

Commonwealth of Massachusetts
Municipal Police Training Committee

RESERVE OFFICER FIREARMS TRAINING



Student Manual

Revision 2.2
February 2011

Introduction

For the first time, the MPTC Reserve / Intermittent Academy will offer a firearms training program as part of the recruit curriculum. In line with the abbreviated nature of the R/I Academy, this firearms program dedicates 20 hours to building a base level of proficiency for the recruit. To increase the amount of material presented to the recruit, a portion of the classroom material is being presented in this online format. The material selected for this presentation has been selected because it can be readily self-taught.

As with all recruit level training, the assumption is the recruit has no prior experience with firearms so safety is our paramount concern. You will be walked through the basics before you are expected to handle tactical exercises. Recruits with prior firearms experience through hunting, target shooting or in the military should not feel this basic information does not apply to them. Law enforcement use of the firearm differs greatly from what you may have experienced as a civilian or soldier. This program will greatly assist you in transitioning for your new role.

The MPTC Recruit Firearms Manual (RFM) is the “student manual” for this program. This online student manual is designed to provide you with an abbreviated version that will present the material in a clear and concise manner so that you will be able to complete the review questions at the end of the program. If you have questions after completing the online module, your instructor will set aside a block of time in the first training session to answer them.

Our full time academy dedicates over twice the training time for this topic that makes this program a challenge for both the recruit and the instructor. It must be understood that this program is merely the first step in what must be continuous training. Twenty hours is only sufficient to give the new officer the basics in safety and marksmanship. It is not enough to turn out a proficient marksman. Building the officer’s proficiency will be the joint responsibility of the officer and their department firearms training staff.

MPTC reserve/intermittent recruit firearms requirements are the same as the full time academy. The minimum passing score is 80% and all your rounds must be accounted for.

Sgt. William Leanos
Statewide Firearms Coordinator
Chairman, Firearms Training Advisory Group
January 2011

SAFETY - Classroom Safety

Safety is everyone's responsibility

Equipment check

It is the policy of the MPTC that all recruits will transport their duty weapons in accordance with Chapter 140§131C of the MGL. If your firearms' training is conducted as part of your Reserve / Intermittent Academy training, you will transport your duty weapon, unloaded, in a locked container when traveling to and from the training site. The "locked container" can be the original plastic pistol case the weapon was sold in as long as it can be secured with a lock. If you do not have the case or you have an older style case, you may use a commercial pistol case that can be locked. You are not to leave your duty pistol unattended in your vehicle even if it is in a locked container. If your firearms' training is held at your agency, their rules and procedures will take precedent. Be sure you understand them.

It is critical that no live ammo is introduced into a training area where we will be dry firing or conducting non-live fire training. Before any training takes place, you will be instructed to bring your range bag into the training area where it will be inspected. The staff instructors will also check your personal protective equipment to insure it meets the program requirements. You can expect the following:

- You bag and duty gear will be inspected for live ammo. None is permitted.
- Your locked container will be inspected to insure it meets the requirements of the law.
- You will take your weapon to the Clearing Area to insure it is unloaded and safe.
- Staff instructors will check every weapon in the classroom to insure they are safe and unloaded.
- Any trainee leaving the designated training area will be checked for live ammo or weapons by the staff instructors.
- Staff instructors shall not carry live ammunition in the training area.
- A sign will be posted outside the training area ***"No Live Ammunition in the Training Area"***

Firearms Safety

First and foremost - ***TREAT ALL WEAPONS AS IF THEY WERE LOADED***

Even if you have personally checked it and know that it is unloaded, treat it as if it were loaded. This is a good habit to get into and you cannot go wrong by doing so.

No matter what range you are on or what environment you are in, the Cardinal Rules of Firearms Safety are always the same.

The rules below apply to all firearms in all situations. These four rules are the building blocks of firearms safety. If you abide by these rules, the likelihood of a serious accident happening is greatly reduced.

1. Treat all weapons as loaded weapons.

Everyday an innocent person is seriously hurt by a reportedly “unloaded weapon”. Even if you know it is not loaded, treat every weapon as if it were.

2. Never point a weapon at anything you are not intending to shoot.

Keeping the muzzle pointed in a safe direction will prevent injury or damage in the event you were to experience an unintended discharge. We define a “safe direction” as one in which no one will be hurt and any physical damage will be minimal should a round be fired. A safe direction may be muzzle down, up or to the side depending on the circumstances. Always be conscious of where your muzzle is pointing and remember - firearms are lethal tools that have the ability to destroy people and things.

3. Keep your finger off the trigger until you are ready to shoot.

Modern firearms are engineered so that they do not fire unless the trigger is moved all the way to the rear. Your duty pistol most likely employs at least one passive safety device such as a firing pin safety which prevents the firearm from “going off by itself”. Trigger finger discipline is learned with practice. The only time your finger should be on the trigger is when your weapon is aimed at the threat (or target) and you have made the conscious decision to fire. Until then, finger OFF the trigger and indexed alongside the frame.

4. Know your target and what is beyond it.

As a police officer we have a moral and legal responsibility when it comes to employing deadly force. We must know what we are shooting at and what is beyond it in case our round misses the target. Target identification is critical in low light and no light situations.

Highlights of Safe Weapon Handling

Indexing your trigger finger

When handling any weapon the trigger finger should always be index along the frame until you have made the decision to fire at your target. It will take minimal time away to transition from the frame of the weapon to the trigger. By keeping the finger indexed, officers can avoid the “startle effect” which could cause a sympathetic reaction of pressing the trigger when not intending to. This is called “Trigger Finger Management”.



Muzzle Discipline

Take note of the two photos at the right. Whether you have a handgun, rifle or shotgun, it is critical to keep your muzzle pointed in a safe direction when not on target. Take note of the finger indexing on the frame. The muzzle / barrel of the weapon is pointed to the Low Ready position. We need to think of that barrel / muzzle like a laser. Wherever it points, it will cut right through anything. Therefore,



in the low ready or neutral position, with the muzzle pointed at the ground in front of you and your finger indexed along the frame, you are able to move without pointing the muzzle at something you do not intend to shoot. You must be always aware of your surroundings and be cognizant of where your muzzle of the weapon is at all times. With experience, this will become second nature to you and is referred to as “muzzle discipline”. Whether you are on the range, on the street, or in your home, muzzle discipline along with proper finger indexing are key factors with firearms safety.

FIREARMS SAFETY OFF THE RANGE

While you are a recruit and attending the academy you must have a valid License to Carry Firearms in order to lawfully transport your duty pistol to the Academy or to lawfully possess it. Recruits should be familiar with MGL C.140§131C and §131L which cover transporting firearms in a motor vehicle and securing them in the home.

Transporting Firearms

Recruits transporting a weapon to and from the range for firearms training must keep that weapon under their direct control. Per academy regulations, recruits cannot leave a weapon in their motor vehicle for the purposes of securing it.

Chapter 140: Section 131C. Carrying of firearms in a vehicle

(a) No person carrying a loaded firearm under a Class A license issued under section 131 or 131F shall carry the same in a vehicle unless such firearm while carried therein is under the direct control of such person. Whoever violates the provisions of this subsection shall be punished by a fine of \$500.

(b) No person carrying a firearm under a Class B license issued under section 131 or 131F shall possess the same in a vehicle unless such weapon is unloaded and contained within the locked trunk of such vehicle or in a locked case or other secure container. Whoever violates the provisions of this subsection shall be punished by a fine of \$500.

(c) No person possessing a large capacity rifle or shotgun under a Class A or Class B license issued under section 131 or 131F shall possess the same in a vehicle unless such weapon is unloaded and contained within the locked trunk of such vehicle or in a locked case or other secure container. Whoever violates the provisions of this subsection shall be punished by a fine of not less than \$500 nor more than \$5,000.

(d) The provisions of this section shall not apply to

- (i) any officer, agent or employee of the commonwealth or any state or the United States;*
- (ii) any member of the military or other service of any state or of the United States;*
- (iii) any duly authorized law enforcement officer, agent or employee of any municipality of the commonwealth;*

provided, however, that any such person described in clauses (i) to (iii), inclusive, is authorized by a competent authority to carry or possess the weapon so carried or possessed and is acting within the scope of his duties.

(e) A conviction of a violation of this section shall be reported forthwith by the court or magistrate to the licensing authority who shall immediately revoke the card or license of the person so convicted. No new such card or license may be issued to any such person until one year after the date of revocation.

Home Safety

Home safety is just as important, because for the new police officer, this maybe their first experience with firearms. Students department's policies and procedures will dictate when they

can and cannot take duty weapons home. And in some cases students may already have their own personal firearms. Massachusetts is very clear on the safekeeping of firearms in the home.

MGL Ch. 140 §131L - Weapons stored or kept by owner; inoperable by any person other than owner or lawfully authorized user; punishment

(a) It shall be unlawful to store or keep any firearm, rifle or shotgun including, but not limited to, large capacity weapons, or machine gun in any place unless such weapon is secured in a

locked container or equipped with a tamper-resistant mechanical lock or other safety device, properly engaged so as to render such weapon inoperable by any person other than the owner or other lawfully authorized user. For purposes of this section, such weapon shall not be deemed stored or kept if carried by or under the control of the owner or other lawfully authorized user.

(b) A violation of this section shall be punished, in the case of a firearm, rifle or shotgun that is not a large capacity weapon, by a fine of not less than \$500 nor more than \$5,000 or by imprisonment for not more than one year, or by both such fine and imprisonment, and in the case of a large capacity weapon or machine gun, by a fine of not less than \$1,000 nor more than \$10,000 or by imprisonment for not less than one year nor more than ten years, or by both such fine and imprisonment.

(c) A violation of this section shall be punished, in the case of a rifle or shotgun that is not a large

capacity weapon and such weapon was stored or kept in a place where a person under the age of 18 who does not possess a valid firearm identification card issued under section 129B may have access without committing an unforeseeable trespass, by a fine of not less than \$1,000 nor more than 10,000 or by imprisonment for not less than one year nor more than ten years, or by both such fine and imprisonment.

(d) A violation of this section shall be punished, in the case of a rifle or shotgun that is a large capacity weapon, firearm or machine gun was stored or kept in a place where a person under the age of 18 may have access, without committing an unforeseeable trespass, by a fine of not less than \$5,000 nor more than \$10,000 or by imprisonment for not less than two and one-half years, nor more than ten years, or by both such fine and imprisonment.

(e) A violation of the provisions of this section shall be evidence of wanton or reckless conduct in any criminal or civil proceeding if a person under the age of 18 who was not a trespasser or was a foreseeable trespasser acquired access to a weapon, unless such person possessed a valid firearm identification card issued under section 129B and was permitted by law to possess such weapon, and such access results in the personal injury to or the death of any person.

(f) This section shall not apply to the storage or keeping of any firearm, rifle or shotgun with matchlock, flintlock, percussion cap or similar type of ignition system manufactured in or prior

to the year 1899, or to any replica of any such firearm, rifle or shotgun if such replica is not designed or redesigned for using rimfire or conventional center fire fixed ammunition.

Firearms Safety & Your Family

When recruits take their firearms home and for the rest of their careers, they should not turn their duty weapon into a conversation piece. It is natural to want to show off your gear – especially your new duty weapon to your spouse, friends and children. Here are some suggested guidelines that you should consider when exposing family, friends and others to your duty weapon.

