

General Order

Houston Police Department



ISSUE DATE:

February 3, 2021

NO.

400-05

REFERENCE: Supersedes all prior conflicting Circulars and Directives, and General Order 400-05, February 6, 2017

SUBJECT: FIREARMS QUALIFICATION, TRAINING, AND CONTROL

POLICY

Officers shall carry only those firearms that meet department standards. Officers are responsible for attaining and maintaining proficiency in the use of the approved firearms they carry and shall obey all department policies and procedures related to firearms control.

This General Order applies to all employees.

DEFINITIONS

Academy Firearms Range. The firearms training facilities located in the Houston Police Academy firearms complex and supervised by Houston Police Department *Academy range personnel*.

Academy Range Personnel. Texas Commission on Law Enforcement (TCOLE) certified firearms instructors assigned to an *Academy firearms range* or certified firearms instructors for the department's Tactical Training Unit, Narcotics Training Unit, or Special Weapons and Tactics (SWAT) Detail (designated SWAT officers only). These officers have the authority to remove anyone from an *Academy firearms range* for unsafe practices.

Attempt to Qualify. When an officer during an official qualifying line scored by *Academy range personnel* shoots and attempts to pass the appropriate firearms *qualification* course with a firearm the officer intends to carry.

Back-up Weapon. A firearm that is carried in conjunction with a *primary weapon*.

Off-duty Weapon. A handgun registered in the department's firearms registration database and that may be carried in an off-duty capacity once guidelines set forth in this General Order are met. An *off-duty weapon* may also be carried as a *back-up weapon* when all criteria and *qualifications* have been met.

Plainclothes. For the purpose of this General Order only, *plainclothes* refers to all manner of dress other than approved department uniforms.

Primary Weapon. A handgun that meets the guidelines set forth in this General Order, that is registered in the department's firearms registration database as a *primary weapon*, and that may be carried alone.

Qualification. When an officer during an official qualifying line scored by *Academy range personnel* shoots and passes the appropriate firearms *qualification* course with a firearm the officer intends to carry.

Qualification Quarter. The quarter of the year dedicated to department wide *primary weapons qualification*.

Redress Firearms Training. Individualized training sessions scheduled by the Training Division for officers who have failed all three attempts during the *qualification quarter*.

Shoulder Fired Weapon. A shotgun or carbine that meets the guidelines set forth in this General Order, that is registered in the department's firearms registration database, and that may be carried only with a *primary weapon* if the officer is in police uniform, on duty, or working police-related extra employment.

Specialized. Only divisions, units, weapons, and ammunition so designated in writing by the Chief of Police shall be considered *specialized*. Only officers assigned full or part time to a *specialized* division or unit and while carrying out those assignments, duties, and functions are allowed to carry *specialized* weapons and ammunition.

Under the Influence of Alcohol. Any measurable concentration of alcohol in a person's blood, breath, or urine.

1 GENERAL PROVISIONS

Except as noted in this General Order, officers shall carry only those firearms listed in the *Attachments* to this General Order. All approved weapons used by officers in the performance of their official duties shall not be altered from the manufacturer specifications nor changed in any way that affects the safety or function of the weapons.

All *primary, back-up, and off-duty weapons* shall be professional and conservative in appearance and shall be, except as noted herein, of a blued, black, or silver finish. Officers shall not adorn their firearms with any symbol or design other than the standard manufacturer emblem, or with any equipment or additions not listed in this General Order.

A description including the make, model, and serial number of all firearms carried by each officer shall be listed in the Houston Police Department's firearms registration database maintained by the Training Division.

Officer's firearms shall be maintained in good working order and are expected to be cleaned and lubricated on a regular basis.

2 PRIMARY WEAPONS

Except as noted in this General Order, officers shall carry a *primary weapon* for which they hold current *qualification* while in police uniform, on duty, or working police-related extra employment. Regardless of assignment or exceptions outlined in this section, all officers shall qualify annually with an approved *primary weapon* on the department's *primary weapons* course as outlined in this General Order and as dictated by *Academy range personnel*.

[REDACTED]

[REDACTED]

3 OFF-DUTY WEAPONS

Officers are reminded that even if they elect not to carry a firearm while off duty, they are considered to be a Houston police officer 24 hours a day, 7 days a week. Officers shall remain responsible for complying with all department policies and procedures, and are still required to take appropriate action when required. If unarmed, appropriate action may include contacting 9-1-1 or the police dispatcher about a crime in progress rather than attempting to make an arrest.

