

**SENECA FALLS POLICE DEPARTMENT  
GENERAL ORDER**

<b>General Order:</b> 342	<b>Rescinds:</b> 02/03/12, 07/01/13
<b>Subject:</b> Firearms Qualification and Possession	<b>NYS Accreditation:</b> 20.5, 32.3
<b>Effective Date:</b> 05/23/2018 <b>By Order Of:</b> Stuart W. Peenstra, Chief of Police	

**I. PURPOSE**

To establish procedures for firearms training and possession by members of the Seneca Falls Police Department.

**II. POLICY**

- A.** With the exception of authorized departmental or academy training, no officer or trainee will be authorized to carry or utilize any firearm in connection with the performance of their official duties unless he/she has successfully completed that portion of an approved Municipal Police Training Council program or a program that meets or exceeds those requirements as provided by the Seneca Falls Police Department or academy. This training will additionally encompass the use of deadly physical force as pertaining to the policy of the Seneca Falls Police Department and Article 35 of the New York State Penal Law.
- B.** All sworn members engaged in field assignments shall carry a firearm while in the performance of their duties. Said firearm will be issued or approved by the Chief of Police and a range instructor.
- C.** Members of the Seneca Falls Police Department will maintain proficiency in the use of all issued firearms.
- D.** Members will adhere to the guidelines outlined herein regarding testing, use and possession of issued and personally owned firearms.

**III. QUALIFICATION**

- A.** Every member will qualify with a passing score determined by the Chief of Police at least once a year with any Seneca Falls Police Department issued firearm that the member is authorized to use and any personally owned firearm, approved for on duty use.
- B.** Failure to Qualify
  - 1. A member who fails to qualify with his service firearm will be given an immediate second opportunity to do so.
  - 2. If a member fails after two attempts, he/she will:
    - a. Surrender his/her weapon to the Range Staff;
    - b. Be assigned to administrative duty; and
    - c. Be given the opportunity to take intensive, supervised training on his own time from Training Section.
  - 3. If a member fails to qualify within seven (7) days of his first attempt, the commanding officer of the Training Section will forward a report directly to the Chief of Police

indicating that the officer is not qualified to carry a firearm. The Chief of Police may initiate an investigation to determine whether the officer is competent to continue as a member of the Seneca Falls Police Department. (Reference: Article 75 of the Civil Service Law)

4. If a member fails to qualify with his approved personal firearm, any permission previously granted by the Chief to carry said firearm on duty will be revoked until such qualification is achieved.

#### **IV. RECRUIT OFFICER TRAINING**

The Training Section will ensure that the recruit officer training program includes a minimum amount of firearms training, as determined by the Chief of Police. Recruit officers will be carefully tested and will qualify as stated above prior to being assigned to field training.

#### **V. PERSONALLY OWNED FIREARMS**

- A.** Members of the Seneca Falls Police Department may purchase, own, possess and/or carry only those restricted firearms that are:
  1. Issued by the Seneca Falls Police Department; or
  2. Listed on a pistol or firearms permit, duly issued by a County of New York State or the Government of The United States or previously purchased and possessed under Section 400.00 (12)(6) of the New York State Penal Law. Effective July 1, 1989 all firearms possessed under Section 400.00 (12)(6) of New York State Penal Law must be transferred to a New York State Firearms Permit. Effective the issue date of this General Order, officers are not authorized to purchase weapons as an exempt person (i.e., on the Officer's badge/police identification).
- B.** Seneca Falls Police Department members, on-duty, will carry/use only those firearms and ammunition issued or specifically authorized by the Chief of Police. Authority to carry on-duty, a firearm not owned by the Seneca Falls Police Department will be granted only with the specific approval of the Chief of Police. The member must qualify in the proficient use of that firearm and register it with the Seneca Falls Police Department.
- C.** Personally owned weapons, when carried on-duty, will be loaded only with ammunition approved by the Seneca Falls Police Department.
- D.** Personally owned weapons, when carried off-duty, will not be loaded with Seneca Falls Police Department issued ammunition except when the member is engaged in the authorized training and/or qualification with said weapon.

## **VI. CARRYING SERVICE FIREARM OFF-DUTY**

- A.** Members of the Seneca Falls Police Department may carry Seneca Falls Police Department issued firearms while off- duty wherever legal to do so within New York State.
- B.** If the Seneca Falls Police Department issued firearm is carried off duty, it must be in a holster approved by the Training Section, be loaded with issued ammunition, and worn in an approved manner.
- C.** Seneca Falls Police Department issued firearms will not be used by members engaged in outside employment.

## **VII. SECURING DEPARTMENT ISSUED FIREARM**

It is the responsibility of all members to exercise "due care" in safely securing their Seneca Falls Police Department issued firearm while off-duty, or while on-duty when required to remove their firearm.

## **VIII. FIREARMS INSTRUCTORS**

- A.** Seneca Falls Police Department firearms training activities comply with OSHA standard 1910.95 - Occupational Noise Exposure; Hearing Conservation Amendment. The program requires:
  - a. That all firearms instructors receive annual audiometric testing as directed by the Seneca Falls Police Department;
  - b. That approved hearing protection be worn by all firearms instructor(s) while engaged in activities wherein firearms are being discharged;
  - c. In addition, firearms instructor(s) will insure that all Seneca Falls Police Department personnel will be provided with suitable ear and eye protection while receiving firearms training and that such protection is properly worn.

(Revised 05/23/2018)