department issued ammunition from the Central Distribution Center with the weapon. Two magazines will be provided separately to the receiving officer. Prior to placing the Police Carbine in the Carbine/Shotgun storage rack in his/her assigned vehicle, the receiving officer shall ensure that the weapon is unloaded, and will close the bolt and uncock the weapon by pulling the trigger PRIOR to placing a magazine in the magazine well. The weapon shall be stored in the carbine/shotgun rack of the police vehicle with an empty chamber, in an uncocked condition and with a fully loaded magazine inserted in the magazine well.
- I. The Ruger Police Carbine shall, at all times, be properly secured in the police vehicle shotgun/carbine rack except when removed from the vehicle for an official police purpose. Carbines issued to personnel operating unmarked vehicles or other vehicles not equipped with a locking shotgun/carbine rack, shall be secured in the locked trunk of the officer's Department vehicle.
- J. Whenever a police vehicle is to be left unattended with a weapon secured inside, the vehicle shall be secured with the windows closed and doors locked whenever possible.
- K. Officers shall use only the magazines and ammunition issued to them by the department for both rifles. Neither rifle shall be altered in any way by adding or removing any equipment from them.

Officers shall not use any accessories on either rifle unless they have been issued or authorized by the Training Division and installed by the Department Rangemaster/Armorer.

- L. If, during the course of duty an officer chambers a round in either carbine or rifle, it shall be the officer's responsibility to clear the weapon as soon as it is safe to do so. No report shall be necessary unless the weapon was fired or placed in evidence as a result of a police investigation. In such instances where the weapon was fired, the circumstances shall be reported in compliance with Departmental Order No. 400 (Shooting Policy).
1. If the officer wants to deploy the AR-15 rifle, they must obtain supervisory approval before deploying it and the supervisor authorizing deployment shall document the deployment per the policy listed in Section II of this order.
- M. If the Ruger Police Carbine or the Colt AR-15 rifle is fired during the course of an officer's duty, and that weapon is not placed in evidence as part of an administrative investigation, the officer firing the weapon, or the officer's supervisor shall notify Central Distribution Center that the weapon was fired. This notification will ensure that the weapon is cleaned and inspected by the Department Armorer prior to being returned to use in compliance with Departmental Order No. 400 (Shooting Policy).

## **II. The Colt AR-15 Police Rifle Deployment Program**

### **A. Specific Procedures for Storage, Inspection, and Issue of Colt AR-15 Police Rifle.**

1. The primary objective of the Police Rifle Deployment Program is to deploy a sufficient number of trained and properly equipped personnel on each patrol shift to adequately address unusual tactical circumstances through application of accurate, long-range rifle fire to protect life and property, and to meet Department tactical and officer safety objectives. These objectives shall be addressed through issue of Colt AR-15 .223 Caliber Rifles to selected and trained Field Operations Bureau personnel on each operational patrol shift, regardless of team assignment, and based upon qualifications and proficiency of assigned personnel.
  - a. The Colt AR-15 .223 Rifle may also be issued to members of the Investigations Bureau depending upon need as determined on a case-by-case basis in accordance with the policies and procedures set forth in this Order.
  - b. Priority for issuance of the rifles is given to Field Operations Bureau personnel; rifles issued to Investigations Bureau personnel are subject to recall at any time in the event inventory of rifles should fall below acceptable levels.
2. Officers assigned to the Police Rifle Deployment Program shall be issued the Colt AR-15 .223 Caliber Rifle, a storage case, an individual lock, three 20-round magazines and 60 rounds of Department-issue ammunition; and, shall be responsible for the weapon's security while assigned to field duty and for ensuring that the weapon is maintained in proper working order.

3. The Colt AR-15 rifle shall not be removed from the Police Facility except when the officer is engaged in field enforcement duties and/or to accomplish an official police purpose.
4. When the assigned officer is not on duty, his/her police rifle shall be stored in its soft case, locked with the officer's individual lock and stored in Equipment Storage Room #1137. This storage room shall be locked at all times and each officer assigned to the Police Rifle Deployment Program shall be issued a key to this storage room. Prior to assuming field duty at the beginning of his/her patrol shift, the assigned officer shall retrieve his/her individually assigned rifle from this storage room and assume field duties. At the end of each assigned patrol shift, the assigned officer shall return his/her individually assigned rifle to this storage room. An equipment log shall be maintained in the equipment storage room and officers shall record check-in and check-out of their weapons on a shift-by-shift basis.
  - a. In the event a Colt AR-15 is issued to personnel from the Special Investigations Division, it shall be stored in the Unit Weapons Locker. Access to this locker will be restricted to officers assigned the weapon, the Special Investigations Division Commander, and the Department Armorer.
  - b. If circumstances do not permit an investigator assigned a take-home car to return to the station to store his Colt AR-15, the weapon shall not be left unattended in the vehicle, and it shall be stored in a safe manner consistent with the guidelines for storage of the officer's duty handgun.
5. Assigned officers shall take their individual weapons to the field whenever assigned to field enforcement duty. The rifle shall be secured at all times in the trunk of the officer's assigned police vehicle, except when deployed for an official police purpose.
6. Prior to assuming field duty with the Colt AR-15 .223 Caliber Police Rifle, assigned officers shall ensure that the magazine well of the weapon is empty, that the weapon is uncocked, and that the rifle's bolt is closed on an empty chamber. All clearing of the weapon or checking of the weapon's firing chamber shall be accomplished utilizing the clearing barrel located near the entrance to the police range. Officers shall inspect equipment contained in their individual police rifle storage case to ensure that all items are present through a visual inspection before securing the equipment in the trunk of assigned police vehicles.
7. Assignment to the Police Rifle Program does not relieve the officer of the responsibility to also take either the Ruger Police Carbine or a shotgun while on duty.

