



POLICY & PROCEDURE

PORTAGE POLICE DEPARTMENT

SUBJECT: **FIREARMS & AMMUNITION**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statutes: 165.85(3)(d), 941.23

NUMBER: 12.01
ISSUED: 04/08/2025
EFFECTIVE: 04/08/2025
 RESCINDS
 AMENDS
WILEAG 5TH EDITION
STANDARDS: 12.1.1, 12.1.2,
12.1.3

PURPOSE: The purpose of this Policy & Procedure is to establish a policy regarding firearms proficiency and possession by sworn officers of the Portage Police Department, both on and off duty.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. GENERAL PROVISIONS
- IV. OFF-DUTY FIREARMS
- V. FIREARMS QUALIFICATIONS
- VI. FIREARMS MODIFICATIONS
- VII. SHOTGUNS AND RIFLES
- VIII. FIREARMS SAFETY

I. POLICY

- A. It is the policy of the Portage Police Department that all sworn officers are qualified in the safe and proficient use of department authorized and issued firearms and ammunition.

All officers shall be required to qualify with a LESB Certified Firearms Instructor prior to being authorized to carry such firearms and shall be required to maintain their qualification per WI State Statute 165.85(3)(d).

II. DEFINITIONS

- A. **AUTHORIZED FIREARM:** Any make, model, or caliber of firearm that meets this agency's designated requirements and specifications, and has been formally approved by the Chief of Police for general or individual use by sworn law enforcement personnel. This includes primary service firearms, alternate service firearms, backup firearms, shotguns, and rifles used for law enforcement purposes.
- B. **PRIMARY SERVICE FIREARM:** The primary service firearm of the Portage Police Department will be the department issued Glock Model 45, 9mm caliber semi-automatic.
- C. **BACK-UP FIREARM:** Any authorized firearm other than the primary service firearm that is carried in an authorized concealed manner.
- D. **FIREARMS QUALIFICATION:** Periodic testing required of officers to determine their competency to carry authorized firearms.
- E. **ON DUTY:** Anytime an officer is performing law enforcement duties on a scheduled or call-in tour of duty for the City of Portage.
- F. **OFF DUTY:** Anytime an officer is not performing regular law enforcement duties on a scheduled tour of duty for the City of Portage.

III. GENERAL PROVISIONS

- A. Any firearm carried by officers when on or off duty, with the exception of firearms used for recreational purposes, must be a department authorized firearm.
- B. At the time a firearm is issued to an officer, Department Firearms Instructors will inspect each firearm for malfunctions and modifications. After this inspection, each firearm will either be approved or not-approved.
 - 1. If a Department Firearms Instructor does not approve a firearm, the firearm shall be removed from service and repairs made until an instructor approves the firearm.
 - 2. The department will issue an officer a department-owned firearm as a replacement for the firearm that was removed from service.
 - 3. All firearms inspected by a Department Firearms Instructor(s), whether approved or not-approved, shall be documented and given to the chief of police or designee.
- C. Only ammunition that has been approved by the department on a general or individual basis may be used in department authorized firearms.

1. The approved ammunition for the primary service firearm is the Speer Gold DOT 9mm Luger +P 124 grain hollow Point.
 2. Officers issued department purchased firearm shall be issued three (3) high capacity magazines; one (1) for the firearm and two (2) to be carried in department approved pouches.
- D. Only sworn officers who have successfully passed firearms qualification and have demonstrated an understanding of the Department's Policy & Procedures and State Laws pertaining to the use of force are authorized to carry a firearm.
- E. The primary service firearm shall be carried in accordance with uniform and related requirements and as otherwise specified by this policy.
- F. A record of each firearm authorized for use by the department for each officer shall be maintained. The record will include the name of the officer the firearm was issued to, and any repairs made to it. Each record shall also include the firearm's type, description, manufacturer, model, and serial number.
- G. Officers shall be issued fresh duty ammunition for their primary service firearm biennially. Replacements for defective or depleted ammunition shall be dispensed by a Department Firearms Instructor when needed.
- H. Generally, officers may carry only one primary service firearm, however, officers on special assignment and other officers with an articulable need may request authorization to carry alternate primary service firearms, backup firearms, and/or alternate ammunition on an on-going or periodic basis. This authorization must be approved in writing by the Chief of Police.
- I. All Portage Police Department Firearms Instructor(s) shall be LESB State certified to instruct.

IV. OFF-DUTY FIREARMS

- A. Officers may, but are not required to carry an authorized firearm while off duty according to WI State Statute 941.23 governing peace officers carrying concealed firearms; also refer to Policy & Procedures 1.07: Jurisdiction and 1.20: Off Duty Conduct.
- B. However, officers must be armed when in uniform and/or operating a department owned vehicle whether on or off duty.
- C. Back-up and off-duty firearms will be preferably carried concealed when the officer is in plain clothes or in uniform unless:
1. The officer is in the workplace, and the officer's badge is prominently displayed next to the firearm;

2. The officer is engaged in law enforcement actions that may reasonably require quick access to the firearm, and the officer's badge is prominently displayed near the firearm; or
3. The officer is engaged in activities where it would be permissible for a citizen to carry an exposed firearm, such as in hunting or target practice, or exercising their right as any other citizen for those purposes.

D. Officers opting to carry off-duty firearms must meet the following conditions:

1. The off-duty firearm must be one of the following calibers:
 - a) .380, .38, .357, 9mm, .40, .45, .44
2. The firearm must be a recognized and reputable brand and may not be modified in any way from original manufacture unless authorized in writing by a Department Firearms Instructor.
3. The ammunition carried in the authorized off duty firearm must be jacketed hollow point produced by a reputable manufacture: unless authorized in writing by a Department Firearms Instructor. The off duty firearm must be registered in writing with the Chief of Police.

