

April 2016

Immediately

II-43**GENERAL ORDER**

Distribution: All Employees

Subject: Lethal and Less-lethal Weapons

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Accreditation Standards: 4.1.4, 4.2.1, 4.3.1, 4.3.2, 4.3.3, 4.3.4, 41.3.4 CFA 4.05, 4.06, 4.07

Reference: G.O. II-20 Weapons Qualifications
G.O. II-42 Use of Force
G.O. II-45 Firearms Range
G.O. III-15 High-Risk Situations
G.O. III-17 Pursuit of a Vehicle or Boat
G.O. III-18 Civil Disturbances
G.O. III-42 Discharge of a Firearm, Police Action Death or Serious Bodily Injury Investigations
I.O. V.5:20 Employee Support Services
§§ 394.463(d), 776.012, .05, .06, 790.01, .052, .053, 174 and 943.10(6), Florida Statutes

Replaces: G.O. II-43, Lethal and Less-Lethal Weapons (April 29, 2024)

Prior to being authorized to carry any weapon or assigned any duties which require the possession of a weapon, agency personnel will be issued a copy of, and receive training on, General Order II-42, *Use of Force*, be instructed about state law and Department policies regarding the use of authorized weapons, and demonstrate proficiency.

This Directive consists of the following sections:

- I. Policy
- II. Definitions
- III. Authorized Less-Lethal Weapons
- IV. Use of Firearms

I. POLICY

- A. The Department recognizes that the possession and/or handling of firearms by employees of this Department are a regular part of the duties of a police officer and a small number of civilian employees; i.e., the armorer, forensic technicians and property clerks. Firearms are inherently dangerous devices which require extra caution to ensure they are handled safely and access to them is strictly controlled.
- B. It is the policy of the St. Petersburg Police Department that all firearms owned by, or in the possession of, employees of this Department will be handled safely and be properly secured when not in use.
- C. It is the policy of the St. Petersburg Police Department that employees will report the loss or theft of all firearms owned by or in the possession of the employee.
- D. Officers are expected to comply with all the provisions of this Order regarding the carrying or employment of off-duty firearms; however, those choosing to exercise any rights provided to them under federal or state law, not in accord with this Order, may be considered as acting outside the scope of their employment.
- E. All employees must participate in training and demonstrate proficiency in accordance with G.O. II-20, Weapons Qualifications.
- F. Officers must carry at least one of the following authorized less-lethal weapons when in uniform:
 - 1. ASP, an impact weapon manufactured by Armament Systems and Procedures, Inc.
 - 2. ASR, an aerosol subject restraint which is a pressurized chemical spray; i.e., OC spray.
 - 3. Taser Energy Weapon (TEW).
- G. Department issued less-lethal weapons are not authorized to be carried off-duty.

II. DEFINITIONS

- A. Aerosol Subject Restraint (ASR) – A pressurized chemical spray; e.g., OC spray.
- B. Authorized Weapons – Weapons provided by the Department with which the officer has been trained and demonstrated their proficiency; includes personal firearms, which have been approved by the Department, and are carried by officers on or off duty.
- C. Cruiser-Safe – A condition in which the Department longarms (shotgun and rifle) are maintained while being transported in a Department vehicle. The safety will be on, with a loaded magazine, or magazine tube, but no round in the chamber.
- D. Less-lethal Weapons – A weapon that is not fundamentally designed to cause death or serious physical injury such as a Taser Energy Weapon, expandable batons, and chemical agent sprays. For Department purposes, the term “less-lethal” includes weapons classified by the manufacturer as “non-lethal weapons.”
- E. Pepperball Projectile Systems – A less-lethal weapon that uses a compressed gas launcher to deliver Pepperball Projectiles (OC Powder) with enough force to burst the projectiles on impact and release OC powder and that is designed to stun, temporarily incapacitate, or cause temporary discomfort to a person without penetrating a person's body [§ 776.06(2)(a), F.S.].
- F. Pepperball Projectiles – Plastic spheres that are filled with a derivative of OC Powder.
- G. Officer – A sworn employee of the St. Petersburg Police Department, who is a certified police officer by the State of Florida and serves in that capacity, including certified reserve officers.
- H. SWAT – Special Weapons and Tactics Team.