## **B. Deployment of the Colt AR-15 .223 Caliber Rifle**

1. The Colt AR-15 .223 Caliber Rifle shall be deployed only in situations where standard issue weapons such as the Ruger Police Carbine, shotgun, or pistol may be ineffective. Officers shall secure supervisory approval before deploying the AR-15 Rifle. The approving supervisor shall document the reason for authorizing deployment of the rifle on his/her supervisory log, explaining circumstances and/or other factors which justified use of a rifle rather than other means to achieve a police tactical objective.

**Exception:** Under conditions of extreme emergency where immediate threat to life exists, or where prior supervisory approval is not possible or feasible, supervisory approval will not be required. In such cases, the officer deploying the rifle shall notify a supervisor as soon as possible, and explain the factors which influenced his/her decision to deploy the weapon. The supervisor shall document the incident, as in the preceding paragraph.

2. Incidents in which the AR-15 may be deployed include, but are not limited to:
  - a. Armed or barricaded suspect(s).
  - b. "High risk" car stops involving suspects believed to be armed.
  - c. Sniping incident(s).
  - d. Riot situations involving armed suspects.
  - e. Criminal acts involving armed suspect(s).
  - f. Incidents in which suspect(s) are known or believed to be wearing body armor or concealed by protective cover, and/or are shooting or threatening to shoot at officers or citizens.

### C. Selection of Personnel

1. Participation in the **Police Rifle Deployment Program** is voluntary and is not compensable other than for that time reasonably required to satisfy training and proficiency requirements of this program during the officer's non-duty time.
2. Personnel desiring to participate in the program shall submit a memorandum through their Chain of Command, to the Commander, Field Operations Bureau, describing their knowledge, experience, and technical competence in firearms, as well as other qualifications relevant to marksmanship and tactical competence.
  - a. Investigators desiring to participate in the program shall submit a memorandum, as outlined above, through their Chain-of-Command, to the Investigations Bureau Commander.
3. Upon receipt of memoranda from interested personnel, the Field Operations Bureau District Commanders and Watch Commanders will convene to review requests for participation in this program. Suitability will be determined upon demonstrated field performance, maturity, decision-making ability, reliability, absenteeism, and history of internal affairs activity.
4. Following review, all requests will be forwarded to the Field Operations Bureau Commander or his designate, with recommendation, for final review and recommendation.
  - a. Memorandums received from investigators shall be reviewed by the Investigations Bureau Commander who will make the final determination as to participation in the program.

The necessity for issuance of the rifle will be made on a case-by-case basis and consistent with needs of the department.

5. Upon selection for this program, assigned officers will be scheduled to attend a mandatory basic police rifle training course.
6. During training, selected officers shall be individually issued a Colt AR-15 .223 Caliber Police Rifle, three magazines, 60 rounds of Department-issued ammunition, a soft storage case, and an individual lock for the storage case. This equipment shall remain assigned to the individual officer so long as he/she remains in the Police Rifle Deployment Program. It will be the responsibility of selected officers to properly maintain this equipment at all times in a state of tactical readiness. When assigned to field enforcement duty, the officer shall have this equipment with him/her and the equipment shall be secured in the trunk of his/her assigned police vehicle for immediate deployment. When not assigned to field enforcement duty, this equipment shall be secured in the police rifle storage room designated as Equipment Storage Room #1137 located on the first floor of the Police Administration Facility and available for immediate deployment.

#### **D. Removal from the Police Rifle Deployment Program**

1. Continued participation in the Police Rifle Program is at the discretion of the Commander, Field Operations Bureau, and may be revoked at any time, without cause.
2. The District Commander/Watch Commander of an assigned officer may, subject to review by the Commander, Field Operations Bureau, remove an officer from the Police Rifle Deployment Program where the officer is found to be unable or unwilling to perform duties as required under this program. Grounds for such recommendation for removal would include, but would not be limited to:
  - a. Any officer who has attended a basic police rifle training course, and who fails examinations of competency, judgment and/or familiarity with the rifle.
  - b. Any officer who fails to meet firearms proficiency requirements with his/her authorized duty pistol, police shotgun, Ruger Police Carbine or Colt AR-15 .223 Caliber Rifle, during scheduled range qualification periods as established by Departmental Order No. 430 (Firearms Training Program).
  - c. Demonstrated field performance, such as immaturity, inappropriate conduct in tactical situations, disciplinary action, or excessive absenteeism.
3. Transfer from the Field Operations Bureau will result in removal from the program for that period the affected officer is not assigned to field enforcement duties. Upon return to active field duty, the officer may resubmit a request for reappointment to the program. His/her reselection will be at the discretion of the Commander, Field Operations Bureau, should an open position be available, and a demonstrated need exist, and will be in compliance with program selection procedures established by this order.