Off-duty officers working police-related extra employment or wearing a police uniform are required to carry a *primary weapon* in accordance with all applicable provisions of this General Order.

If an off-duty officer not wearing a police uniform and not working police-related extra employment elects to carry a handgun, the officer shall carry a *primary weapon* or an *off-duty weapon* that matches one of the following descriptions:

[REDACTED]

[REDACTED]

Handguns carried off duty must hold a minimum of five rounds of ammunition.

Officers shall ensure that any *off-duty weapon* they intend to carry is registered in the department's firearms registration database. Officers do not need to qualify with *off-duty weapons*, unless the weapon is of a different type than their *primary weapon*. (e.g., *primary weapon* is a semiautomatic and the *off-duty weapon* is a revolver).

Off-duty weapons are to be carried in a concealed and inconspicuous manner. Open carry of an *off-duty weapon* is prohibited regardless of whether the officer has obtained a license to carry a handgun issued by the state of Texas or other state with a reciprocity agreement.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Shotguns

Only those shotguns listed in *Attachment D* of this General Order have been approved by the department.

Officers who successfully complete the department's appropriate shotgun *qualification* and training courses may carry a shotgun as a *back-up weapon* while in uniform, on duty, or working police-related extra employment. Officers shall qualify annually on the department's shotgun *qualification* course during the *qualification quarter*. *Academy range personnel* shall inspect shotguns at the time of *qualification* for compliance and un-authorized modifications.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Carbines

Officers of any rank from any division who successfully complete all portions of the requisite carbine rifle training may carry approved carbines as a *back-up weapon* while in uniform, on duty, or working police-related extra employment. Once trained, officers shall qualify annually on the department's carbine *qualification* course, either during the *qualification quarter* or their birth month.

[REDACTED]

Approved carbines shall be black in color. The only exception is a monochromatic olive drab color carbine, provided the officer qualified with it prior to January 23, 2017, and the carbine has remained continuously registered with the department to that officer since before January 23, 2017. Multicolor or camouflage carbines are prohibited.

[REDACTED]

[REDACTED]

[REDACTED]

No officer shall carry a rifle or a carbine of a type or configuration different than that specified in this subsection unless specifically authorized in writing by the Chief of Police.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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[REDACTED]

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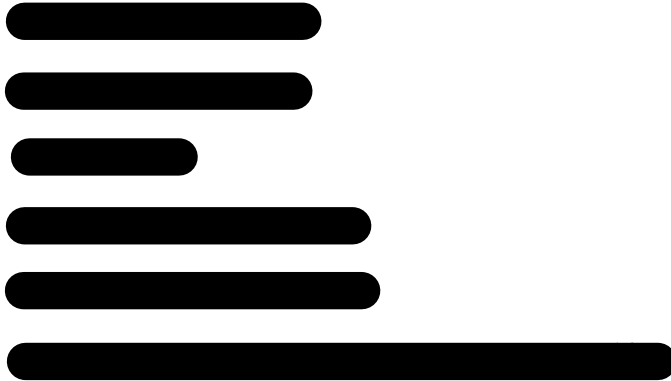
[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]



7 GRIPS

All weapons carried while an officer is in uniform, on duty, or working police-related extra employment shall have black or brown grips made of wood, plastic, metal, or rubber.

Grips shall not be adorned with emblems or designs other than the standard manufacturer logo.

8 HOLSTERS

Approved uniform holsters are listed in *Attachment D* of this General Order. The following procedures regarding uniform holsters shall be followed.

- a. Holsters shall not be modified in any way.
- b. Each holster is to be used for only the particular weapon or configuration for which it was made.
- c. Officers shall bring their "Sam Browne" and uniform holsters when reporting to qualify with their *primary weapon* for uniformed officers during the *qualification quarter*. *Academy range personnel* shall inspect the holsters to ensure they are in good working order and are appropriate for the type and configuration of weapons the officers are carrying.
- d. Officers shall contact Uniform Supply before acquiring a new *primary weapon* to determine if an approved holster is available through the City's current holster vendor.
 1. If an approved holster is available, officers shall go to Uniform Supply and pick up the appropriate holster.

Before the holster can be worn on duty, officers shall report to an *Academy firearms range* and qualify with the new *primary weapon* and holster on the *primary weapons* course. The *qualification* score shall be entered into the department's weapons *qualification* database. Officers shall return the old holster to Uniform Supply within two business days.