III. AUTHORIZED LESS-LETHAL WEAPONS

- A. The Department maintains a complete list of all approved less-lethal weapons (See G.O. II-43, Lethal and Less-Lethal Weapons_Attachment D).
- B. A documented annual inspection of all applicable less-lethal weapons will be conducted to ensure functionality and that expiration dates are not exceeded.
- C. Impact Weapons
 - 1. All sworn personnel may carry an approved expandable baton in the issued holder (See G.O. II-43, Lethal and Less-Lethal Weapons_Attachment D).
 - 2. The baton will only be used for its intended purpose and in the manner for which training has been provided.
 - 3. No modifications to the Department-approved baton are permitted.
- D. Aerosol Subject Restraint (ASR) Devices
 - 1. Officers may carry the issued two-ounce ASR device in an issued case, on their uniform belt.
 - 2. Officers may carry an issued ASR device after they have successfully completed the Department's familiarization training course.
 - 3. Under no circumstances will any type of ASR device be utilized on a subject inside of a vehicle, until the vehicle has been immobilized.
 - 4. The ASR device will only be used for its intended purpose and in the manner for which training has been provided.
 - 5. Only supervisory personnel, or those authorized by a supervisor, may carry and/or have readily available the issued 17.5-ounce OC burster or any other chemical munitions.
 - a. Only supervisors, or officers authorized by a supervisor, are authorized to dispense chemical munitions (i.e., a burster, etc.).
 - b. The minimum distance at which a burster will be utilized is ten (10) feet.
 - c. Officers utilizing a burster will announce their intentions prior to use, via the formal declaratory card:
 - 1) With the text of "I am (rank and name), of the St. Petersburg Police Department. In the name of the State of Florida, I hereby declare this an unlawful assembly and command you to disperse. If you do not do so within three to five (3 - 5) minutes, you will be subject to arrest. We intend to use chemical agents if you do not leave peacefully; or
 - 2) During time-critical incidents, at a minimum, loudly and clearly announce their intentions to utilize the weapon so that both participants and/or innocent bystanders may have the opportunity to desist and disperse.
 - d. After those time-critical incidents when a declaration was not feasible, the supervisor will articulate the circumstances which dictated such immediate use in their supplemental report.
 - e. The 17.5-ounce OC burster is to be utilized during crowd control situations only, as defined in G.O. III-18 Civil Disturbances, and then only when its effect upon bystanders has been carefully considered.
 - 6. Officers equipped with an ASR device should conduct a monthly check of its operability. This will only be done in an open-air environment away from people, animals, and personal property.

E. Pepperball Projectile Systems

1. The Pepperball Projectile System will only be used for its intended purposes and in the manner for which training has been provided.
2. A supervisor will be notified and respond to the scene as soon as practical.

Unless the urgency of the tactical situation makes it impractical, a supervisor will be present before a Pepperball Projectile is fired.

3. Only a SWAT Officer or Mobile Field Force (MFF) Grenadier or Certified Pepperball Projectile Systems Operator who has been properly trained and qualified in its use, is authorized to deploy the Pepperball Projectiles.
4. A second SWAT Officer, MFF Grenadier, or Certified Pepperball Projectile Systems Operator qualified in deploying the Pepperball Projectiles and familiar with the hazards of sympathetic fire will be present and provide cover with a firearm. No other Officer will be covering the subject with their firearm during the deployment of Pepperball Projectiles.
5. A verbal warning will be made, when feasible, before discharging the Pepperball Projectile Systems.
6. The Pepperball Projectiles have the potential to inflict injury if they strike the head, neck, or spine. Therefore, operators using a Pepperball Projectile System will not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.
7. The Pepperball Projectile Systems will not be used when the subject is armed with a firearm.
8. Under no circumstances will Pepperball Projectile Systems be deployed on a subject inside of a vehicle, prior to the vehicle being immobilized.
9. Every Officer who points or discharges a Pepperball Projectile System will complete a *Use of Force Report* (See G.O. II-42, Use of Force).
10. The on-scene supervisor is responsible for ensuring:
 - a. Medical treatment is provided when requested by the subject or as required by G.O. II-42, Use of Force.
 - b. Photographs are taken of the incident scene, the place on the subject impacted by the projectile and of any other injuries related to the event (i.e., from a fall)
 - 1) A technician will be called to take photographs if the subject was struck in the face, head, neck, groin, or breasts, if a woman.
 - 2) Refusal to have photographs taken will be documented in the Incident Report.
 - c. The incident is properly documented in a *Use of Force Report* and an Incident Report.
11. Certified Pepperball Projectile System Operators will carry the Pepperball Projectile Systems as a normal part of their cruiser equipment.
12. No modifications will be made to the Pepperball Projectile Systems.
13. Replacement projectiles will be obtained from the Training Division.
14. The use of Pepperball Projectile Systems will be included in the annual administrative review and analysis of the Department's use of force activities completed by the Office of Professional Standards. (See G.O. II-42, Use of Force).

