COMMISSIONERS COURT
COMMUNICATION

SUBJECT: **CONSIDERATION OF TARRANT COUNTY FIREARM POLICY**

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider the Tarrant County Law Enforcement (LE) Policy.

BACKGROUND

In a continued effort to promote effectiveness, efficiency and safety in the County operations, the Commissioners Court should consider adoption of the attached policy regarding the procurement and management of firearms for County LE personnel. This policy will allow for the County to provide a firearm for those employees to assist in recruitment and increase uniformity throughout the County.

FISCAL IMPACT

The potential fiscal impact associated with this item is $212,498.56. Funding is available in the following accounts:

45100-2025 Non-Debt Capital Fund/Constable Precincts/540000 Capital
D8700-2025 Criminal District Attorney State Forfeiture Fund/4510100000 Crim DA Admin/540000 Capital
D8800-2025 Criminal District Attorney Federal Forfeiture (Justice)/4510100000 Crim DA Admin/540000 Capital
S9500-2025 Sheriff Federal Forfeiture Fund (Treasury)/2110720000 Sheriff – Federal Forfeitures/540000 Capital
S9600-2025 Sheriff Forfeiture Fund (State)/2110710000 Sheriff – State Forfeitures/540000 Capital
S9700-2025 Sheriff Federal Forfeiture Fund (Justice)/2110720000 Sheriff – Federal Forfeitures/540000 Capital

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TARRANT COUNTY

LAW ENFORCEMENT FIREARMS POLICY

I. POLICY STATEMENT

In a continued effort to promote effectiveness, efficiency, and safety in County operations, the Tarrant County Commissioners Court adopts the following policy regarding the procurement and management of firearms for County law enforcement agencies and TCOLE peace officer employees. Failure to adhere to this policy may subject employees to discipline authorized in the Tarrant County Civil Service Rules or Tarrant County Sheriff's Department Civil Service Rules.

II. DEFINITIONS

County law enforcement agencies is inclusive of the Sheriff, Constables, Criminal District Attorney Investigators, Fire Marshal and any other Tarrant County Law Enforcement Agencies or Personnel.

Firearms is inclusive of those items as defined in Texas Penal Code, Sections 46.01(3) & 46.01(5).

TCOLE is an abbreviation for the Texas Commission on Law Enforcement.

Rangemaster is the individual, holding a TCOLE license as a certified Firearms Instructor, in command overseeing activities of a firing range who is appointed by the head of the law enforcement agency.

Primary Weapon A weapon approved by the Tarrant County law enforcement agency department head as an on-duty weapon. The weapon is carried in the uniform duty holster when the officer is in uniform.

Back-up or Secondary Weapon A back-up or secondary weapon, approved by the Tarrant County law enforcement agency department head, is concealed and is carried in case the primary weapon fails mechanically or if control of the primary weapon is lost.

Off-duty Weapon Any primary or back-up weapon is authorized for off-duty carry while carrying a weapon as a commissioned peace officer.

III. POLICY GUIDELINES

A. The procurement and management of County firearms for utilization in the scope of official law enforcement duties are governed by the policies and procedures as defined herein.

B. This policy may not be misconstrued to govern the utilization of County firearms in the scope of official law enforcement duties, such as use of force or training policies.

C. To obtain approval for use of a personally owned weapon (POW) in the scope of official law enforcement duties, an employee must ensure the firearm is authorized for use by the department head or elected official.

IV. EQUIPMENT

The County issued firearm and associated parts and equipment, shall be purchased from the awarded vendor under the applicable agreement.

V. REPAIRS OR MODIFICATIONS

County firearms shall be maintained in a clean, serviceable condition.

Each employee shall be responsible for promptly reporting any damage or malfunction of a firearm to a supervisor and the department's Rangemaster.

Firearms that are the property of the Tarrant County Law Enforcement agencies or personally owned firearms that are approved for use may be repaired or modified only by a person who is certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the department's Rangemaster.

