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**Standardization of Police Officer Firearms
Department Issue vs. Personally Owned**



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ABSTRACT

The transition from revolvers to semi-automatic handguns in the 1980s forced police departments to modify their training programs and program protocols. There was also the issue of lean budgets and how a firearms training program would be funded. These issues are still debated but the argument is whether departments should issue standardized weapons or allow officers to make a choice about what they carry. Many large police departments have department-issued duty weapons. They tout the benefits of a more focused handgun program limited to one or two handgun models. One of these touts are uniform instruction that does not have to take into account many different models of firearm. In small police departments, officers purchase a duty weapon of their personal preference. Even though officers choose their own weapons, the department is still accountable for adequate firearms training. The reduction in liability far outweighs the cost of purchasing each officer's firearm for large departments. They also see a saving in purchasing only one caliber of ammunition. In contrast, the small agencies must purchase and keep on hand ammunition for many different caliber weapons. This can have a detrimental effect on a department's annual budget. Regardless of size, all police departments recognize their responsibility to provide a safe and reliable firearms program for the duration of an officer's career.

By evaluating the two sides, department-issued handguns and personally-owned, there are many factors that determine what is best for each individual agency. Research from industry authors and articles from police magazines and websites agree on the benefits of a standardized weapon for duty use.

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INTRODUCTION

The modern law enforcement duty weapon is an extremely advanced and reliable piece of equipment, rivaling those of decades ago. As officers transitioned from revolvers to semi-auto pistols, the choice of manufacturers and models increased. Nowadays, there are a number of semi-auto pistols that an officer can choose from; they vary in bullet caliber, frame size, internal or external safety features, polymer (plastic) frame and/or stainless or blue steel frames. According to Boyle (2010), "The logistics of equipping the troops with the proper equipment has grown far more challenging" (para. 2). A wide array of weapons choice allows officers to select a handgun that fits them best. With the transition to semi-automatic weapons, the balance between an officer's personal preference and the need for uniformity has tilted. As in the case of the Austin Police Department, many "see the merits of uniform weaponry but are resistant to trade in the guns that in many cases they have carried an entire career" (Plohetski, 2010, para. 6). The trend is for larger departments to issue duty weapons, citing standardization in weapons and training as the catalyst.

One of the biggest liability issues for police departments is the adequate training of personnel in all aspects of law enforcement, not just firearms training. Even though recent court cases have demanded an improvement in firearms training programs; according to Glidden (1991), "The most frequent cause for civil actions against police officers is negligent use of firearms" (page 4). Whether or not department-issued firearms programs effect liability has not been determined. Hall (1993) points out that the "one aspect of firearms training that sets it apart from others and justifies its separate treatment is its critical purpose" (para. 2). Firearms training plays a critical role

in an officer's reaction to critical situations requiring the use of force. Despite the importance, departments are routinely cutting their budgets for equipment and ammunition. Ultimately, these budget constraints have an effect on the quality of firearms training. When an agency provides department-issued duty weapons, they not only standardize the equipment, they negate the need to adapt their firearms training to accommodate the many different models of firearms available.

POSITION

In an emergency, officers who carry different models of weapons can no longer rely on sharing spare magazines, ammunition, or using a disabled officer's weapon. Although these types of critical incidents are rare, and the expense of providing each officer with a department-issued weapon is great, departments still must prepare and train their officers for such events. Austin Police Chief Art Acevedo cited the need for all officers to carry the same caliber of weapon using the same ammunition as an important reason for their standardization of weapons. He said, "officers carrying different weapons can't share ammunition should they become involved in a lengthy gun battle and run out" (Plohetski, 2010, para. 7). According to Koehne (2006), standardizing equipment brings a certainty that each officer would carry and be familiar with the issued equipment in the event of a deadly force situation. As Koehne (2006) points out, service and practice ammunition can be purchased easier when every officer carries the same weapon.

Standardization allows a firearms instructor the ability to focus on one specific type of weapon with a lesson plan and qualification course that is model specific.