F. Tactical Chemical Weapons

1. Tactical chemical weapons may be utilized in accordance with G.O. III-15 High-Risk Situations, and G.O. II-18 Civil Disturbances.
2. Tactical chemical weapons will be dispersed only when authorized by the SWAT Commander or an Incident Commander, and then only by an Officer who has been trained in their use.
3. The use of tactical chemical weapons is considered a use of force, and a *Use of Force Report* will be filed by the ranking supervisor present at the location(s) where the weapons were discharged.

IV. USE OF FIREARMS

This Section consists of the following sub-sections:

- A. Possession and Use of Authorized Firearms
- B. Safety and Security of Firearms
- C. Secure Facilities
- D. Firearms Review Committee

A. Possession and Use of Authorized Firearms

1. Only Department-authorized firearms will be used while in the performance of official duties. (See G.O. II-43, Lethal and Less-Lethal Weapons_Attachment E)
2. On-Duty Firearms
 - a. Officers will only carry firearms with which they have attained a qualifying score as set forth in G.O. II-20 Weapons Qualifications.
 - b. Officers in uniform will carry the issued, Glock 45, 9mm, which will be fully loaded with eighteen (18) rounds, including a round in the chamber.
 - c. Officers will only carry (2) additional magazines as issued by the Department, each containing 17 rounds, for a combined total of (52) rounds of pistol ammunition.
 - d. Officers working in a non-uniform capacity may carry either their Department-issued firearm or an authorized personally-owned Glock, (See G.O. II-43, Lethal and Less-Lethal Weapons_Attachment E) provided they have submitted a Personally Owned-Off Duty Handgun Request Form for the weapon, which will be fully loaded, including a round in the chamber.
3. The Department will supply ammunition for any personally-owned Glock carried while on duty.
4. The Officer is required to provide an approved holster for personally owned firearms at their expense. (G.O. II-43, Lethal and Less-Lethal Weapons_Attachment A)
5. Only magazines designed by the manufacturer for the specific firearm carried will be used in the firearm; i.e., Glock Model 45 magazines in the Glock 45, etc.
Magazine extensions are permissible on the authorized Glock firearms with approval from the Armorer but will not increase the authorized number of rounds carried.
6. No modifications will be made to Department-issued firearms.
 - a. Personally owned grip tape and slip-on grip sleeves do not affect the function of the firearm and are not considered modifications to the firearm.
 - b. Any grip tape or sleeves must be plain black in color with no writing or designs.
 - 1) It is the responsibility of the Officer to maintain such accessories in clean and professional condition as inspected by their Supervisor and/or the armorer.
 - 2) Replacement will be at the Officer's own expense when required by the accessory's condition.
7. Department authorized firearms will be inspected by the Training Division annually to ensure serviceability and safety.

8. Officers are not authorized to carry more than one handgun while on duty. The exception is those assigned to the Special Investigations Unit (SIU) and the Intelligence Unit, as these Units operate in an undercover capacity. They are authorized to carry a second or backup handgun; however, no more than two (2) handguns are authorized.
9. Off-duty Handgun
 - a. While off duty, Officers may carry a Department-issued handgun or approved personally-owned handgun. A list of approved off-duty handguns is shown on G.O. II-43, Lethal and Less-Lethal Weapons_Attachment A.
 - b. An Officer desiring authorization to carry a handgun other than one issued by the Department will:
 - 1) Submit Personally Owned-Off Duty Handgun Request Form to the Training Division for approval; and
 - 2) Successfully qualify with the off-duty handgun per G.O. II-20 Weapons Qualifications.
 - c. When carried off duty, the handgun must be concealed and handled in a manner so as not to cause public alarm.
 - d. Officers who choose to carry an authorized handgun off duty will also have in their possession an official Department identification card and badge.
 - e. Officers will not carry firearms of any type while off duty if they are consuming, or anticipate consuming, alcoholic beverages or are under the influence of any substance, drug, or intoxicant.
10. Officers with Concealed Weapons Permits are not exempt from the requirements of this Order.
11. Unauthorized firearms may be carried by Officers while engaged in hunting or sporting events, but those firearms will not be concealed or carried in lieu of an approved off-duty firearm.
12. Ammunition carried in all authorized handguns, both on duty and off duty, will be issued by the Department.
 - a. All Glock Models must comply, as detailed in this Order, at all times; i.e., number of rounds, etc.
 - b. If another approved semiautomatic firearm is carried, no more than eighteen (18) rounds total will be in the weapon, including one (1) round in the chamber, or a fully loaded magazine not to exceed eighteen (18) rounds total.
13. When an Officer has been approved to use an authorized revolver, the firearm will be kept in the double-action status (hammer at rest, uncocked), except during the actual process of firing the weapon.
14. An Officer will use all reasonable means available to avoid surrendering their firearm during a tactical situation.
15. Other Authorized Firearms
 - a. Shotgun (See G.O. II-43, Lethal and Less-Lethal Weapons_Attachment B)
 - 1) Department-Owned