Most children have toy guns, and when they play "Soldier", no one gets hurt. They are used to seeing their favorite TV show personality get shot with no serious after effects. To further distort reality, the actor is back and healthy on the show next week. Today, most children have interactive video games they play either on the computer or on some type of game system. Because of this, they have no concept of the consequences of a gunshot wound.

It is your responsibility to secure your duty weapon in such a way that it is inaccessible to all unauthorized users. Failure to properly secure your duty pistol is a felony. Lock up all your firearms and insure only you (and your spouse if authorized) know the combination or the location of the key. It is a good idea to keep your ammunition locked up separately from your firearms.

There is always the possibility that your child may be exposed to a firearm in the home of a friend or on the street. The best form of protection in this circumstance is education. Teach your child that guns are NOT toys. Young children should be taught that they should never touch a gun – regardless of where they see it, unless you are present and allow them to. Remember that children are curious and will naturally want to handle a firearms. You can help satisfy this curiosity by answering their questions and emphasizing the Cardinal Rules. Older children may be allowed to handle a firearm under close supervision while stressing the Cardinal Rules.

Children are not the only persons we need to consider as unauthorized persons. Perhaps there are other adults in the home who are prohibited from possessing a firearm or lack the necessary training to safely handle one. Factors such as Alzheimer's Disease, mental illness, alcohol or drug dependency or a criminal record may make it necessary for you to expand your security considerations.

If you intend to keep a firearm for home defense you will need to balance security with accessibility. When children or other persons who are not authorized to have access to a firearm are in the home, security should always take priority over accessibility. Obviously the single officer with one off duty revolver will have a different set of priorities than the married officer with several high capacity weapons and several small children.

RANGE SAFETY RULES & GUIDELINES

Prior to commencing MPTC firearms training, you will be required to read and acknowledge the Range Safety Form that signifies that you understand and will abide by all the MPTC Range Safety Rules. This form is duplicated here.

Municipal Police Training Committee

Range Safety Rules

These safety rules, procedures and regulations are expected to be followed by all shooters throughout firearms training.

SAFETY IS EVERYONE'S RESPONSIBILITY!

1. All weapons are always treated as if they are loaded – ALWAYS
2. Keep the weapon pointed in a safe direction at all times.
3. Keep your finger off the trigger until you are on target and have made the decision to fire.
4. Be sure of your target and what is beyond it.
5. Do not handle any weapon while anyone is downrange.
6. Never draw the weapon with your finger on the trigger.
7. Never bend over on the firing line until the line has been declared “safe”.
8. Obey all commands from Range Master.
9. Never holster any weapon cocked in the single-action mode (1911 style pistols exempt).
10. Never holster your weapon with your finger on the trigger.

In addition to the above rules, I will abide by the following:

Range Safety Guidelines

1. No firearm will be removed from its holster unless given permission by the range officer
2. Weapons will remain holstered and all holsters will remain secured at all times during training unless you are told to remove the firearm by the range instructor.
3. Firearms may be inspected by the range personnel before you participate in any firearms training.
4. All firearms will be cleaned at the conclusion of any live-fire firearms training and once per week at a minimum.
5. Firearms will be pointed only in the direction of the students intended target unless they are in the “low ready” position with the firearm pointed slightly below the target, under the student’s field of vision.
6. The trainee will not place their finger on the firearms trigger unless they intend to fire the firearm. If the student is in the “low ready” position the trigger finger will be off the trigger and held along the trigger guard.

7. All participants in a training event are eligible to call a “cease fire” command if they observe a safety hazard.
8. Shooting will stop immediately upon a “cease fire” command
9. All reasonable commands of the range instructor will be followed immediately.
10. Dry fire only under the guidance and with the permission of a firearms instructor.
11. No live ammunition in the weapon cleaning area.

I understand that unsafe acts or unsafe behavior on the range will not be tolerated. I have reviewed and understand all of the above Range rules. I agree to comply with these rules and will conduct myself as a professional and responsible police officer.

Printed Name: _____

Signature: _____

Date:_____

REQUIRED PERSONAL PROTECTIVE EQUIPMENT

All personnel on the range when live fire training is being conducted shall wear the following personal protective equipment:

Eye protection* – ANSI certified wrap around eye protection. (If you wear corrective lenses and wish to use them as eye protection, your glasses must comply with these specifications.)

Hearing protection – Over the ear style hearing protection. Custom fit “in the ear” protection is also suitable.

Body armor – Your body armor should be capable of stopping the round you carry in your duty weapon.

Hat w/ visor – Academy baseball cap is suitable for this.

* Eye protection is required to be worn while cleaning weapons.

Range Equipment

The following explanation of equipment is required for Recruit Academy Firearms Training week. This equipment is provided by the instructor staff however all personnel shall become familiar with it prior to the start of live fire exercises.

1. Gunshot Trauma / First Aid Kit - In a location that can be found easily by all and identified prior to the start of all firearms training. Certified EMT's or Paramedics should be identified prior to start of training.
2. Automatic Electronic Defibrillators - i.e., AED's if available and located with First Aid/Trauma Kit.
3. Range Injury Action Plan – A Pre-plan intended for use in emergencies (i.e., accidental shooting, heart attack, personal injury) which includes communications to be used whether by radio or cell phone.
4. Weapons Clearing Area - An area, weather a clearing station or area on somewhere on the range that has been identified as a safe area for proper loading and unloading of weapons while on the range and to clear malfunctions that cannot be readily cleared on the firing line.

RANGE COMMANDS

It is important for the recruit to understand the various commands that they will hear from the Rangemaster and Firearms Instructor(s). Here are some of the commands you may hear and what they mean:

- **Safe Direction** – a direction which, should the weapon fire, the result will be no personal injury and no or minimal physical damage to property. On the range, this is normally down range.
- **Low Ready position** – facing the target with muzzle depressed to point at a spot about eight feet in front of you.

- **Watch your muzzle!** – An instructor has noted your muzzle is pointing in an unsafe direction and is cautioning you to pay attention to where your muzzle is pointed.
- **Cease fire** – Immediately stop firing, remove your finger from the trigger and lower the muzzle to the “low ready” position. Wait for the next command. Anyone can call a cease fire.
- **Advance** – Move from your present position to the distance designated by the instructor.
- **Command to fire** – this will vary with the instructor however “up”, “threat”, “deadly threat” and “six” are common commands.
- **Prepare magazine(s)** – Load your magazine(s) with the prescribed number of rounds
- **Load weapon** – Insert a magazine into your duty pistol and insure the magazine is seated (tap/tug).
- **Administrative Load (Unload)** – Without removing the weapon from the holster, insert (withdraw) the magazine. The key is to keep the weapon safely in the holster at all times.
- **Make “Street Ready”** – Usually given after Administratively Loading your pistol. Means to draw the weapon from the holster, point in a safe direction downrange and chamber a round.
- **Press check** – With the muzzle pointed in a safe direction, carefully retract the slide enough to determine if a round is in the chamber. Be careful not to place your support hand in front of the muzzle. Note: the press check is ONLY conducted in conjunction with the initial load – never a reload.
- **Make safe and show empty** – Remove the magazine, lock the slide to the rear, check to insure no ammunition remains in the chamber, show to your partner or instructor as a double check.
- **The Line Is Safe** – The range officers have checked and found all weapons safe and empty; shooters may now pick up gear items on the ground.

The instructor staff may use other commands. These will be explained to you as the situation dictates.

Lead Contamination & Safety Precautions

Lead safety is just as important as safe firearms handling. Shooting a firearm with lead ammo or primers can expose the shooter to lead residue which may be hazardous to your health. Taking the proper precautions can reduce health issues related to prolonged lead exposure.

The following information comes directly from Mass. Division of Occupational Safety. Potentially dangerous exposures to lead can occur in both indoor and outdoor police firing ranges. Range instructors and range cleaners are at greatest risk. This alert provides guidance for those who work in, use and maintain indoor firing ranges, to protect them from the hazards of lead.

How does lead affect the body? Adults can be exposed to lead by breathing in lead dust or fumes or by ingesting lead dust. There are many symptoms or signs that suggest a problem with lead, but they can also be symptoms of other illnesses. It is also possible to have lead poisoning without noticing any symptoms. Therefore, if you work around lead, you should regularly see a doctor for blood testing, whether or not you are experiencing the symptoms of lead poisoning.

Early Signs and Symptoms of Lead Poisoning

- Fatigue Headache
- Uneasy Stomach
- Poor Appetite
- Sleeplessness
- Metallic Taste
- Irritability
- Nervousness
- Reproductive Problems

Later Signs and Symptoms

- Memory Problems
- Nausea
- Weight Loss
- Weak Wrists/Ankles
- Constipation
- Kidney Problems
- Aches/Pain in Stomach Muscle and Joints

Sources of lead exposure at a firing range

- Both the primer and the core of the bullet contain lead in conventional ammo
- Exposure to lead dust can occur during loading of ammunition, shooting and gun cleaning
- Poor firing range maintenance
- Inadequate or poorly designed ventilation
- Improper range cleaning procedures

- Eating, drinking or smoking on the range
- Lack of proper hygiene

Lead exposure can occur on both indoor or outdoor ranges however the exposure is usually reduced if you are on an outdoor range.

You can take it home with you! High levels of lead dust in ranges that are not properly designed, ventilated or maintained can settle on your body and clothing. This dust is then transported into your car and home where it can expose others including your family. Young children are more sensitive to the effects of lead than adults. Be sure your body and clothing are free of lead before coming in contact with children.

Do law enforcement personnel become lead-poisoned? The following are examples of the many cases of over-exposure to lead at law enforcement firing ranges that have been documented in Massachusetts and elsewhere.

1. The ventilation in a new firing range was blowing contaminated air toward the shooters. The maximum air lead levels exceeded twice the limit set by the U.S. Occupational Safety and Health Administration (OSHA).
2. Air lead concentrations of police firearm instructors at an outdoor range were measured. When copper jacketed ammunition was used, the lead levels were well below the OSHA limit; when non-jacketed bullets were used, the lead exposure was 4 times the OSHA limit.
3. Blood lead levels and air lead concentrations were measured at an outdoor police firing range. When non-jacketed bullets were used, air concentrations were 9-10 times the OSHA limit. Range instructors had blood lead levels up to more than twice the recommended limit. After jacketed ammunition was introduced, both air and blood lead levels came down to safe levels.
4. The blood leads of police trainees using an indoor range were measured before and after a 4 week period. Blood leads increased from an average of 7 mcg/dl (micrograms per deciliter) to over 40 mcg/dl. The National Institute of Occupational Safety and Health (NIOSH) recommendation is that blood lead levels remain below 25mcg/dl. Air lead exposures were up to 60 times the OSHA limit.
5. Three firearms instructors of a state corrections department had a blood lead level over 40 mcg/dl. Investigation revealed that shooting over an approximately 2-hour period resulted in air lead concentrations of 2–4 times the OSHA limit. Significant amounts of lead-contaminated dust were found in several range locations.

How can lead contamination be minimized on a firing range?

The best way to prevent lead exposures at firing ranges is to use ammunition that is free of lead components. Some ammunition is made with copper or nylon jackets that eliminate the hazard from the lead core of the bullet by enclosing the lead. To fully eliminate the lead hazard, the primer must also be lead-free. There is now ammunition on the market that is completely “lead-free” and has a non-lead core and a non-lead primer.