E. When armed, whether on or off duty, officers shall carry their badge and department identification.

V. FIREARMS QUALIFICATIONS

- A. All officers authorized to carry firearms shall be required to qualify with the primary service firearm on an annual basis. Where a course of fire or curriculum is established by the State of Wisconsin, officers must satisfy these requirements.
- B. All officers who carry authorized shotguns and .223 rifles shall be required to qualify on an annual basis.
- C. All officers who wish to carry an alternate firearm or off duty firearm must qualify at least once a year.
- D. All officers shall be graded on a pass/fail basis for purposes of firearms qualification.
- E. On at least an annual basis, all officers authorized to carry firearms shall receive and shall be required to demonstrate their understanding of the law and Department Policy & Procedures relating to the use of force.
- F. Officers shall be allowed no more than three attempts to qualify on any given day using each authorized firearm. Officers who fail to qualify with an authorized firearm on the first day shall be subject to the following requirements:

1. The Chief of Police shall be notified and shall promptly arrange with a Department Firearms Instructor for a period of formal remedial firearms training not to exceed one week in duration. Such training does not preclude an officer from engaging in any additional informal practice or training sessions that the officer may deem necessary.
 2. The officer shall be given additional attempts to re-qualify within a reasonable period of time. A written report shall be forwarded to the Chief of Police regarding any officer who fails to re-qualify within a reasonable period of time. The report shall include the Department Firearms Instructor's recommendations for corrective action.
 3. Primary Service Firearm – Failure to Qualify: Any officer who fails to qualify with the primary service firearm within a reasonable time period and following remedial training or other corrective action(s) shall be relieved of duty pending the outcome of an administrative hearing and/or fitness-for-duty evaluation as determined by the Chief of Police.
- H. Backup Firearms-Failure to Qualify: Any officer who fails to qualify with any back-up firearm shall be given opportunities within a reasonable time period to re-qualify with that firearm.

Failure of the officer to re-qualify thereafter will disqualify the officer from carrying the firearm in question until such time as the officer may re-qualify. However, the officer may remain on regular duty assignment if qualified to carry the primary service firearm.

- I. Officers must qualify with their primary service firearm and additional firearms (as appropriate) following return-to-duty after a leave of absence of more than 180 days.
- J. Officers assigned to special tactical units, such as the Columbia County Emergency Response Team (ERT), are required to qualify using additional proficiency standards established by their unit commander and/or firearms instructor. Officers assigned to or serving with such units shall be guided by and subject to firearms training and qualification standards promulgated by their unit commander.

VI. FIREARMS MODIFICATIONS

- A. Modifications to any agency-authorized firearm require the approval of the Chief of Police.
- B. Defective, unsafe, or unauthorized firearms shall be reported to a Department Firearms Instructor. If a Department Firearms Instructor is not available, the shift supervisor will be advised of the problem, and the firearm will be replaced if it is determined to be unsafe.
- C. Repairs or alterations to Department authorized firearms may only be made by an armorer employed or authorized by the Portage Police Department.

- D. Authorized firearms shall be maintained in a clean and safe operational condition and shall be inspected at every Department-wide qualification or upon the request of a Supervisor or Department Firearms Instructor.

VII. SHOTGUNS AND RIFLES

- A. Officers assigned to patrol operations are permitted to carry agency issued shotguns and rifles while on duty if they have successfully passed the shotgun and rifle qualification course.
- B. Department issued shotguns shall be carried in a secure rack or in a gun case in the trunk of a patrol vehicle and in the following manner:
 - 1. Shotgun magazines loaded to full capacity with less lethal bean bag rounds. No live, lethal shotgun ammunition shall be in the shotgun unless specifically authorized for training under the supervision of a department firearms instructor.
 - 2. 30 round rifle magazines will be loaded with 28 rounds. Rifle ammunition will be Speer Gold DOT 223 Remington 62 grain gold dot soft point.
 - 3. All shotguns and rifles be “squad ready” while in the lock rack in the squads, meaning, safeties in the “on” position, magazines will be loaded and the chambers will be empty.
- C. Officers may only carry and use ammunition authorized by the Portage Police Department unless approval is granted by the Chief of Police and the officer qualifies with the ammunition.
- D. Officers assigned to the Columbia County Emergency Response Team will only carry the firearms approved by that Unit Commander.

VIII. FIREARMS SAFETY

- A. Officers are encouraged to not possess a firearm if they have consumed any alcohol or medication which could impair while off-duty. Officers while on-duty shall not have any alcohol or medication in their system that would impair their ability.
- B. Only holsters approved and issued by the department will be used for carrying the primary service firearm while on duty. No alterations or modifications may be done to the approved holster without the approval of a Department Firearms Instructor. Holsters for other firearms and off-duty carry or plain cloths carry must also meet the approval of a Department Firearms Instructor.
- C. Officers shall report to their immediate supervisor any use of prescription drugs or other medication that they reasonably believe would impair their ability or judgment to use a firearm.

- D. Officers shall not store or leave a loaded firearm in any place within the reach or easy access of a minor.
- E. All authorized firearms shall be carried in a safe and secure manner as authorized by the Portage Police Department.
- F. Removal of firearms from their holster or other carrying devices for other than authorized purposes-such as in the performance of duty, tactical use, training and qualification inspection, or cleaning and maintenance is prohibited. Any careless, flippant, or casual use or display of a firearm will constitute grounds for discipline.
- G. All officers will be tested annually for hearing loss and if requested instructors may be tested for the presence of lead in their blood.

Keith J. Klafke
Chief of Police

This Policy & Procedure cancels and supersedes any and all previous written directives relative to the subject matter contained herein.

Initial 04/08/2025