VI. HOLSTERS

Only department head approved Level II holsters (Level II is the minimum holster security level) shall be used and worn by employees while in uniform. Employees shall periodically inspect all their holsters to make sure they are serviceable and provide the proper security and retention of the firearm. Employees carrying a pistol with an optic shall ensure they have a duty quality holster with proper retention. The holster shall be manufactured to properly accept and retain the pistol with the optic.

VII. OPTICS AND GRIPS

Authorized Optics placed on county purchased firearms are restricted to the awarded vendor. Optics may only be carried after they have been examined and approved by the department's Rangemaster.

Approved sights shall be mounted to the firearm following the manufacturer's guidelines.

Once approved, the employee shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it. Any employee carrying a firearm with an optic shall complete a department approved training course to ensure proper understanding and functioning of the equipment.

All Firearms equipped with an optic sight shall have iron sights which are usable without needing to remove the optic sight.

Employees carrying a firearm with an optic shall ensure they complete mandatory TCOLE qualifications. Employees shall perform battery changes at least yearly and maintain the optic to ensure proper functioning.

The department Rangemaster must inspect and approve non factory grips on all firearms.

VIII. INSPECTION AND STORAGE

During qualifications, all weapons shall be inspected by the department's Rangemaster in accordance with TCOLE standards to ensure that no modification, alteration, or changes of parts have been made to any weapon authorized for on-duty use without prior approval of the Rangemaster. All repairs, modifications, or alterations of the weapon will be performed by or coordinated with the department's Rangemaster.

The employee shall ensure that the firearm is carried in the proper condition and loaded with Rangemaster approved ammunition.

No county-issued firearm shall be left unattended in an unsecured location. When the officer is off-duty, county-issued firearms shall not be left in a vehicle overnight unless the vehicle is in a secured area such as a locked garage (Penal Code 46.13).

Employees shall ensure that all firearms and ammunition are secured while in their homes or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access.

Any stolen or lost county-issued firearm must be reported to your immediate supervisor immediately. If your immediate supervisor cannot be reached, you must contact an on-duty supervisor. The officer shall contact the local law enforcement agency in which the offense occurred to get a Police report generated. A copy of this report will be forward by the employee to the department's Rangemaster immediately after its available.

The immediate supervisor will need to contact the department's Rangemaster once notified of the firearm being missing or stolen from the officer.

IX. AUTHORIZED HANDGUNS AND AMMUNITION

The department's Rangemaster shall maintain a list of all authorized firearms and authorized ammunition. This list will include duty, back-up, secondary and off-duty weapons. Officers should check that list prior to purchasing a firearm to ensure that it meets departmental standards.

All firearms purchased by the County will be black or stainless in appearance, or a combination of both.

The below are all in effect if not using County issued Firearm:

Primary duty weapon, authorized pistol calibers are limited to 9mm, .357 Sig, .38 caliber, 40 caliber and 45 ACP. Authorized Patrol Rifle calibers are limited to 5.56 or 223. Shotguns are limited to 12 gauge.

While in uniform, Tarrant County peace offices may carry any quality semiautomatic handgun manufactured by Beretta, Colt, CZ, FN, Glock, H&K, Kahr, Remington, Ruger, Sig Sauer, Smith & Wesson, Springfield, Staccato, and Walther.

While in plainclothes, or off-duty, officers may carry semiautomatic handguns or revolvers made by the gun manufacturers described above in calibers 32 Auto, 32 H&R Magnum, 380 Auto, 38 Special, 357 Magnum, 9mm, 40 caliber and 45 ACP. These weapons may also be carried by an officer for back-up use.

Firearms produced by other manufacturers may be approved by the department's Rangemaster. The factors the department's Rangemaster may consider in the decision to allow an officer to carry the weapon include the quality of the weapon manufacture, reliability, safety features and adoption for use by other police agencies in the United States and/or U.S. Military.

Tarrant County peace officers that are assigned to Special Weapons and Tactics (SWAT) Teams shall be authorized to carry weapons and

ammunition approved for special purpose use by the SWAT commander and the department rangemaster, providing that the officers qualify during the current qualification period with the weapons and incidental to the performance of the officer's official duty.