When conventional ammunition is used, precautions must be taken to minimize exposure. On indoor ranges the ventilation and engineering controls should provide an effective exhaust ventilation system. The airflow pattern should push the contaminated air away from the firing line and breathing zone of the shooter towards the target area where it is effectively removed. Poorly designed ventilation systems and ranges with too many obstructions can be ineffective and cause

recirculation of contaminated air to the area behind the firing line. Periodically measure the airflow to be sure that the ventilation system is operating as designed. Range instructors usually have the highest exposures to lead.

Backstops / Indoor Ranges

Install escalator backstops, granulated rubber traps and their variations which minimize dust levels and are easy to clean. Avoid the use of angled backstops with sand traps, which can generate a large amount of airborne lead dust and require frequent cleaning. Ranges should be cleaned daily or after each use to minimize the buildup of lead. Use an industrial grade vacuum cleaner equipped with a high efficiency HEPA filter. HEPA filters trap fine particles of lead. Lead dust is not trapped effectively by other types of vacuum filters. **NEVER DRY SWEEP A RANGE.** Wet methods using any household detergent can also be used to minimize lead dust. Even countertops, gun cleaning trays and target rails can be contaminated with lead. Proper cleaning or disposal of contaminated mops and cloths must be considered. Proper personal protective equipment such as respirators and protective clothing is needed for range cleaners.

Shooters, instructors and maintenance staff must all be trained in the hazards of lead and the precautions needed to protect themselves. Training should be given before employees are exposed to lead, and then annually. Information that may be useful in training is available in the appendixes of the OSHA Lead Standard

Personal Protective Equipment is an important part of lead exposure mitigation. During range cleaning, a HEPA (N100)-filtered respirator, disposable protective clothing and shoe coverings are recommended. The respirator must fit properly. Showers, washing facilities and changing rooms should be provided and used. Hands and faces must be washed after shooting. Range instructors and range cleaners should shower and wash their hair at the end of their shift. The changing room should have separate lockers for contaminated protective clothing and street clothes. Contaminated clothing and shoes should be properly disposed of or cleaned. Any lead-contaminated clothing should be washed separate from other laundry items. Eating, drinking and smoking must be prohibited in any area that could be contaminated with lead.

Blood Lead and Medical Monitoring

How can I tell how much lead I am exposed to?

Police officers and others who are frequently exposed to lead must have periodic medical exams and blood lead and other medical testing. At a minimum, range instructors and range cleaners should have their blood tested once every 6 months or after qualification periods or periods of high exposures. One National Institute of Occupational Safety and Health (NIOSH) document recommends that blood testing be done on every person who works in or uses the range more than 3 hours per month. NIOSH recommends that blood lead levels be kept below 25 micrograms per deciliter (mcg/dl). The Division of Occupational Safety is currently making blood lead testing available free of charge to range instructors and range cleaners.

Who regulates lead exposure in police department firing ranges in Massachusetts?

While private sector employees are covered by OSHA Standards, public sector employees in Massachusetts are not. The Division of Occupational Safety, in accordance with MGL Chapter 149 section 6, is charged with inspecting workplaces in Massachusetts and determining what

procedures and practices are required to protect workers. As a matter of policy, our office references OSHA regulations, as well as other consensus standards, when we determine whether proper procedures are being followed to protect workers. Our office recommends that the OSHA Lead Standard for general industry (29 CFR 1910.1025) be followed as a minimum. By following the OSHA standard you will be considered to be in compliance with Chapter 149, section 6.

Blood Lead Testing Available through Division of Occupational Safety

As part of its initiative to reduce lead exposure at Massachusetts police Departments, the Division of Occupational Safety is offering blood lead tests **FREE** of charge to firing range instructors and firing range maintenance personnel.

Who & Where?

1. A licensed physician or other healthcare provider acting under the direct supervision of a licensed physician must order the blood lead test.
2. The order must include the employee's name as well as the employer's name and address on the physician's letterhead.
3. Once the order is obtained, you may set up an appointment and bring this order to the DOS laboratory to have your blood drawn and tested for lead.
4. Alternatively, you may send drawn blood in a green-top tube along with the physician's order directly to the DOS lab for free analysis.
5. Lead results are sent to both the physician and to you.
6. To obtain more details and or to set up an appointment for this service, contact the DOS laboratory at 617-969-7177. Some individuals may wish to have their blood tested through their primary care physician or through an occupational health service. For a list of health care facilities which have physicians that are board-certified in occupational medicine, contact the DOS lead registry at the same phone number.

Where can I get more information and assistance?

The OSHA Lead Standard (29 CFR 1910.1025) www.osha.gov

The National Institute for Occupational Safety and Health (NIOSH), www.cdc.gov/niosh.

The Division of Occupational Safety www.mass.gov/dos.

The Division of Occupational Safety (DOS) offers free on-site consultations. The DOS consultant will provide you with written materials, review the procedures that you will need to implement, provide ventilation testing and air monitoring as needed, and issue a detailed written report. There are no fees for this service, nor are there fines or penalties associated with the initial discovery of non-compliance. However, you will be required to comply with the more critical recommendations made by the consultant.

For information on environmental lead management for outdoor firing ranges, call or write to:

National Shooting Sports Foundation

11 Mile Hill Rd.

Newtown, CT 06470

(203) 426-1320

<http://www.rangeinfo.org/>

Massachusetts Department of Environmental Protection's Lead Shot Initiative at (617) 348-4056 or http://www.mass.gov/dep/files/pbshot/pb_shot.htm

Mass. Division of Occupational Safety
Occupational Hygiene/Indoor Air Quality Program
1001 Watertown St.
West Newton, MA 02465
Tel: 617-969-7177; Fax: 617-727-4581

Case Law & Use of Force

MPTC Use of Force Review

The first area that must be covered before any firearms handling is the Use of Force as it pertains to firearms. There are only a few cases that must be reviewed concerning “Deadly Force” and “Fleeing Felons”. In this section of the manual we will look at the following cases that relate to:

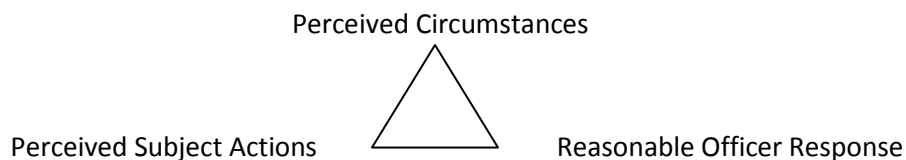
- Use of Force
- Fleeing Felon
- Deadly Force

The pertinent cases that will be looked at that cover the above categories are:

- Commonwealth vs. Klein
- Julian vs. Randazzo
- Tennessee vs. Garner
- Graham vs. Connor

We must review the definitions of the *MPTC Use of Force Model Reference Guide* and the Totality Triangle when we look at deadly force as it pertains to law enforcement. Unfortunately there are no black and white answers to some situations. We must rely on case law and department policy & procedures as guidelines to determine when deadly force is lawful and justified.

The ***Totality Triangle*** is a tool used by law enforcement officers who must make split second decisions under high stress conditions. Deadly force is the upper most level of our force options. The use of force escalates and de-escalates in response to the Perceived Circumstances, Perceived Subject Actions and Reasonable Officer’s Response. These three elements are the components of the Totality Triangle.



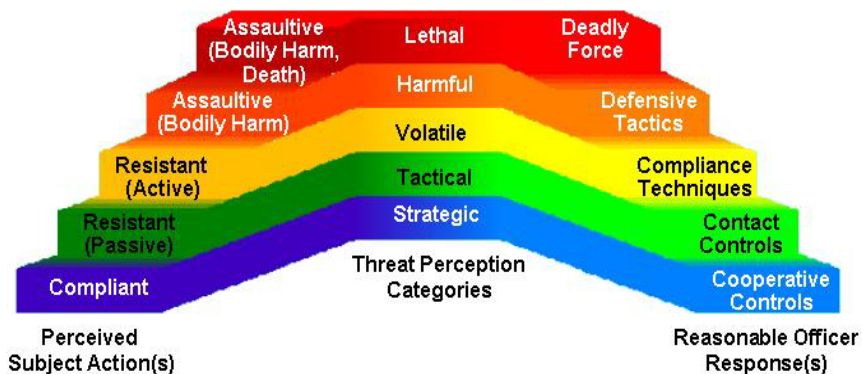
Perceived Circumstances - the officer’s perspective of the severity of any crime, the existence of an immediate safety threat to the officer or others, and the degree of compliance / non-compliance from the subject; culminating in its identification on the Use of Force Model.

Perceived Subject Action(s) - the subject action (s) as perceived by the reasonable officer that designate the subject at one or more of the Use of Force Model’s compliant / non-compliant categories.

Reasonable Officer Response (s) - the “balanced” response (s) appropriate for the reasonable officer’s selection from the Use of Force Model’s identified response categories, in order to maintain or gain subject compliance and control.

These are the three elements that which must be considered in determining whether an application of force was ***objectively reasonable*** as determine under Graham vs. Connor.

We use the *Use of Force Model Reference Guide* to determine the Reasonable Officer's Response to the Perceived Subject Actions. It illustrates the suggested responses to the officer's perception of the threat. It is important to remember that we can always de-escalate our level of force if the circumstances warrant.



The use of a firearm is always considered deadly force and falls at the top of this guide. We must look at several other definitions here in the model as it relates to use deadly force.

Assaultive (Serious Bodily Harm / Death)

The officer's attempt to gain lawful compliance has culminated in the perception of an attack or potential for such an attack on the officer or others. The officer makes the *reasonable assessment* that such actions by the subject could result in serious bodily harm or death to the officer or others. If a law enforcement officer perceives the subject actions as to be *assaultive which would likely result in serious bodily harm or death*, then a reasonable officer's response may be *deadly force*.

Deadly Force – Includes assaultive countermeasures designed to cease an assault which is lethal or could cause great bodily harm on the officer or others. These tactics could include the use of a firearm, lethal strikes, etc. It is defined as “the degree of force likely to result in death or serious physical injury.” The discharge of a firearm toward a person constitutes the use of deadly force.

Serious Bodily Injury: A bodily injury which creates a substantial risk of death; causes serious permanent disfigurement or results in long term loss or impairment of the functioning of any body part.

Finally the threat perception categories are color coded for a tactically applied and color adapted correlation of the Threat Perception Categories on the Use of Force Model. The category that we are looking at is Lethal located at the most upper limit.

Lethal – Highest level on the Use of Force Model correlates to RED, the most intense color in the Threat Perception Color Code. Although this potentially lethal degree of threat is most infrequent, it remains most crucial for the continuation of officer safety and security. When an officer applies deadly force he/she must keep in mind the reasons of the offence that determine the use of such force. With the above definition and Use of Force model and a little help form

case law we will try and give you guide line when deadly force maybe used. You will also have to see where your *Department Policy and Procedure* fits within the guidelines of the MPTC use of force model. We must first look at a Supreme Court case of Tennessee v. Gardner with regards to fleeing felons.