If an officer does not qualify within 14 calendar days after picking up the new holster, the officer shall contact Uniform Supply to make arrangements to return the new holster.

- 2. If an approved holster is not available, officers shall be responsible for purchasing an appropriate holster and having it approved by *Academy range personnel* before qualifying or using it on duty.
- e. Officers requiring replacement of a damaged holster for their existing weapon shall contact Uniform Supply to determine availability and replacement requirements.
- f. Officers may, at their own expense, purchase and wear custom made holsters provided the holsters meet all criteria and specifications set forth for the official City-issued holsters or approved alternatives and are approved by the Firearms Training lieutenant.

Prior to wearing any alternative holster, officers shall demonstrate proficiency with the holster to *Academy range personnel*.

Any rejected holster may be submitted with justification for the alternative or modification to the Chief of Police who may direct the department's Office of Planning & Data Governance to evaluate the holster. Following this evaluation, the Chief of Police shall determine whether the holster may be used.

- g. Officers shall demonstrate proficiency when transitioning to a different approved holster before using it on duty.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

11 QUALIFICATION WITH FIREARMS

Except as noted in this General Order, each year during the *qualification quarter*, officers shall attempt to satisfy the department's mandatory firearms *qualification* requirement for their *primary weapons* and *back-up weapons* (including *off-duty weapons* used as *back-up weapons*). Officers may attempt to qualify during the non-*qualification quarter* months with a new or replacement weapon, or when returning to full duty from a leave of absence.

The annual *primary weapons qualification* shall be conducted on duty. Commanders shall give priority to officers needing time off in order to satisfy the department's *qualification* requirements.

Officers shall qualify with their *primary* or *back-up weapons* (including *off-duty weapons* used as *back-up weapons*) they intend to carry on duty. Failure to qualify with such weapon shall result in that weapon not being eligible for use as an on-duty or *off-duty weapon*.

Officers shall maintain current *qualification* with all firearms they intend to carry per the guidelines in this General Order. All firearms for which officers hold current *qualification* shall be listed in the department's firearms registration database.

Officers that have multiple *primary weapons* registered in department's database shall qualify with only the *primary weapon* they intend to carry on duty. Officers will be required to notify *Academy range personnel* which weapons they still own each year in the *qualification quarter* to keep their registered weapons list up to date.

All officers shall hold current *qualification* with an approved *primary weapon* prior to *qualification* with any other weapon. *Qualification* with a *primary weapon* shall be on the *primary weapons* course at an *Academy firearms range*. *Qualification* with other firearms shall also be performed at an *Academy firearms range*. Regardless of which *Academy firearms range* an officer uses, the officer shall comply with that facility's policies.

[REDACTED]

If not previously qualified, an officer desiring to qualify with and carry a model 1911 or 2011 pistol must attend the required 1911 pistol course. Officers from Academy class 231 or later, are not authorized to carry a model 1911/2011 as a *primary weapon*.

Firearms Range Safety and Conduct

[REDACTED]

[REDACTED]

[REDACTED]

Unsafe acts will not be tolerated at an *Academy firearms range*. Officers may be dismissed from the firearms range by *Academy range personnel* for the entire day for any unsafe act.

Proper dress code per General Order 300 06, **Training – Classified**, shall be enforced (e.g., no sleeveless shirts, and no flip-flop shoes, sandals, or open-toe shoes). Uniform shorts are allowed on the range. Officers attempting to qualify, practice, or attend firearms related training shall bring a department approved duty gun belt, duty holster, and reloading devices.

Cellular telephone use is prohibited while at *Academy firearms range* locations. Specifically, there shall be no cellular telephone use while inside the fenced area at the outdoor range, inside the SWAT range and the tactical range, or inside the *qualification* line at the indoor range. Use of cellular telephones in the above listed locations shall subject the user to being removed from the firearms range.

Ammunition

[REDACTED]

Qualification Content

Annual *qualification* includes demonstration to *Academy range personnel* of a working knowledge of each officer's *primary weapons, off-duty weapons, and back-up weapons* as outlined in this General Order and as dictated by *Academy range personnel*.

Passing Score

To pass the *primary weapons qualification* examination, a range score of at least 76 percent is required.