Depending on availability, a Department-owned shotgun may be issued to an Officer with an assigned vehicle, only if the vehicle is equipped with a shotgun rack.
 - 2) Personally Owned
 - a) An approved personally owned shotgun is an optional weapon to be used on-duty.
 - b) A list of approved shotguns and accessories is shown in G.O. II-43, Lethal and Less-Lethal Weapons_Attachment B.
 - c) An Officer purchasing a shotgun for on-duty use will:
 - 1) Submit the weapon to the Armorer for inspection and approval, and
 - 2) Submit a Personally Owned Rifle-Shotgun Request Form to the Training Division for approval.
 - d) A copy of the approved Personally Owned Rifle-Shotgun Request Form is retained by the Training Division. If the shotgun is disposed of (sold) or the Officer wishes to discontinue carrying the shotgun on-duty, the Officer will within thirty (30) days notify the Major, Training Division, by submitting a memorandum, via Chain of Command, to facilitate accurate record-keeping and operational readiness.

- 3) Carry and Use
 - a) An Officer carrying a shotgun must have a current qualification for the carried shotgun.
 - b) The shotgun will only be loaded with the Department-issued ammunition.
 - c) While on duty, the shotgun will be transported and secured in a Department-installed rack, and kept in a cruiser-safe condition, with a fully loaded magazine and no round in the chamber, until the firearm is completely removed from the vehicle.
 - d) While off duty, the shotgun will not be stored in a Department vehicle. The shotgun will be properly secured as the personal equipment of the Officer.
- b. AR-15 Rifle (Rifle)
 - 1) The AR-15 Rifle is an optional weapon to be used in situations where a handgun or shotgun may not be appropriate to address the threat.
 - 2) Department-Owned

Depending on availability, a Department-owned AR-15 rifle may be issued to an Officer with an assigned vehicle that is either equipped with a rifle mount, a trunk with the passenger compartment activated lock disabled, or a lockable rear storage area inside the vehicle.
 - 3) A list of approved AR-15 rifles and accessories is shown on G.O. II-43, Lethal and Less-Lethal Weapons Attachment C.

Those Officers issued a Department owned AR-15 rifle are allowed to add accessories as shown on G.O. II-43, Lethal and Less-Lethal Weapons Attachment C however the optic, iron sights, sling and weapon mounted light must remain as issued by the Department, and may not be adjusted, altered, or removed without armorer approval.
 - 4) Officers purchasing an AR-15 Rifle for on-duty use will:
 - a) Submit the weapon to the Armorer for inspection and approval, and
 - b) Submit a Personally Owned Rifle-Shotgun Request Form to the Training Division for approval.
 - c) A copy of the approved Personally Owned Rifle-Shotgun Request Form is retained by the Training Division. If the AR-15 is disposed of (sold) or the Officer wishes to discontinue carrying the AR-15 on-duty, the Officer will, within thirty (30) days, notify the Training Division Commander by submitting a memorandum, via Chain of Command, to facilitate accurate record keeping and operational readiness.
 - 5) Only Officers who have successfully completed an approved training course may qualify with, and carry, an AR-15 rifle while on duty.
 - 6) The rifle may be employed when confronted with a high-risk situation such as:
 - a) To overcome suspects with superior firepower.
 - b) In response to an active shooter situation.
 - c) When confronted by barricaded subjects.
 - d) During stakeout and perimeter operations.
 - e) For felony vehicle stops.
 - 7) Carry and Use
 - a) An Officer wishing to carry a Rifle must first complete an approved training course and qualify with the weapon. Annual retraining and qualification is required.
 - b) Ammunition is strictly limited to that which is issued by the Department. Officers will carry a minimum of two (2) twenty (20)-round or two (2) thirty (30)-round fully loaded magazines, and a maximum of three (3) twenty (20)-round or three (3) thirty (30)-round fully loaded magazines.
 - c) The rifle will be carried in a cruiser-safe condition, action closed, safety on, with a fully loaded, twenty-round or thirty-round magazine inserted and an empty chamber.
 - d) Officers may wear a single, black in color, rifle magazine pouch on the support side of their duty belt, or a black or dark navy in color rifle magazine pouch on the support side of their outer vest carrier.
 - i. Officers will only place a rifle magazine in the pouch when actively using their rifle, as authorized in this order.
 - ii. When the situation is resolved, the rifle magazine will be removed from the pouch and securely stored with the rifle, in accordance with this Order.
 - e) The AR-15 rifle will be carried either in the vehicle's equipped rifle mount, or in a soft/hard sided case secured in the trunk, or lockable rear storage area inside the vehicle while on duty.
 - f) Special purpose vehicles, without a trunk, will have the weapon secured in a Department-installed mount while on-duty.
 - g) While off duty, the rifle will not be stored in a Department vehicle. The Rifle will be properly secured as the personal equipment of the Officer.