Tennessee v. Garner
471 U.S. 1
U.S. Supreme Court 1694
March 27, 1985

In Tennessee v. Garner, 105 U.S. Supreme Court 1694 (1985), decided on March 27, 1985, The United States Supreme Court addressed the subject, The use of *deadly force* by police. In that case the court decided that:

1. Apprehension by use of deadly force is a seizure subject to the Fourth Amendment's reasonableness requirement.
2. Deadly force may not be used unless it is necessary to prevent escape and the officer *has probable cause to believe that the suspect poses a significant threat of death of serious physical injury to the officer or others.*
3. The Tennessee statute, under authority of which a police officer fired a fatal shot, was unconstitutional insofar as it authorized use of deadly force against an apparently unarmed, non-dangerous, fleeing suspect.

Facts of the Case:

At about 10:45PM, on October 3, 1974, the Memphis police were dispatched to answer a "Prowler Inside" call. Upon arriving at the scene, they saw a woman standing on her porch and gesturing toward the adjacent house. She told the police that she had heard glass breaking and that "they" or "someone" was breaking in next door. One police officer, Leslie Wright, radioed the dispatcher to say that they were on the scene, while his partner, Elton Hymon, went behind the House. He (Hymon) heard a door slam and saw someone run across the back yard. The fleeing suspect, Edward Garner, stopped at a 6 foot high chain link fence at the edge of the yard. With the aid of a flashlight, Hymon was able to see Garner's face and hands. He saw no sign of a weapon and, though not certain, was "*reasonably sure*" and "*figured*" that Garner was unarmed. He thought Garner was 17 or 18 years old and about 5'5" or 5'7" tall. While Garner was crouched at the base of the fence, Hymon called out, "Police! Halt!" and took a few steps toward him. Garner began to climb over the fence. Convinced that if Garner made it over the fence he would elude capture, Hymon shot him. The bullet hit Garner in the back of the head. Garner was taken by ambulance to a hospital, where he died on the operating table. Ten dollars and a purse taken from the house were found on his body.

Issue: Was the use of deadly force justified to capture a *fleeing felon* where the subject *poses no immediate threat* to the officer and *no threat to others*, notwithstanding a Tennessee statute and departmental policy allowing such action.

Decision:

"The Tennessee statute is *UNCONSTITUTIONAL*....."

Where a police officer has probable cause to believe that a criminal suspect *poses a threat of serious physical harm* either to the *officer* or to *others*, it is not unconstitutionally unreasonable to prevent escape *by using deadly force*: thus, if the suspect *threatens the officer with a weapon*, or

there is *probable cause* to believe that he *has committed* a crime involving the *infliction* or *threatened infliction* of serious physical harm, *deadly force may be used*, if necessary, *to prevent escape*, and if, *where feasible*, some warning has been given.

A police officer responding to a nighttime burglary call could not reasonably have believed that the fleeing suspect, who was young, slight of build and unarmed, posed any threat. The fact that the suspect, who was fatally shot, was a suspected burglar could not, of itself, automatically justify the use of deadly force to affect his apprehension. Although an *armed burglar* would present a different situation, the fact that an unarmed suspect has broken into a dwelling at night does not automatically mean that he is physically dangerous, do as to justify the use of deadly force in effectuating his apprehension.

Summary:

In this decision the Court is saying that the use of deadly force to prevent the escape of *all felony suspects, whatever the circumstances*, is constitutionally unreasonable. The justices state, "It is not better that all felony suspects die than that they escape." Where the suspect *poses no immediate threat* to the *officer and no threat to others*, the harm resulting from failing to apprehend him does not justify the use of deadly force to do so. The Supreme Court takes into account, with the rendering of this decision, the realistic possibility of felony suspects alluding arrest and thereby escaping trial, punishment, etc. However, they have applied a "*balancing test*" between the "*government's interest in effective law enforcement*" and that of the "*reasonableness*" of the intrusion upon the suspect's rights; in this case, the apprehension by the use of deadly force (Fourth Amendment).

The justices opine that it is unfortunate when a suspect, who is in sight, escapes. However, "the fact that the police arrive a little late, or *are a little slow afoot*, does not always justify the killing of the suspect". A police officer may not seize an unarmed, non-dangerous suspect, by shooting him dead. This case is extremely important in that it has found the so-called "*fleeing felon rule*" to be unconstitutional; notwithstanding the fact that the culprit may make good his/her escape. However, the Court has not turned its back upon officer safety, or that of the public. It states "*Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or to others, it is not unconstitutionally unreasonable for said officer to use deadly force.*"

Comment:

If we apply the Totality Triangle of *reasonableness* in this case we find that when the officer arrived on scene, it was not reasonable to use deadly force to stop a fleeing felon although his departmental policy stated to the contrary.

Let's change the facts of the case a little. The officer arrives on scene and is threatened by a person armed with a weapon. The officer believes that there is probable cause that the suspect poses a

threat of serious bodily harm either to the officer or others. Given these facts, the officer can reasonable believe his life and/or the lives of others are in imminent danger of serious bodily injury or death. Thus, the use of deadly force under the *MPTC Use of Force Model* is justified.

Thus, if the suspect threatens a police officer with a weapon or there is probable cause to believe that he has committed a crime involving the infliction or threatened infliction of serious physical harm, *deadly force may be used if necessary*, to prevent escape: and if, *where feasible*, some warning has been given. (Full unedited case in Recruit Firearms Manual appendix)

Next we look at the Massachusetts case *Commonwealth vs. Klein* which addressed the rights of private citizens to use deadly force to arrest a fleeing felon. This case sets up fleeing felon guidelines for law enforcement in a later case.

Commonwealth v. Klein
372 Mass. 823
Supreme Judicial Court
June 22, 1977

Main Point of Case:

The rights of a private citizen to use deadly force in arresting a felon are enumerated in s 3.07 of the Model Penal Code.

Facts and Procedural History:

On August 1, 1973, the defendant, a local dentist, shot and wounded two men who had broken into a drug store across the street from his home. Under the cover of night, two individuals, Napoleon LaDue and John Savageau, went to Sims Drug Store on Allen Street on Springfield to steal money and cigarettes. After hearing the smash of a window, the defendant called the police and went outside with a pistol to confront the two burglars. LaDue then heard shot coming into the store and ran to the back of the room; after the shots ceases, the two individuals emerged from the drug store. As Savageau exited through the broken front door, LaDue once again heard shots being fired from across the street. Not knowing who was shooting at them, the two individuals ran alongside the building to a set of railroad tracks running behind the drug store. According to LaDue, he was struck by one bullet in the elbow and another in the side as he retreated down the alleyway to the railroad tracks.

Two pairs of officers rushed to the scene. One set found Savageau and LaDue, both wounded, at the railroad tracks while the other pair investigated the scene around the drug store. The investigating officers noticed the front door of the drug store broken, a bullet hole in the lower corner thereof, cigarettes strewn about the sidewalk, a tire iron beside the broken door, a stone inside the door, and a pool of blood inside the store. As these officers were making their observations, the defendant appeared and informed them that he had reported the break-in after he has seen the two individuals break the door to the drugstore. Klein then informed the officers that he came from his house armed with a Luger and told them to stop or he would shoot. According to Klein, one of the two individuals then threw cigarettes at him and he fired two shots, hitting one of the two men. As Klein was returning to his house, he heard a loud noise from the drug store and turned to see the two men emerging; Klein then steadied himself against a tree and fired seven additional shots at the individuals as they ran alongside the building.

At trial, not only did the testimonies of the two individuals conflict sharply with that of Klein, but Klein's own testimony also significantly diverged from the statements he made to the police officers immediately following the incident. On the witness stand, Klein claimed that he had fired the warning shots and shouted to the two individuals to put their hands up and stay where they were. Klein was found guilty of assault and battery with a dangerous weapon at a jury trial conducted at the Superior Court level. Although review was sought in the Appeals Court, the

Supreme Judicial Court, acting under its own initiative, ordered direct appellate review to address the issue of *whether or not the defendant was justified in using deadly force to make a citizen's arrest*.

Holding:

Establishing the *Model Penal Code s 3.07* as the law of Massachusetts with respect to the *right of a citizen to use deadly force in arresting a felon*, the Supreme Judicial Court applied this ruling progressively so as to exempt the defendant from retroactive application of this law.

Reasoning:

Finding that the trial judge properly charged the jury by informing them that in defining "deadly force" as force intended or likely to cause death or great bodily harm, the Court established that Klein used such force when he fired his pistol at LaDue and Savageau. In light of this initial conclusion, the Court proceeded to address the defendant's claim that he was entitled to a direct verdict at the lower court level on grounds of self-defense individual is entitle acquittal on a self-defense with a dangerous weapon claim only "when the person using the weapon had a reasonable apprehension (gear) of great bodily harm and a reasonable belief that no other means would suffice to prevent such a harm". Based on this jury charge, the Court reasoned that the jury then acted reasonably in assessing the evidence presented before them in concluding that the defendant was not entitled to a self-defense claim in light of the disclosed fact that Klein shot the two individuals as they were running away from him.

The Court then addressed the issue of the defendant's right to use deadly force in making a citizen's arrest of two individuals attempting to flee from the commission of a felony.

Accepting the defendant's contention that the Commonwealth had never clearly set the limit of an arresting citizen' right to use deadly force, the Court evaluated such a limitation in light of Section 3.07 of the Model Penal Code which states the following:

(1). *Use of Force Justifiable to Affect an Arrest:*

Subject to the provisions of this Section and Section 3.09, the use of force upon or toward the person of another is justifiable when the actor is making or assisting in making an arrest and the actor believes that such force is immediately necessary to affect a lawful arrest.

(2). *Limitations on the Use of Force...*

The use of Deadly Force is not justifiable under this section unless:

1. the arrest is for a felony;
2. The person affecting the arrest is authorized to;
 - a. act as a peace officer or
 - b. is assisting a person whom he believes to be authorized to act as a peace officer;
3. The actor believes that the force employed creates no substantial risk of injury to innocent persons;

4. The actor believes that the crime for which the arrest is made involved conduct including the use or threatened use of deadly force or there is substantial risk that the person to be arrested will cause death or serious bodily harm if this apprehension is delayed.

Viewing the facts at hand in light of this Model Code provision, this Court upheld the lower court judge's jury charge and subsequent ruling which essentially found that the shootings were not justified since the defendant used deadly force to prevent the flight of persons who has committed crimes concerning only property rights. However, the Court then proceeded to address the issue of whether or not the defendant should have known the potential if his behavior being "criminal" in light of the circumstances surrounding him.

Since applying the standards of the Model Penal Code to a private citizen who was making an arrest was a matter of first impression in the Commonwealth, the Supreme Judicial Court decided that this defendant's assertion of "justification" beyond reasonable doubt was not met by the Commonwealth and the defendant was therefore found not guilty on both indictments. Setting aside the prior verdicts, the Supreme Judicial Court reversed the lower court's ruling.

Comment:

The question of whether the same limitations apply to arrests by peace officers was left open by the Supreme Judicial Court. This question was answered 3 years later in the case of *Julian v. Randazzo*.