"Firearms training programs designed to prepare officers for the practical purpose of

performing their tasks safely and effectively minimize the potential for liability” (Hall, 1993). Standardization increases officer safety because equipment malfunction can easily be addressed. Police instructors are mindful that training is held to the US Supreme Court standards. In the *City of Canton, Ohio vs. Harris* (1989), the Supreme Court decided that liability must focus on the failure to train and the adequacy of the training in relation to the tasks the particular officers must perform. Part of that training must focus on two areas, proficiency and judgment. To be proficient, training should address an officer's safe handling and firing accuracy. The training should also address the weapon characteristics and circumstances under which an officer will likely use it (Hall, 1983).

According to Ryan (2007), “While no police agency is immune from a lawsuit, no agency can afford to sit back in a defenseless posture. One of the most effective methods of avoiding agency liability is through proper, comprehensive and documented training” (para. 25). It is a department firearms instructor's duty to ensure that each officer meets these standards. Departments continue to address legal liabilities with valid training qualifications and maintenance programs along with a quality manufacturer model. Hall (1983) suggested that, “mechanical skills involved in firing a weapon--particularly a handgun--can deteriorate. Courts, as well as those who engage in firearms training, recognize this concept, and supports the principle that law enforcement training must be sustained throughout an officer's career” (para. 27).

Firearms instructors agree that training must be consistent to each officer with the weapon they carry. When everyone is equipped with the same weapon, firearms instructors can provide a focused lesson plan, covering topics like low light,

malfunctions, and position. The benefit of this type of training is that all officers know just what to expect out of the weapon they are trained with and in the event an officer's pistol needs to be taken out of service, a spare can be issued without the need of having the officer re-qualify with it. According to Scott (2005), "Inadequate training can have a negative impact on delivery of services, officer safety, police resources and the ability of police executives to lead their agencies" (para. 1). With a variety of handguns on the range, the learning process is delayed and the firearms instructor is forced to develop lesson plans that cover different manufacturers. Even the best thought out lesson plans will slow range time down so the instructor can address the individual types of handguns.

A department firearm program fulfills another important role – support, repair and maintenance. Many officers base their weapon-purchasing decisions on peer pressure or the latest article in a convenience store magazine rack. The more weapons systems authorized, the more complex the duties of a firearms instructor become. Fewer models of weapons used by the department will ensure the firearms program can have the armorer support for all weapon platforms.

The department budget is of major concern to all police administrators. Most departments cover the cost of practice and duty ammunition to reduce their liability. Limiting the caliber of weapons is an important budgetary decision. Reducing the need to purchase a variety of ammunition calibers and lessening the risk of not being able to purchase certain calibers of bullets is a hard task. Due to low stock, with different pricing, a standard caliber increases purchasing ability which saves money. The same principle applies when departments purchase department-owned weapons. A

manufacturer might consider lowering the per weapon cost if purchased in bulk.

According to Capt. Sue Williams, “The cost of ammunition has increased an average of 28 percent a year over the past three years” (Elbow, 2009, para.8).

Advantages of standardizing an officer’s duty weapon are wide-ranging. Training programs are simplified and designed specifically for one or two types of sidearm; thus, providing officers with confidence. Training is uniform where tactics and motor skills are reinforced to include basic safe handling, malfunctions, and survival drills. The ammunition purchasing process is simplified with ammunition being purchased in bulk for more cost efficiency. Repair, maintenance, parts, service and weapon inspections are easier on the department’s armorer. Finally, it is easier to budget for a standardized weapons system with accessories, like leather gear and holsters that are interchangeable and readily available.

COUNTER POSITION

Not everyone has the ability to accept change and challenge as part of their career. This is especially true of police officers who generally have strong opinions, especially in the type of weapon they choose to carry. Police officers are more accepting of policies that allow them to make their own decisions in the selection of duty weapon vice departments making the weapons choice for the officer.