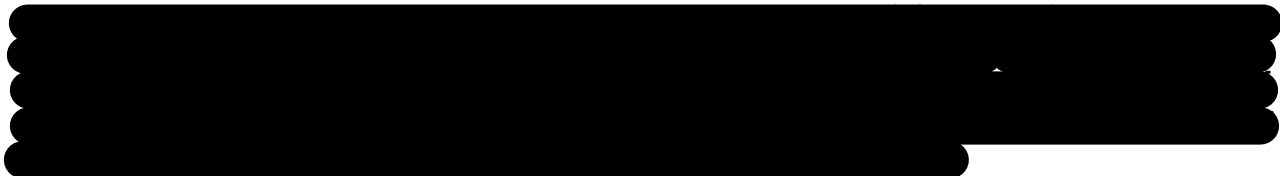
Scoring will be "Pass/Fail" (i.e., no numerical score or proficiency level will be given).

With exception of the Distinguished Expert (DE) medal, no shooting medals shall be worn on the HPD uniform. Classified employees who earned a DE medal may continue to wear that medal on the Class "A" Uniform throughout the remainder of their career.

Qualification Documents

All *qualification* scores shall be entered into the department's firearms registration database after the officer's *qualification*. A printed copy of the *qualification* line shall be maintained by *Academy range personnel*.

Specialized Divisions and Units



12 FAILED ATTEMPT TO QUALIFY

Except as otherwise noted in this General Order, all handguns and *shoulder fired weapons* for which officers do not hold a current *qualification* shall not be carried by officers until they have qualified with those weapons.

Failing Primary Weapon Qualification

Any officer who attempts but fails to qualify with an approved *primary weapon* on the *primary weapons* course by the last day of the *qualification quarter* or who experiences three failed attempts to qualify with a *primary weapon* shall notify their division commander in writing by the next workday. In the event the officer fails their first attempt, the officer will have 30 calendar days from the date of their first attempt to pass the *qualification* course.

Any officer who attempts but fails to qualify with an approved *primary weapon* on the *primary weapons* course by the last day of the *qualification quarter* shall not work an assignment that requires the officer to be armed and shall not work police-related extra employment until that officer meets the *qualification* standards with an approved *primary weapon*.

Any officer who fails to qualify after three attempts with an approved *primary weapon* on the *primary weapons* course during the *qualification quarter* shall be required to schedule and attend four hours of *redress firearms training* with *qualification* range instructors within seven calendar days. Officers who then fail to shoot a passing score of 76 percent or higher shall be required to schedule and attend sixteen hours of *redress firearms training* with indoor firearms range instructors. The four-hour and sixteen-hour *redress firearms training* shall be conducted on duty.

The Chief of Police shall be notified in writing to determine the appropriate action to be taken when an officer fails to shoot a passing score of 76 percent or higher after receiving sixteen hours of *redress firearms training*.

Supervisors' Responsibilities

Upon receiving written notification of an officer's failure to qualify as described above, it is the immediate supervisor's responsibility to ensure that corrective measures are taken until the officer is able to qualify with an approved *primary weapon*.

For officers whose *primary weapon qualification* has expired, corrective measures shall include assigning the officer to duties that do not require the officer to be armed and ensuring the officer does not carry a firearm until *qualification* standards have been met. This includes suspending the officer's police-related extra employment.

If necessary, and dependent upon the nature of the officer's assignment, the supervisor shall reassign the officer to ensure safe and appropriate execution of duty. The Chief of Police shall determine any other corrective action.

13 NO ATTEMPT TO QUALIFY OR ATTEND QUARTERLY TRAINING

All records relating to officers not attempting to qualify with a *primary weapon* are to be maintained by the officers' division commander.

Except as noted below, officers who make no *attempt to qualify* during the *qualification quarter* with an approved *primary weapon* shall be subject to appropriate disciplinary action. Such action may include involuntary reassignment, relief from duty, or dismissal from service.

Officers who make no *attempt to qualify* during the *qualification quarter* with an approved *primary weapon* shall not be assigned to duty that requires them to be armed and shall not be allowed to work police-related extra employment until *qualification* requirements are met.

Legitimate Reason

Officers who have a legitimate reason for not attempting to qualify with an approved *primary weapon* during the *qualification quarter* or attending quarterly training shall not be subject to disciplinary action, but shall notify their division commander. Some examples of legitimate reasons include, but are not limited to, authorized absences, documented illnesses or injury, pregnancy, and special assignments.

Officers who are physically unable to qualify shall provide sufficient, acceptable documentation to their division commander. An officer who has been declared physically unable to qualify shall

not be assigned to any duty requiring the officer to be armed and shall not be allowed to work police-related extra employment until the officer has met the *qualification* standards with an approved *primary weapon*.