Julian v. Randazzo, and Another
380 Mass. 391
Supreme Judicial Court
April 15, 1980

Main Point of Case:

In a tort action by the plaintiff who was mistakenly shot by a police officer as the officer was pursuing an individual suspected of committing a felony, there was no error in the judge's instructions with respect to the question whether the officer was justified in using deadly force to effect an arrest where the judge referred to s 120.7 of the Model Code of Pre-Arrestment Procedure (1975)

Facts and Procedural History:

On July 5, 1976, two Medford police officers received a radio report of a hold-up in Malden. Shortly thereafter, these officers began a pursuit of three suspects in a Chevrolet Corvette. Over the course of a high-speed chase several shot were fired by the suspects at the officers' patrol car. At an intersection in Cambridge, the suspects' vehicle spun-out and stopped; the suspects then exited the vehicle and fled on foot. The patrol car ran into the Corvette and the officers similarly took to a foot pursuit of the suspects. Officer Randazzo, the defendant, fired his gun twice. The plaintiff, an innocent bystander, was struck in the elbow by a bullet. A little later, both officers approached the plaintiff, pointed their guns at the plaintiff, and told him not to move; after a neighbor convinced the officers that the plaintiff was a bystander and not a suspect, the officers continued their pursuit.

The plaintiff brought an action in tort against both officers as defendants for assault, assault and battery, false imprisonment, and "negligent denial of medical care". In the District Court, a jury returned verdicts in favor of the defendants and the plaintiff appealed to the Appeals Court on a challenge to the admission into evidence of a police investigation report as well as the instructions given by the District Court judge to the jury on the use of deadly force by a police officer. The Supreme Judicial Court, on its own initiative, ordered direct appellate review.

Holding:

Although the Supreme Judicial Court upheld the plaintiff's evidentiary argument and reversed the judgments, it did not find the lower court judge's jury charge on the matter of an officer's use of deadly force to be improper.

Reasoning:

The case was reversed because the jury was allowed to consider a police report which the court ruled was improperly admitted as evidence at the District Court level. However, the matter of present interest is how the Supreme Court looked upon the trial judge's charge to the jury concerning the *use of deadly force by a police officer*. Adopting the same standard as the Court had articulated in Commonwealth v. Klein, 372 Mass. 823 (1977), the Randazzo Court adopted 120.7 of

the Model Code of Pre-Arrest Procedure (1975) which is essentially the same as s 3.07 of the Model Penal Code which was applied to a private citizen's use of deadly force in Klein. Those provisions of s 120.7 espoused by the Court are the following:

A law enforcement officer authorized to make an arrest...may use such force as is reasonably necessary to effect the arrest. The officer may use deadly force for these purposes only if:

- 1) The arrest is for a felony; and
- 2) The officer reasonably believes that the force employed creates no substantial risk to innocent persons; and
- 3) the officer reasonably believes that:
 - the crime for which the arrest is made involved conduct including the use or threatened use of Deadly Force; or
 - there is a substantial risk that the person to be arrested will cause death or serious bodily harm if his apprehension is delayed.

The Court found this charge by the trial judge to be an accurate and legal assessment of an officer's right to use deadly force. Under such a charge, Officer Randazzo's use of deadly force in light of the given circumstances was therefore, lawful.

Comment:

These three cases demonstrate the use of deadly force and what conditions are necessary when applied to a fleeing felon;

- the felony involved the use or threatened use of deadly force; and
- the felon's escape would result in imminent death or serious bodily injury to the officer or another if apprehension was delayed.

Again there are no hard and fast rules or black and white answers to the decisions to use deadly force under stressful conditions, every scenario is different. Law enforcement must rely on proper training by their departments and guide lines of that of a reasonable officer's perception when confronted with such challenges. With proper recruit training and continuing in-service training, law enforcement officers who are confronted with difficult situations will become better adapted when they must use their firearms.

GRAHAM v. CONNOR
490 U.S. 386 (1989)

**CERTIORARI TO THE UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT**

Argued February 21, 1989
Decided May 15, 1989

Background:

Petitioner Graham, a diabetic, asked his friend, Berry, to drive him to a convenience store to purchase orange juice to counteract the onset of an insulin reaction. Upon entering the store and seeing the number of people ahead of him, Graham hurried out and asked Berry to drive him to a friend's house instead. Respondent Connor, a city police officer, became suspicious after seeing Graham hastily enter and leave the store, followed Berry's car, and made an investigative stop, ordering the pair to wait while he found out what had happened in the store. Responding backup police officers arrived on the scene, handcuffed Graham, and ignored or rebuffed attempts to explain and treat Graham's condition. During the encounter, Graham sustained multiple injuries. He was released when Connor learned that nothing had happened in the store. Graham filed suit in the District Court under 42 U.S.C. 1983 against respondents, alleging that they had used excessive force in making the stop, in violation of "rights secured to him under the Fourteenth Amendment to the United States Constitution and 42 U.S.C. 1983."

Held:

All claims that law enforcement officials have used excessive force - deadly or not - in the course of an arrest, investigatory stop, or other "seizure" of a free citizen are properly analyzed under the Fourth Amendment's "objective reasonableness" standard, rather than under a substantive due process standard.

(a) The notion that all excessive force claims brought under 1983 are governed by a single generic standard is rejected. Instead, courts must identify the specific constitutional right allegedly infringed by the challenged application of force and then judge the claim by reference to the specific constitutional standard which governs that right.

(b) Claims that law enforcement officials have used excessive force in the course of an arrest, investigatory stop, or other "seizure" of a free citizen are most properly characterized as invoking the protections of the Fourth Amendment, which guarantees citizens the right "to be secure in their persons . . . against unreasonable seizures," and must be judged by reference to the Fourth Amendment's "reasonableness" standard.

(c) The Fourth Amendment "reasonableness" inquiry is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. The "reasonableness" of a particular use of force must be

judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.

CHIEF JUSTICE REHNQUIST delivered the opinion of the Court.

This case requires us to decide what constitutional standard governs a free citizen's claim that law enforcement officials used excessive force in the course of making an arrest, investigatory stop, or other "seizure" of his person. We hold that such claims are properly analyzed under the Fourth Amendment's "objective reasonableness" standard, rather than under a substantive due process standard.

In this action under 42 U.S.C. 1983, petitioner Dethorne Graham seeks to recover damages for injuries allegedly sustained when law enforcement officers used physical force against him during the course of an investigatory stop. Because the case comes to us from a decision of the Court of Appeals affirming the entry of a directed verdict for respondents, we take the evidence hereafter noted in the light most favorable to petitioner. On November 12, 1984, Graham, a diabetic, felt the onset of an insulin reaction. He asked a friend, William Berry, to drive him to a nearby convenience store so he could purchase some orange juice to counteract the reaction. Berry agreed, but when Graham entered the store, he saw a number of people ahead of him in the checkout [490 U.S. 386, 389] line. Concerned about the delay, he hurried out of the store and asked Berry to drive him to a friend's house instead.

Respondent Connor, an officer of the Charlotte, North Carolina, Police Department, saw Graham hastily enter and leave the store. The officer became suspicious that something was amiss and followed Berry's car. About one-half mile from the store, he made an investigative stop. Although Berry told Connor that Graham was simply suffering from a "sugar reaction," the officer ordered Berry and Graham to wait while he found out what, if anything, had happened at the convenience store. When Officer Connor returned to his patrol car to call for backup assistance, Graham got out of the car, ran around it twice, and finally sat down on the curb, where he passed out briefly.

In the ensuing confusion, a number of other Charlotte police officers arrived on the scene in response to Officer Connor's request for backup. One of the officers rolled Graham over on the sidewalk and cuffed his hands tightly behind his back, ignoring Berry's pleas to get him some sugar. Another officer said: "I've seen a lot of people with sugar diabetes that never acted like this. Ain't nothing wrong with the M. F. but drunk. Lock the S. B. up." Several officers then lifted Graham up from behind, carried him over to Berry's car, and placed him face down on its hood. Regaining consciousness, Graham asked the officers to check in his wallet for a diabetic decal that he carried. In response, one of the officers told him to "shut up" and shoved his face down against the hood of the car. Four officers grabbed Graham and threw him headfirst into the police car. A friend of Graham's brought some orange juice to the car, but the officers refused to let him have it. Finally, Officer Connor received a report that Graham had done nothing wrong at the convenience store, and the officers drove him home and released him. [

At some point during his encounter with the police, Graham sustained a broken foot, cuts on his wrists, a bruised forehead, and an injured shoulder; he also claims to have developed a loud ringing in his right ear that continues to this day. He commenced this action under 42 U.S.C. 1983 against the individual officers involved in the incident, all of whom are respondents here, alleging that they had used excessive force in making the investigatory stop, in violation of "rights secured to him under the Fourteenth Amendment to the United States Constitution and 42 U.S.C. 1983." Complaint 10, App. 5. The case was tried before a jury. At the close of petitioner's evidence, respondents moved for a directed verdict. In ruling on that motion, the District Court considered the following four factors, which it identified as "[t]he factors to be considered in determining when the excessive use of force gives rise to a cause of action under 1983":

- (1) the need for the application of force;
- (2) the relationship between that need and the amount of force that was used;
- (3) the extent of the injury inflicted; and
- (4) "[w]hether the force was applied in a good faith effort to maintain and restore discipline or maliciously and sadistically for the very purpose of causing harm." 644 F. Supp. 246, 248 (WDNC 1986).

Finding that the amount of force used by the officers was "appropriate under the circumstances,..." the District Court granted respondents' motion for a directed verdict.

A divided panel of the Court of Appeals for the Fourth Circuit affirmed. We granted certiorari, [488 U.S. 816](#) (1988), and now reverse.

In the years following *Johnson v. Glick*, the vast majority of lower federal courts have applied its four-part "substantive due process" test indiscriminately to all excessive force claims lodged against law enforcement and prison officials under 1983, without considering whether the particular application of force might implicate a more specific constitutional right governed by a different standard. ⁷ Indeed, many courts have seemed to assume, as did the courts below in this case, that there is a generic "right" to be free from excessive force, grounded not in any particular constitutional provision but rather in "basic principles of 1983 jurisprudence." ⁸

We reject this notion that all excessive force claims brought under 1983 are governed by a single generic standard. As we have said many times, 1983 "is not itself a source of substantive rights," but merely provides "a method for vindicating federal rights elsewhere conferred." *Baker v. McCollan*, [443 U.S. 137, 144](#), n. 3 (1979). In addressing an excessive force claim brought under 1983, analysis begins by identifying the specific constitutional right allegedly infringed by the challenged application of force. See *id.*, at 140 ("The first inquiry in any 1983 suit" is "to isolate the precise constitutional violation with which [the defendant] is charged"). ⁹ In most instances, that will be either the Fourth Amendment's prohibition against unreasonable seizures of the person, or the Eighth Amendment's ban on cruel and unusual punishments, which are the two primary sources of constitutional protection against physically abusive governmental conduct. The validity

of the claim must then be judged by reference to the specific constitutional standard which governs that right, rather than to some generalized "excessive force" standard. See *Tennessee v. Garner*, *supra*, at 7-22 (claim of excessive force to effect arrest analyzed under a Fourth Amendment standard); *Whitley v. Albers*, 475 U.S. 312, 318-326 (1986) (claim of excessive force to subdue convicted prisoner analyzed under an Eighth Amendment standard).