X. PATROL RIFLES

Only licensed peace officers who have successfully completed the department's approved Basic Patrol Carbine School and have qualified with a minimum score of 90% will be allowed to carry the AR-15/M4 type Patrol Rifles. TCOLE Qualification/re-qualification requirements for the AR-15/M4 will be the minimum requirement but each agency Rangemaster can require higher qualification requirements.

The department's Rangemaster shall maintain a list of the authorized model numbers, duty round, sights, magazine and sling for the county-issued AR-15/M4 Rifle, and for licensed peace officers wanting to carry a personally owned AR-15/M4 Rifle on-duty.

The AR-15 is a tactical option and shall be utilized in situations outlined in the department's Basic Patrol Carbine School.

While on-duty, the carbine will be locked in the patrol rifle mount if the vehicle is equipped with the mount. If the vehicle is not equipped with a mount or if a rifle with mounted optics (or other approved modifications) cannot be fitted in the patrol rifle mount, then the carbine shall be secured in the trunk.

Additionally, when off-duty, the officer shall not leave a county-issued firearm in any vehicle unless the vehicle is in a secured area such as a locked garage. Under no circumstance shall the patrol carbine be loaded or unloaded inside a law enforcement facility. The AR-15/M4 shall be transported with the chamber empty, action closed, selector switch in the safe position, and magazine loaded not to exceed 30 rounds inserted in the firearm. When being transported to and from the vehicle, the AR-15/M4 shall remain in a case and must always remain in the officer's custody.

XI. ALCOHOL AND DRUGS

County firearms shall not be carried by any employee, either on- or off-duty, while impaired by alcohol, other drug(s), intoxicating compound or a combination thereof.

XII. FIREARMS TRAINING AND QUALIFICATIONS

Tarrant County peace officers, either on-duty or off-duty, shall carry only firearms with which they have completed department-approved training and met minimum TCOLE standards set for qualification.

Employees will qualify (at a minimum) with primary/duty, off-duty and secondary firearms once a year. Training and qualifications must be on an approved range course.

Department Rangemasters will record the make, model, caliber and serial number of all weapons for each officer during qualifications and inspections.

TCOLE RULE §218.9 Continuing Firearms Proficiency Requirements

(a) Each agency or entity that employs at least one peace officer or at least one firearm certified jailer shall:

(1) require each peace officer or firearm certified jailer that it employs to successfully complete the current firearms proficiency requirements at least once each calendar year for each type of firearm carried;

(2) designate a firearms proficiency officer to be responsible for the documentation of annual firearms proficiency. The documentation for each officer shall include:

(A) date of qualification;

(B) identification of peace officer or jailer;

(C) firearm manufacturer, model;

(D) results of qualifying; and

(E) course(s) of fire;

(3) keep on file and in a format readily accessible to the commission a copy of all records of this proficiency.

(b) The annual firearms proficiency requirements shall include:

(1) an external inspection by the proficiency officer, range officer, firearms instructor, or gunsmith to determine the safety and functioning of the weapon(s);

(2) a proficiency demonstration in the care and cleaning of the weapon(s) used; and

(3) a course of fire that meets or exceeds the minimum standards.

(c) The minimum standards for the annual firearms proficiency course of fire shall be:

(1) handguns - a minimum of 50 rounds, fired at ranges from point-blank to at least 15 yards with at least 20 rounds at or beyond seven yards, including at least one timed reload;

(2) shotguns - a minimum of five rounds of ammunition fired at a range of at least 15 yards;

(3) patrol rifles - a minimum of 30 rounds of ammunition fired at a range of at least 50 yards, including at least one timed reload; however, an agency may, in its discretion, allow a range of less than 50 yards but not less than 10 yards if the minimum passing percentage is raised to 90;

(d) The minimum passing percentage shall be 70 for each firearm.

XIII. OPERATIONS WITH OTHER LAW ENFORCEMENT AGENCIES

When Tarrant County law enforcement officers conduct joint operations with other local, state and federal agencies, this policy shall still apply, along with their respective agencies Deadly Force Policy.

XIV. SEPARATION OF SERVICE

Upon any separation of service between the officer and the County, the County purchased firearm must be turned into the Departments Rangemaster immediately.