- 8) In the interest of safety, all Officers will undergo a familiarization course with the AR-15. This course will not authorize them to carry a Rifle. Should an Officer authorized to carry the Rifle become incapacitated, another Officer may use the weapon to protect themselves or another against the threat of death or serious bodily injury, when the handgun would likely be ineffective.
- c. Special Weapons – SWAT TEAM
 - 1) SWAT personnel may employ devices or special weapons, which have been authorized and with which they have been trained, while conducting operations during high-risk situations and civil disturbances.
 - 2) SWAT officers are authorized to use the SWAT issued AR-15 rifle under patrol circumstances during which deployment of an AR-15 rifle would be appropriate.
 - 3) SWAT Officers are authorized to use the AR-15 rifle, with whatever capacity magazine and configuration they carry and train with, for the SWAT Team.
 - 4) SWAT Supervisors are responsible for ensuring emergency medical personnel are available before using special weapons, when practical.
 - 5) The use of special weapons by the SWAT team will be reported in the After-Action Memorandum.

B. Safety and Security of Firearms

1. Officers and other employees who are authorized to possess/handle firearms are responsible for the safe handling and secure storage of all firearms in their possession, whether they are personally owned or not, and whether they are approved for on-duty or off-duty use or not.
2. Clearing and unloading of all authorized firearms will be done safely and, in the manner, trained. If an employee is unfamiliar with the operation of a firearm, the weapon should not be handled, and a supervisor should be notified.
3. For safety reasons, firearms will not be cleared inside Police Headquarters except:
 - a. For necessary maintenance, as may be directed by the Armorer, inside the Armory.
 - b. When necessary to make safe a firearm taken in as property or evidence, and then only in an area designated for this purpose equipped with a safety barrel.
 - c. For official Departmental inspection, and then only at a safe location and under the direction of a supervisor.
4. Whenever possible, firearms will be unloaded while making use of the safety barrel outside the Evidentiary Services Intake Area. Firearms will not be unloaded or cleared in the field, except under urgent circumstances when such action is necessary for safety.

C. Secure Facilities

1. Whenever an Officer enters a secure facility where firearms are prohibited, they will provide for the safety and security of their firearm.
2. Secure facilities, for the purpose of this Order include:
 - a. The Pinellas County Jail
 - b. Pinellas Juvenile Assessment Center
 - c. All Pinellas County Court Complexes
 - 1) Uniformed Officers are permitted to carry their firearms inside courthouses.
 - 2) Plain clothes or undercover Officers will secure their firearm inside courthouses.
 - d. The Sam Gibbons United States Courthouse

All officers will comply with the regulations and directions provided by Court Security personnel.
3. Other facilities where firearms are prohibited (i.e. Baker Act receiving facility or a DJJ/DOC correctional facility)
 - a. Officers WILL retain their firearm when responding to an emergency situation or call for service.
 - b. Absent an emergency, an officer WILL NOT enter a facility if they are requested to disarm by facility management.
 - 1) If an officer responds to a non-emergency call for service and is not admitted due to the presence of their firearm, the officer will request to speak with the complainant outside the facility.
 - 2) When transporting a subject to a receiving facility, the officer may request that staff bring any necessary paperwork to them at the door, as to not surrender their firearm.

D. Firearms Review Committee

1. The Committee consists of five members, one of whom will be selected as Chairperson by the members. The Firearms Review Committee has representatives from the:
 - a. Training Division,
 - b. Uniform Services Bureau,
 - c. Investigative Services Bureau,
 - d. Office of Professional Standards, and the
 - e. Department Armorer.
2. The Committee reviews new issues relating to firearms and firearms-related equipment and recommend changes to the Chief of Police.

Anthony Holloway
Chief of Police