Where, as here, the excessive force claim arises in the context of an arrest or investigatory stop of a free citizen, it is most properly characterized as one invoking the protections of the Fourth Amendment, which guarantees citizens the right "to be secure in their persons . . . against unreasonable . . . seizures" of the person. This much is clear from our decision in *Tennessee v. Garner*, *supra*. In *Garner*, we addressed a claim that the use of deadly force to apprehend a fleeing suspect who did not appear to be armed or otherwise dangerous violated the suspect's constitutional rights, notwithstanding the existence of probable cause to arrest. [490 U.S. 386, 395] Though the complaint alleged violations of both the Fourth Amendment and the Due Process Clause, we analyzed the constitutionality of the challenged application of force solely by reference to the Fourth Amendment's prohibition against unreasonable seizures of the person, holding that the "reasonableness" of a particular seizure depends not only on when it is made, but also on how it is carried out. *Id.*, at 7-8. Today we make explicit what was implicit in *Garner*'s analysis, and hold that all claims that law enforcement officers have used excessive force - deadly or not - in the course of an arrest, investigatory stop, or other "seizure" of a free citizen should be analyzed under the Fourth Amendment and its "reasonableness" standard, rather than under a "substantive due process" approach. Because the Fourth Amendment provides an explicit textual source of constitutional protection against this sort of physically intrusive governmental conduct, that Amendment, not the more generalized notion of "substantive due process," must be the guide for analyzing these claims.

Determining whether the force used to effect a particular seizure is "reasonable" under the Fourth Amendment requires a careful balancing of "the nature and quality of the intrusion on the individual's Fourth Amendment interests" against the countervailing governmental interests at stake. Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it. See *Terry v. Ohio*. Because "[t]he test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application," *Bell v. Wolfish*, 441 U.S. 520, 559 (1979), however, its proper application requires careful attention to the facts and circumstances of each particular case, including the severity of the crime at issue, whether the suspect poses an immediate threat to the safety of the officers or others, and whether he is actively resisting arrest or attempting to evade arrest by flight. See *Tennessee v. Garner*, (the question is "whether the totality of the circumstances justifie[s] a particular sort of . . . seizure").

The "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight. See *Terry v. Ohio*, supra, at 20-22. The Fourth Amendment is not violated by an arrest based on probable cause, even though the wrong person is arrested, *Hill v. California*, [401 U.S. 797](#) (1971), nor by the mistaken execution of a valid search warrant on the wrong premises, *Maryland v. Garrison*, [480 U.S. 79](#) (1987). With respect to a claim of excessive force, the same standard of reasonableness at the moment applies: "Not every push or shove, even if it may later seem unnecessary in the peace of a judge's chambers," *Johnson v. Glick*, 481 F.2d, at 1033, violates the Fourth Amendment. The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation.

As in other Fourth Amendment contexts, however, the "reasonableness" inquiry in an excessive force case is an objective one: the question is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation. See *Scott v. United States*, [436 U.S. 128, 137](#) - 139 (1978); see also *Terry v. Ohio*, supra, at 21 (in analyzing the reasonableness of a particular search or seizure, "it is imperative that the facts be judged against an objective standard"). An officer's evil intentions will not make a Fourth Amendment violation out of an objectively reasonable use of force; nor will an officer's good intentions make an objectively unreasonable use of force constitutional. See *Scott v. United States*, supra, at 138, citing *United States v. Robinson*, [414 U.S. 218](#) (1973).

Because petitioner's excessive force claim is one arising under the Fourth Amendment, the Court of Appeals erred in analyzing it under the four-part *Johnson v. Glick* test. That test, which requires consideration of whether the individual officers acted in "good faith" or "maliciously and sadistically for the very purpose of causing harm," is incompatible with a proper Fourth Amendment analysis. We do not agree with the Court of Appeals' suggestion, see 827 F.2d, at 948, that the "malicious and sadistic" inquiry is merely another way of describing conduct that is objectively unreasonable under the circumstances. Whatever the empirical correlations between "malicious and sadistic" behavior and objective unreasonableness may be, the fact remains that the "malicious and sadistic" factor puts in issue the subjective motivations of the individual officers, which our prior cases make clear has no bearing on whether a particular seizure is "unreasonable" under the Fourth Amendment. Nor do we agree with the Court of Appeals' conclusion, see *id.*, at 948, n. 3, that because the subjective motivations of the individual officers are of central importance in deciding whether force used against a convicted prisoner violates the Eighth Amendment, see *Whitley v. Albers*, [475 U.S.](#), at 320 -321, [11](#) it cannot be reversible error to inquire into them in deciding whether force used against a suspect or arrestee violates the Fourth Amendment. Differing standards

under the Fourth and Eighth Amendments are hardly surprising: the terms "cruel" and "punishments" clearly suggest some inquiry into subjective state of mind, whereas the term "unreasonable" does not. Moreover, the less protective Eighth Amendment standard applies "only after the State has complied with the constitutional guarantees traditionally associated with criminal prosecutions." *Ingraham v. Wright*, 430 U.S. 651, 671 , [490 U.S. 386, 399] n. 40 (1977). The Fourth Amendment inquiry is one of "objective reasonableness" under the circumstances, and subjective concepts like "malice" and "sadism" have no proper place in that inquiry. 12

Because the Court of Appeals reviewed the District Court's ruling on the motion for directed verdict under an erroneous view of the governing substantive law, its judgment must be vacated and the case remanded to that court for reconsideration of that issue under the proper Fourth Amendment standard.

It is so ordered.

Comment:

The key point of *Graham v. Connor* is that the use of force to make a Fourth Amendment seizure must be **objectively reasonable**.

Our Fourth Amendment jurisprudence has long recognized that the right to make an arrest or investigatory stop necessarily carries with it the right to use some degree of physical coercion or threat thereof to effect it.

The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation.

As in other Fourth Amendment contexts, however, the "reasonableness" inquiry in an excessive force case is an objective one: the question is whether the officers' actions are "objectively reasonable" in light of the facts and circumstances confronting them, without regard to their underlying intent or motivation.

Police Officers Shoot for Center of Available Mass

When an officer uses their firearm they must be sure of their target and what's beyond it. Once they have made the decision to use the weapon, there is no calling the bullet back. But when the officer needs to shoot, they must shoot for the most available "center mass".

When a police officer uses his/her weapon, they should aim for an area commonly referred to as **center mass**. Contrary to popular belief, center mass is not always going to be the chest area located above the sternum. Center mass is the center of the target area available for the officer to shoot at. For example, if the suspect is shooting from a parked motor vehicle through the driver's window, center mass may be the throat area or even the head because that is the most available target area.

Police Officers "Shoot To Stop" not shoot to kill

When using deadly force on a person who is using or threatening the use of deadly force, a police officer is legally justified in shooting to *STOP* that individual. A police officer is NOT justified in shooting to kill an individual. They are legally justified in shooting to stop the imminent threat. A police officer does NOT shoot to kill or to wound, he shoots to STOP. A wounded suspect or a dead suspect may be the result, but the police officer is only justified in shooting to stop imminent threat. When a police officer uses his firearm as allowed by law they must be prepared for one of three things to occur:

1. The officer will miss - hopefully not but there is a definite possibility of this occurrence.
2. The suspect will be wounded and survive.
3. The suspect will be hit and die as a result of his/her wounds.

No matter what the personal feelings of the officer, he/she has no control over what happens to the suspect once his/her weapon has been discharged. Although there is a much greater possibility that a person with a chest wound will die as opposed to a person with a leg wound, the result is definitely beyond the officer's control. A combination of factors will result in the final determination as to whether a person who has been shot will live or die. These factors include, but are not limited to:

- specific shot placement
- age of suspect
- health of suspect
- will to survive
- availability of medical care

When Is The Suspect Stopped?

A suspect is stopped when he is effectively prevented from using or threatening the use of deadly force. This determination can only be based on the totality of circumstances involved in the incident. A police officer is *NOT* required to count his/her shots.

EXAMPLE #1: A police officer in a self defense situation, at a distance of ten (10) feet from his assailant, fires two (2) shots to 'center of available mass'. The suspect is hit and falls to the ground. The suspect's firearm slides fifteen (15) feet from him/her.

This is an easy example of a suspect being effectively stopped. The officer must stop firing and now has a duty to aid the victim. An officer continuing to shoot after the suspect has been effectively stopped puts the officer in a position of attempting to kill the suspect.

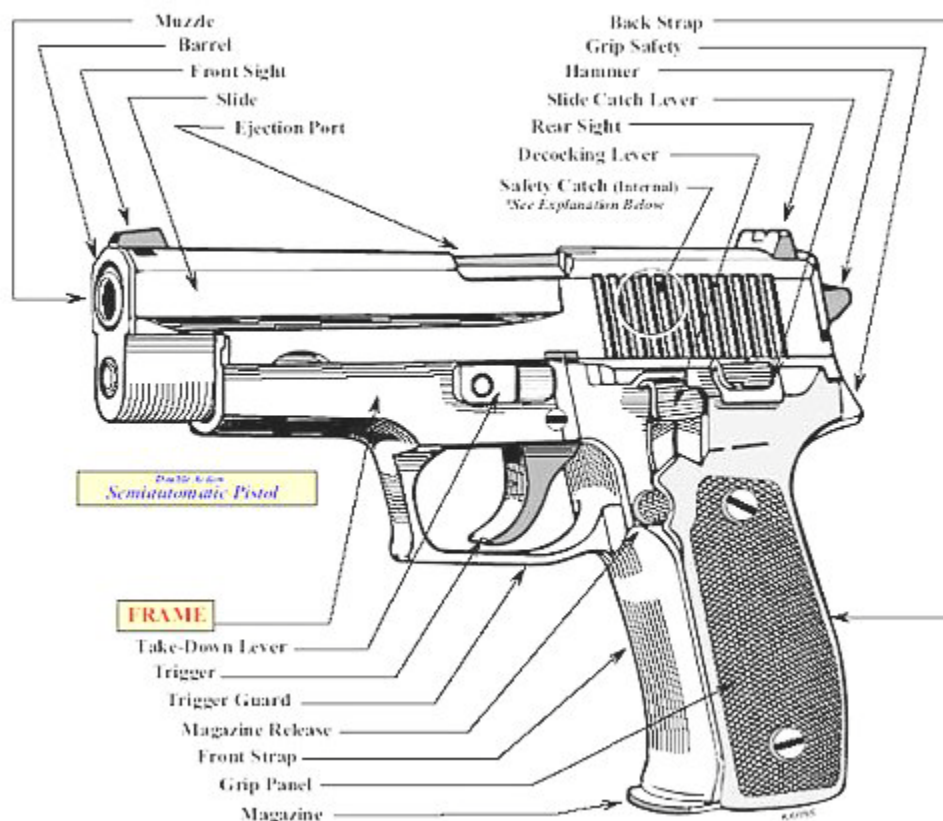
EXAMPLE # 2: A police officer in a self defense situation, at a distance of twenty-five (25) feet from his assailant, fires two (2) shots to center of available mass. The suspect falls to one knee with his firearm still in hand.

This is an easy example of a suspect, after being shot, still reasonably being a threat of using deadly force. The officer is justified in shooting until the suspect is no longer in such a position. In any case, when the suspect is stopped and no longer poses a deadly threat, the officer must provide medical care for the suspect if they are wounded. Once the threat is gone, we must revert to our role as First Responders. Before slipping back into that mode, be absolutely sure there are no other threats which pose a threat to the officer or to the public. This may include handcuffing a wounded subject if department policy dictates.