The most insightful argument against weapon standardization is the personal comfort that officers have when selecting a weapon of their choice. According to Wayne Vincent, President of the Austin police union, “officers understand the department's desire for them to carry the same weapons. However, he said, allowing officers to select their own has given them flexibility to use weapons that fit their hand

size and make them most comfortable” (Plohetski, 2010, para. 9). When departments subscribe to a one-gun concept, users with a less-than medium size hand may be faced with a dangerous situation (Boyle, 2010). This reinforces the position that there is not one weapon that fits all people and not all people are the same shape and size, and men are different from women. According to Boyle (2010), “Handicapping individuals with firearms that are too large for efficient operation presents any number of liabilities, including diminished performance capabilities and safety concerns” (para.22).

Firearms instructors can teach what needs to be covered to ensure legal liabilities and officer safety standards; but, if an officer is not comfortable with the weapon he or she is shooting, they may not be able to protect another or defend themselves. In a Law Enforcement Management Institute of Texas (LEMIT) survey by Koehne (2006), 67% of the agencies surveyed did not believe a safety issue existed when officers carry different types of handguns. Boyle (2010) concluded that, “Officers — regardless of size or gender — still have to work hard to become truly proficient. In combination with a proper mindset, sound tactics, and skill, gear that fits ensures we can be at the top of our game” (para.23). This affirms the continued need for training and proficiency.

Pressure from governmental bodies to cut excess waste and trim budgets is the norm. Annually, department heads are asked to reduce or make mandatory cuts in their spending. The most predictable cuts come at the expense of equipment purchases and training. According to Bohn (2008), “U.S. police departments are streamlining patrols, reducing training and cutting back on some preventative programs as their budgets fall victim to the struggling economy” (para. 1). When a department is faced with a choice

between providing a department-issued weapon and personnel spending cuts, the loser will always be equipment spending. If not already in place, a weapon standardization program is an expensive endeavor and difficult to implement. Another standardization solution is for department policies that dictate the type and caliber of duty weapon an officer may carry. This solution shifts the cost of the weapons purchase to the individual officer while maintaining uniformity.

RECOMMENDATION

Police departments that issue the same model firearm to each of their officers have several long term goals. The first goal is enhancing officer safety. Standardization of weapons allows each officer to rely on another officer's equipment and ammunition in a deadly force emergency situation. Following officer safety, department training goals are important to reduce departmental liability. Each officer should receive the same level of training without the need to train for several models of firearm. Today's police instructors must be mindful that training or adequacy of training is held to Supreme Court standards such as *City of Canton, Ohio vs. Harris* (1989) where standardization is addressed as a key component in reducing liability.

Standardization of weapons allows a department's weapons maintenance and repair program to have armorers trained to work on just one or two models of a firearm. In an article written by Chudwin (2006), he reinforces the responsibility for care and maintenance of a service weapon to be shared between the individual officer and the department. Having a department armorer's maintenance program in place reduces liability. A maintenance program can document yearly weapons inspections for cleaning, obvious signs of repair, and every two years, require a complete tear down of

an officer's weapon for detailed cleaning and parts inspections. In the event an officer's pistol needs to be taken out of service, a spare, of the same type and caliber, can be provided without the need to have the officer go back out to the range to qualify or retrain.

Budgeting concerns when purchasing ammunition are reduced when a department only needs to focus on a one caliber. Standardizing weapons and ammunitions increases the department's buying power by lowering the overall cost with a bulk purchase. Even if a department does not have a budget to provide for the cost of an officer's duty weapon, policy can dictate the type of weapon as a condition of employment. While this may seem unfair to some, this is a concept that is used by most tactical units for uniformity and safety.

Standardization of an officer's equipment and weaponry addresses many issues involving officer safety, department training programs, budgeting, and legal liability. As Ryan (2007) stated in his article, training liability in use of deadly force; "While no police agency is immune from a law suit, no agency can afford to sit back in a defenseless posture. One of the most effective methods of avoiding agency liability is through proper thorough and documented training" (para. 25). With an officer's weapon being a critical tool, standardization either through policy or by issuing department-owned weapons enhances officer safety and brings about a more controlled method of dealing with use of force incidents.

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