4. An assigned officer may voluntarily request removal from the program by submitting a memorandum through his/her Chain of Command to the Commander, Field Operations Bureau, citing reasons for such request. This request may be granted, depending upon the needs of the Department.
5. Upon notification of removal from the program, either by memorandum or in verbal form by Training Division staff or superior officer, the assigned officer shall immediately surrender the rifle and supporting equipment to the Department Armorer, on-duty Watch Commander, or other person designated by the notifying supervisor or other responsible officer.

### III. The “AR-15 Purchase for Duty” Program

#### A. Purchase of the AR-15 Style Rifle

State law currently permits sworn peace officers to purchase an AR-15 style rifle for official law enforcement purposes only and where the Chief of Police has provided written authorization for the officer to possess or receive the weapon (Penal Code section 12280(f) (2)). Personnel who wish to purchase an AR-15 style rifle will be required to sign an acknowledgment that states the weapon is for official law enforcement purposes only, that state law does not authorize retired and/or former peace officers' use and/or possession of the weapon, and that the Department's authorization for the officer to receive, possess and/or use the weapon terminates upon the officer's separation of employment from the Santa Ana Police Department. At the Chief's discretion, such acknowledgment may include additional language regarding the officer's possession and/or use of the weapon.

All associated costs and maintenance of the weapon are the sole responsibility of the purchasing officer.

**This weapon is not to be purchased for sale, transfer or personal use.** Upon separation, there is no expectation that the department will purchase the weapon. The officer will be required to contact a State of California authorized assault weapons dealer to determine their options with regards to the weapon.

Sworn personnel who wish to purchase their own AR-15 style tactical rifle for deployment in the field are required to do the following:

1. Fill out and submit (via the chain of command) the “AR-15 Request to Purchase Form” located on the Intranet. The employee will be required to provide his/her social security number and the make, model and serial number of the requested weapon. Upon approval, a letter from the Chief of Police authorizing said purchase will be provided to the employee for submission to a State of California authorized assault weapons dealer.
2. The officer must comply with the registration requirements set forth in California Penal code section 12280(f)(2) (as it currently reads or as it may be hereafter amended), and all applicable state and federal laws regarding the receipt, possession and use of the weapon.
3. Prior to deploying the weapon in the field, the employee will be required to complete a department approved two-day tactical rifle course, which will include an inspection of the weapon.



- a. Exceptions to this requirement will be made to SWAT members who receive memorandum from the SWAT Commander stating that the officer received the required training while in the SWAT academy.

## **B. Weapon Requirements**

The AR-15 style rifle must meet the following criteria:

1. Semi-automatic
2. A barrel length of 16 or 20 inches
3. Chambered in caliber .223 (5.56 mm)
4. Manufactured by Armalite, Bushmaster Firearms, Colt Manufacturing, DPMS / Panther Arms, Les Baer Custom, Olympic Arms, Rock River Arms, Wilson Combat, LMT or Smith and Wesson
5. The rifle must be of original configuration. Mix and match upper receivers and lower receivers are not authorized. The full-time Rangemaster must approve modifications to original configurations. They include but are not limited to hand guards, charging handles, slings, iron sights, light systems, electronic, holographic, tritium, or combination tritium / fiber optics, and telescopic scopes
6. Authorized high capacity ammunition feeding devices (magazines) which contain no more than 30 rounds

## **C. Policy and Removal from Program**

Officers that have completed a department approved, two-day tactical rifle course will be authorized to deploy the rifle in the field. Officers must have the weapon inspected and qualify with it annually. Officers are required to follow all applicable guidelines set forth in any and all applicable Departmental Orders, including but not limited to Department Order # 406- I sections B, D, G, J, K, L, M and II section A- 5, 6, 7 and section B.

1. Continued participation in the AR-15 Purchase and Deployment Program is at the discretion of the Chief of Police or his designee and may be revoked at any time, without cause.
2. The weapon shall be available for inspection at any time.
3. The Rangemaster or supervisor of an employee authorized to deploy an AR-15 in the field may forward a memorandum (via his/her chain of command) to the Chief of Police requesting the employee be prohibited from the carrying the weapon. This recommendation could be based on several factors, including:
  - a. Failure to pass examinations of competency, judgment and/or familiarity with the rifle
  - b. Failure to meet firearms proficiency requirements with his/her authorized duty pistol, police shotgun, Ruger Police Carbine or Colt AR-15 .223 Caliber Rifle, during scheduled

range qualification periods as established by Departmental Order No. 430 (Firearms Training Program)

- c. Demonstrated field performance, such as immaturity, inappropriate conduct in tactical situations, disciplinary action, or excessive absenteeism