Nomenclature

While an in depth knowledge of firearms is not required, it is necessary for the police officer to have a rudimentary knowledge of their duty weapon. You must be able to safely handle, load and unload the weapon as part of your daily routine. If the weapon malfunctions, you need to have sufficient knowledge to clear the stoppage and get the pistol back into the fight if possible.

This illustration depicts a typical duty pistol used by police officers. Yours may be a little different however the parts identified here are found on all pistols. The parts on your pistol may be located in a slightly different location. If you have any questions about this, please feel free to approach your department armorer, firearms instructor or an academy firearms instructor for further clarification.



**The safety catch on this model is an internal design and locks the firing pin until the trigger is intentionally pressed to the rear which automatically unlocks the firing pin and allows it to travel forward to initiate the firing sequence.*

Illustration courtesy of the Bureau of Alcohol, Tobacco, Firearms & Explosives

Function

The function of your semi-automatic pistol can be broken down into four general subcategories: Feed, Fire, Extract and Eject. It is important for you to have a basic knowledge of these so that you can readily identify the cause of a weapon malfunction and readily clear it.

Feed – The top cartridge in the magazine is pushed into the chamber by the slide's forward movement. When the slide is fully forward (closed), the weapon is "in battery" and capable of being fired if the trigger is pressed.

Fire – With a weapon with a hammer, pressing the trigger fully to the rear causes the hammer to fall striking the firing pin. If you have a striker fired weapon (such as the Glock or M&P), the striker / firing pin is retracted then released. The firing pin strikes the primer causing the gun powder in the cartridge to ignite propelling the bullet down the barrel and out the muzzle.

Extract – The bullet, leaving the cartridge case, causes an equal and opposite reaction in the cartridge case pushing it backwards. When the pressure inside of the cartridge has fallen to a safe level, the slide begins to move to the rear. The extractor (the hook on the side of the slide) pulls the cartridge case out of the chamber as the slide moves to the rear. As the slide nears the end of its rearward travel, the base of the cartridge case hits the ejector.

Ejection – The empty cartridge case has come into contact with the ejector which makes it pivot on the extractor (like a hinge) as the slide moves to the rear. This cams the cartridge case off the extractor and out of the slide as it is kicked clear of the weapon.

If your weapon fails to properly complete any of these cycles, it is known as a malfunction or stoppage. The root cause of the malfunction can usually be traced back to either a mechanical or shooter related issue. The following list is not all inclusive but will cover about 90% of the problems you are likely to encounter.

Failure to Feed –

A failure to feed is exemplified by a slide which has not traveled all the way forward and may be caused by any of the following:

Dirty weapon – failure to clean the weapon results in excessive friction between the parts which prevents slide from going fully into battery (also relates to failure to fire);

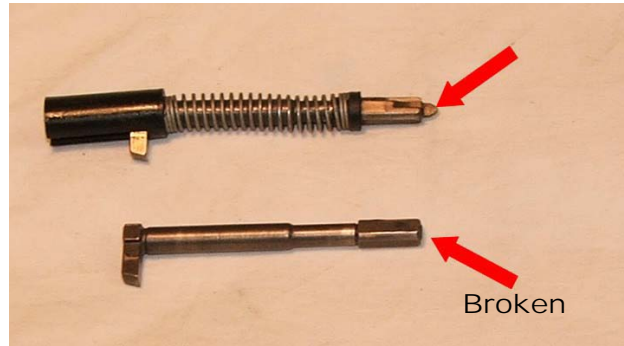
Wrong or improperly sized ammunition – ammo which is too large will not chamber;

Damaged magazine – feed lips on the magazine are subject to damage and can prevent proper feeding.



Failure to Fire –

The failure to fire is the most easy to understand. You press the trigger and instead of the expected “bang”, you get “click” because the round didn’t fire. The most common causes are a “dud” round or a broken firing pin (shown at right). It may also be caused by a dirty firing pin channel where dirt and debris collected in the firing pin channel inhibit free movement and prevent the firing pin from traveling to the primer.



Failure to Extract –

The slide moves to the rear but the cartridge case remains in the chamber. Usually due to a broken extractor, damaged cartridge case rim or a dirty chamber / stuck cartridge case.

Failure to extract is likely to result in a “double feed” (see photo to the right) where the case remains in the chamber and a new round is fed up against it.



Failure to Eject –

The case is pulled clear of the chamber but does not get kicked clear of the slide. Usually due to a broken ejector.

Failure to eject may result in a “stove pipe” (see photo at right) where the empty cartridge case is lodged in the ejection port after the slide travels forward.



Ammunition

A “round” of ammunition is made up of four separate components:

Bullet

Cartridge Case (or Case)

Powder (or Propellant)

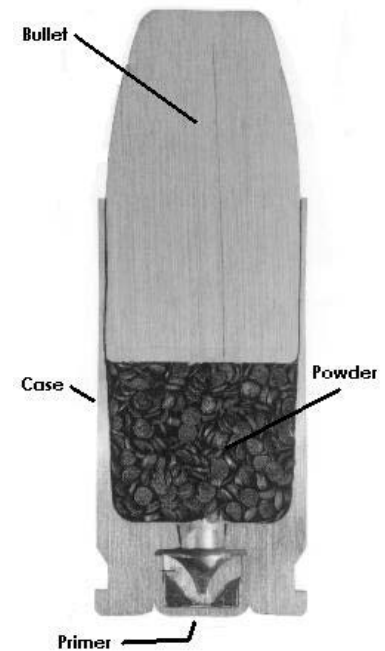
Primer

What happens when you fire your pistol?

The PRIMER is struck by the firing pin. The primer compound creates a jet of flame which ignites the gun powder.

The POWDER burns (it does not explode) which creates hot gases which expand creating extremely high pressure.

The cartridge CASE, reinforced by the chamber of the barrel contains these hot gases. The weak point is the BULLET which is like a cork in the champagne bottle. When the gas pressure gets high enough, it overcomes the friction holding the bullet in place. The bullet is pushed out of the cartridge case and down the barrel.



*Cutaway view of typical pistol round
Courtesy of NRA*

Field Stripping

Field stripping is the disassembly of your duty pistol into the basic components for inspection or cleaning at the user level.

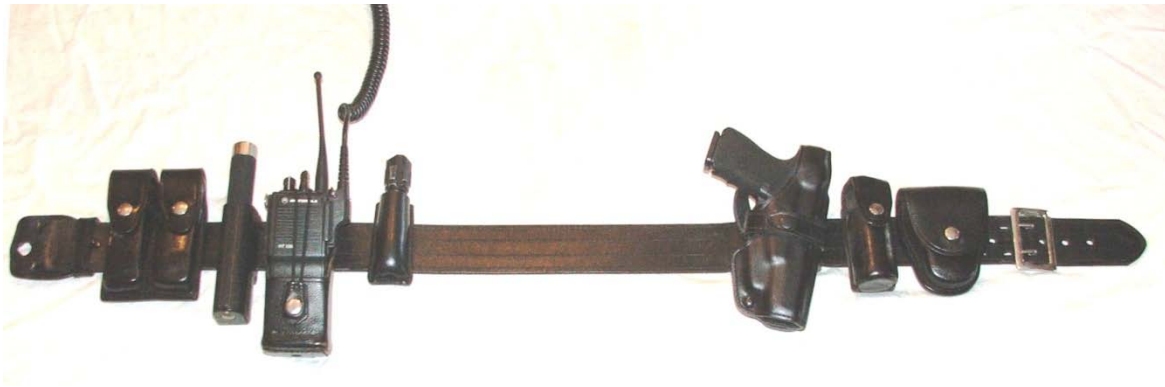
With most weapons, this will entail removing the slide from the frame and then removing the barrel and recoil spring from the slide. Your agency's policy and procedure will dictate how much maintenance you are expected to perform on your duty weapon. Normally this will be no more than routine cleaning and inspection.

If you have questions about field stripping your duty pistol, they will be answered at the range.



Duty Equipment Selection & Set Up

NOTE: If your agency mandates that you carry your individual equipment in a particular fashion, this section is only for reference.



Duty gear is normally made in leather, nylon and synthetic materials. Leather is the traditional material for duty gear and presents a more classic look to the uniform. It is usually the most expensive option and is relatively maintenance free. A major drawback is it will absorb blood borne pathogens and is difficult to clean. A synthetic offshoot to leather is “Clarino” or high gloss leather. Many agencies use this for dress uniform duty gear however it is standard issue for some agencies (ex. Mass. State Police). Ballistic nylon is rugged, cost effective and can easily be cleaned. Some departments frown on it because of a perceived “military” or untraditional look. While some agencies have a very broad policy towards duty gear, others will not only require what material you wear but also which make and model of equipment to maintain uniformity. It is not the purpose of this manual to rate or recommend any particular style or manufacturer of equipment. The foundation of your duty gear is the duty belt which supports almost all the equipment you carry. In order to work properly, the belt must fit correctly and be fairly rigid. The duty belt is worn over the trouser belt and is connected to it via “keepers” or Velcro®. This anchors the duty belt to prevent it from shifting when accessing equipment or rolling around with a subject.

In general, you should position your equipment so that it is accessible with either hand. This is especially true with critical equipment items such as your pistol, spare magazines, handcuffs, OC and baton. Keep equipment away from your kidneys and spine. A hard fall on these areas can result in increased injury to these vital areas. With the increased amount of equipment you need to carry today, this can be a challenge for officers with smaller waistlines.



The holster is used to carry your duty pistol safely and securely. Modern security holsters are designed and manufactured to incorporate various retention systems. These holsters are very specific to a particular make and model of handgun. There is little interchangeability between them. Be sure your holster is specifically made for your particular handgun. Security holster retention systems are either passive or active. Passive systems do not require you to operate them. Holsters which are molded tightly to fit around a trigger guard or ejection port are good examples. You may have to rock or twist the pistol to withdraw it from the holster but the device itself has no moving parts. Active retention devices are those that you must manually deactivate prior to drawing the weapon. Snaps and rotating hoods are the most common today. If your holster has a rotating hood or requires that the weapon be rocked to the rear, it is critical that a gap be left between the holster and any equipment carried immediately behind or in front of the holster that may interfere and trap the weapon.



The rotating hood on this security holster must have room to rotate fully forward otherwise the weapon is trapped in the holster.



This Level III security holster requires the weapon to be rocked to the rear to unlock the 3rd retention device. The equipment carried so close behind the holster could create a potentially life threatening situation for the officer.

Almost all of these retention systems work better when the holster is rigidly fixed to the duty belt. The holster is worn on the dominant side (the same side as your “gun” hand”) on the point of the hip or slightly forward of it to facilitate a smooth draw. It is extremely important that you know and understand how your holster’s retention system works. This will not only allow you to smoothly draw your weapon, but also return it and secure it with one hand. Your agency may mandate what holster you use or you may be able to select your own. In either case, master the ability to access and return your weapon with one hand and without having to look at the holster.

Semiautomatic pistols require magazines and you should carry at least one spare. Most agencies require you carry two spares. Spare magazines are carried in a magazine pouch which

will generally have a flap which holds the magazine in place. The flap is usually secured by a snap or Velcro® fastener. Your magazine pouch may be able to be worn either horizontally or vertically. To facilitate a smooth reload, position your magazine pouch where you can easily access it with your non-dominant hand and the magazines can be withdrawn in a smooth manner. Index the magazines in the pouch with the rounds facing in the same direction so you do not have to look at the magazine when reloading. If you have the latitude to set your duty belt up to your own preferences, be sure that your set up makes sense tactically. If you find yourself running out of room on your duty belt, try the new magazine pouches which orient the magazines with the narrow side towards the body.