Officers shall *attempt to qualify* as soon as possible after returning to a normal duty assignment. Officers shall be given 30 calendar days to qualify after returning to normal duty. Unless an exigent circumstance exists, an officer on normal duty at least one day during the *qualification quarter* shall not be granted the extension.

Officers granted a *qualification* extension shall not be assigned to duty that requires them to be armed and shall not be allowed to work police-related extra employment until *qualification* requirements are met.

Division commanders shall inform the Training Division via email at TrngQualiRange@HoustonPolice.Org of an officer's legitimate reason for not attempting to qualify or attend quarterly training. Division commanders or above who have a legitimate reason for not attempting to qualify during the *qualification quarter* shall notify their immediate supervisors.

14 LOAN AND FIREARM REPLACEMENT

Any officer who temporarily does not have a *primary weapon* to carry on duty may request the loan of a replacement *primary weapon* if one of the following circumstances exists:

- a. The officer's *primary weapon* has been rendered temporarily inoperable and is being repaired or replaced.
- b. The officer's *primary weapon* has been stolen and properly reported as required by HPD.
- c. The department has retained the officer's *primary weapon* as part of an investigation and the weapon has not been returned.

An officer requiring the loan of a *primary weapon* due to a circumstance outlined in either item (a) or (b) above, shall have an email request from the officer's supervisor submitted through the officer's chain of command to the division commander. If approved, the commander shall forward the email request to the firearms range supervisor at TrngQualiRange@HoustonPolice.Org.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The loan of a *primary weapon*, while waiting for a replacement weapon or for the original *primary weapon* to be returned, shall not exceed 30 calendar days without additional written justification from the officer's division commander.

Prior to carrying any loaned or replacement weapon, officers shall first qualify with the weapon on the appropriate *qualification* course.

15 QUALIFICATION FOR RETIRED OFFICERS

Chapter 411 of the Texas Statutes, Government Code and Chapter 1701 of the Texas Statutes, Occupations Code govern the firearms *qualification* for honorably retired peace officers holding a license to carry handguns in the state of Texas.

The following guidelines shall be followed for all honorably retired HPD officers who have submitted a sworn statement from the Chief of Police as required in order to comply with Section 411.199(b) of the Texas Statutes, Government Code.

- a. Proficiency testing shall be required annually and shall be conducted at an *Academy firearms range*. Qualifying scores may also be accepted from any municipal police department with a firearms range approved by TCOLE or from any law enforcement firearms range associated with a Texas county sheriff's department.
- b. Testing shall be consistent with the requirements, procedures, and *qualification* course designated for retirees by the Training Division.
- c. Proficiency testing at an *Academy firearms range* shall be provided as available at no cost to any person honorably retired from HPD as a law enforcement officer and who currently resides in the state of Texas.
- d. A certificate documenting firearm proficiency shall be provided to honorably retired HPD officers so they may report the successful demonstration of proficiency to the Texas Department of Public Safety.

Retired officers wanting certification under the federal Law Enforcement Officer Safety Act (LEOSA) to carry a concealed firearm in any jurisdiction in the United States or United States Territories shall see General Order 400-06, **Carrying Concealed Firearms**.

16 QUALIFICATION FOR PHASE DOWN PROGRAM OFFICERS

Officers in the Phase Down Program shall refer to General Order 300-35, **Phase Down Program**, for specific guidelines regarding firearms *qualification*. Any firearm issues not specifically addressed in General Order 300-35, **Phase Down Program**, are governed by this General Order or other applicable department policy.

17 LIMITATIONS

[REDACTED]

[REDACTED]

[REDACTED]

c. **Under the Influence of Alcohol.** City Ordinance prohibits officers from exercising the authority of their office while off duty and *under the influence of alcohol*. Therefore, officers who are *under the influence of alcohol* and not engaged in the performance of their assigned work duties shall not carry firearms.

d. **Under the Influence of Medication.** Officers shall exercise prudence when taking prescribed or over-the-counter medications that may impair their physical or mental faculties. Medications affect individuals differently and numerous medications come with warnings that they may cause drowsiness or other impairing side effects. Officers who take medication or a combination of medications that they know will cause impairment or that have a high probability of causing impairment shall not carry a firearm. Officers shall not carry a firearm while experiencing impairing side effects from any medication.

18 AIRPORTS AND AIRCRAFT

[REDACTED]

[REDACTED]

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