If you carry your magazines vertically, it is suggested that you index the bullets towards the belt buckle.



The new slim magazine pouch carries the magazines with the narrow side towards your body.

Your duty gear will require minimal maintenance. Be sure to wipe off abrasive dirt and properly clean any biohazards. Lubricate snaps and replace your duty gear if the Velcro® becomes worn. Like all the rest of your gear - if you take care of it, it will take care of you.

Cleaning & Maintenance

As a general rule of thumb, you should clean your duty pistol after each range session and at frequent intervals in between. The sooner you clean it after firing it, the easier it will be to remove the powder residue and dried out lubricant. It is a good idea to field strip and inspect your weapon on a regular basis to remove dust and dirt that tends to accumulate over time. A dirty or poorly maintained duty weapon can lead to malfunctions. It goes without saying that a malfunction in a gunfight gives the advantage to the bad guy. You should consult your department armorer or the Owner's Manual for the proper maintenance and lubrication schedule. Every weapon with moving metal parts requires some degree of lubrication. As a general rule, one or two drops of firearm lubricant should be applied to where two metal parts rub together. On a used pistol, this is often best indicated by areas where the bluing or exterior finish coating has been worn off such as on the barrel or frame rails. It will be more difficult to see on a brand new weapon.

Avoid over lubricating. This is not a case where if one or two drops is good – that three or four drops is better. Too much oil can act as a dirt magnet and actually be counterproductive. As a general rule of thumb – a light film of oil can be defined as just enough so you can leave a finger print in the film. Rather than over lubricating, perform weapon maintenance more frequently – say weekly. Field strip your weapon and wipe down all surfaces. Inspect the weapon for broken or parts. Re-lubricate all lubrication points and reassemble.

Unless your agency has a policy where all weapon cleaning is performed by the Armorer, every officer should own a basic gun cleaning kit for their duty weapon. These are available at gun shops, sporting goods stores and on line. The “basic kit” will contain:

- Cleaning rod
- Bronze bore brush in the caliber for your pistol
- Patch tip
- Cleaning patches (in the appropriate caliber)
- Bore solvent
- Gun oil



You may want to add additional items such as a rag, old toothbrush and cotton swabs to make the job a little easier.

General Cleaning Instructions

Point your pistol in a safe direction, remove the magazine and pull the slide back to insure it is unloaded. If it is not, unload it now. Triple check that it is unloaded. Field strip the pistol by removing the slide from the frame and the barrel and recoil spring assembly from the slide.

Find a clear area to work in and remove all ammo from the cleaning area. Bore solvents can harm many furniture finishes so be sure to clean in a proper area. Wear eye protection when cleaning.

It's advisable to put down old newspaper to soak up any spilled fluids. Screw the patch tip into the cleaning rod and insert a cleaning patch soaked in solvent. Run the patch down the bore from the chamber to the muzzle. Take the barrel and run a cloth patch dipped in solvent down the bore. Next run a clean patch down the bore to absorb the majority of the solvent. Remove the patch tip and attach the bore brush. Dip it the solvent and run the brush down the bore of the barrel chamber to muzzle. Be sure to push it all the way through before pulling back to the chamber end. Run the brush back and forth, up and down the bore for at least three passes. Follow this up with a patch soaked in solvent and let it sit.

Use a rag or patch dipped in solvent to clean areas where powder fouling has accumulated. These areas are likely to be around the muzzle and feed ramp of the barrel, forward end of the slide, ejection port, frame near the chamber and upper magazine. When the patches come away clean, you have removed all the fouling.

Go back to the barrel and alternately run a solvent soaked patch and a clean dry one down the bore. When it comes out clean, the barrel is clean.

Using a rag or dry patch, wipe down all the parts to remove all traces of solvent. Lubricate the weapon in accordance with the Owner's Manual. Using a silicone cloth or clean dry cloth, wipe down the barrel and other parts. Reassemble the weapon. Wipe down the exterior to remove fingerprints and body oils that can cause corrosion. Sweat and blood both will cause corrosion on almost any ferrous metal surface. Be sure to properly clean these off your weapon as soon as possible. Safely store the weapon in accordance with your policy & procedure and MGL.

Fundamental Skills

While there are many facets to shooting a handgun accurately, there are four basic fundamentals which most affect your performance – Grip, Stance, Sight Picture and Trigger Press.



The proper placement of your hands on your duty weapon will serve to keep your fingers away from the moving parts and to better control the pistol's recoil. Officers with smaller hands and less strength may have more of a problem controlling the weapon if their grip and stance are less than optimal. Whenever possible, use two hands when shooting your duty pistol. Generally speaking, you will shoot better this way. Get as much of your hand (both gun and support hand) on to the pistol. This will give you



Incorrect!!

more control. Position your hand as high on the grip as possible with your thumbs pointed forward. This will help reduce the amount of muzzle flip from the recoil. Do not hold your wrist. This gives no support to your gun hand.

A good stance will give you a steady shooting platform in addition to increased mobility. While it is possible to accurately shoot standing on one foot, it is not easy and you lose a great deal of mobility. The two most common shooting stances are the Weaver and Isosceles. While both are good, the Isosceles will keep your body armor straight on towards the threat.

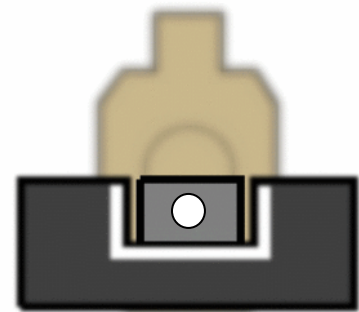


The photo at the left shows the Weaver Stance. Note the support arm elbow is bent as is the gun side elbow. This can cause a shock absorber effect which could induce a malfunction.

The Isosceles stance shown at the right keeps both elbows locked providing greater reliability for a semi auto pistol.



Sight picture combines properly aligning the front and rear sights onto the target. Of all the fundamentals, this is the most critical to shoot accurately. Unless the weapon is properly aligned with the target, the bullet will not strike where you want it to. Align the front sight in the notch of the rear sight with the top of front sight even with the top of the rear sight. There should be an equal amount of daylight either side of the front sight blade. Keeping this perspective, place the top of the front sight on the target where you want the bullet to strike. It is impossible to keep all three elements in focus. In a proper sight picture, the front sight remains in focus and the rear sight and target are out of focus.



If you jerk the trigger, you will pull the sights out of alignment and cause the shot to miss the intended point of impact. Target shooters “squeeze” the trigger because they have plenty of time to make the shot and no one’s life is at stake. We “press” the trigger which can be defined as a smooth and steady press to the rear until the shot is made. If the situation changes before the shot is made and you do not have to shoot, you merely release the pressure on the trigger and move your trigger finger off and onto the frame.

Drawing Your Weapon

The fundamental skills of weapon handling include drawing the weapon, marksmanship, and safely recovering the weapon back to the holster. Beginning from the “interview stance”, drawing your weapon is broken down into five steps – Grip, Draw, Rotate, Together and Up. Initially you will perform the draw slowly concentrating on each step separately until you are comfortable with the process. As you become familiar and comfortable with your gear and the process, the steps will blend into one fluid motion. You will become smooth and your speed will increase naturally. Do not rush the draw – take your time, become proficient and everything will fall into place.



1 Grip – Bring your “gun hand” from the mid-chest position down to the weapon. As you drive your hand up into the backstrap of the pistol, deactivate any active retention devices such as snaps or rotating hoods. Your proper shooting grip begins with this step and your hand will not shift during the entire process. Press the web of your hand high up into the backstrap and wrap your middle, ring and pinky finger around the pistol grip. Your index (trigger) finger remains straight along the side of the holster. Try to do this as one fluid motion rather than an individual step. Your support hand should remain at mid-chest level in anticipation of being used to block or strike as necessary. It also keeps this hand away from the muzzle of the weapon.



2 Draw – If your holster has a passive retention system, perform whatever step (rock, twist, etc.) to clear the passive retention and pull the weapon up and out of the holster until the muzzle is clear of the top opening. Female officers who carry their weapon high on their waist may find this awkward. Pointing the elbow the rear and shifting the holster a little further forward on the duty belt will alleviate this situation a little.



3 Rotate – The pistol is pivoted so the muzzle is pointing forward. This is best accomplished by lowering your gun arm elbow. This will effectively rotate the pistol toward the threat or target. You are now in the traditional “hip shooting” position. You may engage the threat at anytime from this point on. If you are not going to engage, your index finger stays OFF the trigger and alongside the frame of the pistol. Note that the support side hand remains held up and clear of the muzzle. You can use it to open doors, block or strike. If you have to fire, you want it out of the way.



4 Together – Bring the pistol to mid-chest level as you bring your support hand in to establish the correct two-hand grip. Be careful to keep your support hand to the side or behind the pistol (i.e. not in front of the muzzle). If you have trouble keeping your hand away from the muzzle, push the pistol further away from your body as you perform this step. Note the officer is not ready to fire yet and his trigger finger is straight alongside the frame of his duty pistol.



This position is also known as the “High Ready” position and can be used when covering a threat. The advantage of the “High Ready” position over the “Low Ready” is your muzzle is already pointed at the threat so if you have to engage, there is one less step to perform before you press the trigger.

5 Up – Punch the weapon out to the threat from here, you can “point shoot” or obtain a sight picture for more precision aimed fire.



Before you put your weapon away –

BE SURE THE FIGHT IS OVER - SCAN FOR ADDITIONAL THREATS

Scan – Look around – are there additional threats you need to address? Look LEFT, look RIGHT, look to the REAR. Look AGAIN! Was the threat you dealt with the only one?

There is no rush to put your weapon away if the fight is over. There is an excellent reason to leave it out if the fight is NOT over! Don't find out there was more than one bad guy after you put your weapon away!! **Nothing more to shoot - Finger off the trigger!**



High Ready – Bring the weapon back to the High Ready position and assess the situation. Take a few controlled breaths to bring your heart rate back down. Double check that there are no additional threats by scanning again. Be sure to search 360°. Be sure no further threats are present to endanger you before going to the next step.



Recover – With your trigger finger OFF the trigger, place your gun hand thumb against the back of the slide. This will keep the slide forward and avoid a stoppage or issue with getting the weapon back to the holster. Keep your support side hand at chest level to block or strike as needed. Reholster your weapon with one hand. **Avoid taking your eyes off the threat to look at the holster.**



Secure - Secure ALL retention devices. In the event you had to de-escalate your level of force or another threat appears which is not at the deadly force level, you want your weapon properly secured in the holster.

REMEMBER: Keep your eyes on the threat. Do not look at the holster!



HANDGUN RETENTION REVIEW

Pin & Spin

Secure the weapon in the holster with BOTH hands

Lower your center of gravity

Pivot slightly turning the weapon towards the subject, then quickly pivot the upper body, elbow and shoulders in the opposite direction away from the subject keeping the feet planted. Continue this back and forth pivoting until the subject's grip is broken.



Handgun Retention

Remember – Depending on the circumstances, an attempted gun grab may be a LETHAL ASSAULT on you!