



**Division of State Patrol  
Policy and Procedure**

Number  
**2-2**

Subject <b>AUTHORIZATION, USE AND CARE OF FIREARMS</b>	
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Records Management Statement Supersedes P&P 2-2 dated January 30, 2018 Posted on WisDOT Internal Website (SharePoint) at <a href="https://wigov.sharepoint.com/sites/dot-dsp/policy/sitepages/home.aspx">https://wigov.sharepoint.com/sites/dot-dsp/policy/sitepages/home.aspx</a>	

**I. POLICY**

It is the policy of the Division of State Patrol (DSP) to authorize the carrying of specified weapons as well as control the issuance of, and provide directives for the care and use of such weapons.

**II. BACKGROUND**

Sound police management practices stress the need for state-of-the-art firearms for sworn police personnel. The DSP has traditionally followed these management practices and has provided guidelines for its personnel to follow regarding issuance, approval of secondary and supplemental weapons and maintenance of Division issued firearms.

**III. OBJECTIVES**

- A. To identify authorized weapons.
- B. To delineate requirements for the issuance, care and use of weapons.

**IV. DEFINITIONS**

For the purpose of this directive, the following definitions apply:

- A. **Authorized Firearm** – any make, model or caliber of firearm that meets this agency’s requirements and specifications and has been formally approved by the Bureau Director, Wisconsin State Patrol Academy (WSPA) Commander, Region Commander or Section Chief in concurrence with Region or Division Firearms Coordinator as applicable (i.e., Headquarters or Academy staff forwards SP4589 for approval through the appropriate Bureau/Office director; Region staff forwards SP4589 for approval through Region Commander).

- B. **Division Firearms Coordinator** – the sworn supervisor assigned that duty by the colonel or designee for all training, weapons and ammunition.
- C. **Force Protection Team (FPT)** – specially trained, prepared and equipped officers capable of providing tactical services, task force protection, information gathering, reporting and the neutralization of lethal threat(s).
- D. **Force Protection Team Rifle** – a rifle equipped with magnifying optics designed for precision shooting assigned to FPT members.
- E. **Handgun** – a pistol or revolver designed to be held and fired using one hand.
- F. **Launcher** – a single shot, lightweight and versatile tool used to deploy a variety of less lethal munitions.
- G. **Less Lethal Impact Munitions** – refers to munitions, flexible or non-flexible, that can be fired, launched or otherwise propelled, which are intended to impede/subdue a subject with a reduced potential for causing death or serious physical injury. Examples of less lethal impact munitions include drag-stabilized bean bags, fin-stabilized rubber rounds and other Division-approved items.
- H. **Less Lethal Impact Munitions Weapons** – a dedicated weapon that is readily recognized as being different than the standard issued weapon, which will be used for deploying less lethal impact munitions.
- I. **Modification** – any alteration to a Division weapon.
- J. **Off-Duty Firearm** – any secondary firearm (see M.), in the case of personally-owned weapons, or Division-owned firearm authorized to be carried, under this policy, while the officer is off-duty. Personally-owned firearms are not the responsibility of the Division.
- K. **Officer** – any person vested by law with a duty to maintain public order or to make arrests for crimes, whether that duty extends to all crimes or is limited to specific crimes.
- L. **Patrol Rifle Optic** – a red dot optic attached to the authorized patrol rifle to be used as a quick aiming tool.
- M. **Region Firearms Coordinator** – the sworn supervisor assigned that duty by the respective Region Commander or designee for all training, weapons, and ammunition.
- N. **Rifle** – a firearm designed to be normally fired from the shoulder, with a barrel that has a helical groove or pattern of grooves (“rifling”) cut into the barrel walls, capable of firing a single projectile through bolt, semi-automatic, fully-automatic or three-round burst operation. Division-issued rifles will not be used or fired in fully-automatic or three-round burst operation.

- O. **Secondary Firearm** – any authorized handgun, in addition to or in lieu of the service handgun, which is carried on-duty in an authorized manner. Employee identification as a law enforcement officer must be carried and should be displayed if practical.
- P. **Service Handgun** – the firearm owned and authorized by the Division of State Patrol to be carried as part of the service uniform.
- Q. **Shotgun** – a firearm designed to be normally fired from the shoulder, which uses the energy of a fixed shell to fire a number of small spherical pellets (shot), or a solid projectile (slug), or other types of Division authorized loads.
- R. **Tactical Light** – issued weapon-mounted light, which attaches to the Division-issued handgun or rifle.
- S. **Tactical Weapons** – issued or authorized shotguns, rifles or chemical munitions used to afford on-duty officers optional means of protection in a particular tactical situation.

**V. GENERAL PROVISIONS**

A. Service Firearms

- 1. The Division will issue service firearms.
- 2. The Division will provide necessary training for all Division officers in firearms safety, nomenclature and shooting.
- 3. Officers shall be trained and qualified with their issued service weapon(s) in accordance with provisions set forth in P&P 2-3, Firearms Training.
- 4. Officers involved in duties requiring the use of plain clothes are exempt from using the attached tactical light on service firearms.

B. Ammunition

Only ammunition issued by the Division will be carried and used in Division-issued firearms. Division-approved members of multiple-agency tactical teams are exempt from this provision if the Division weapon is utilized as part of that team's equipment.

- C. The carrying or use of any Division issued or authorized firearm is prohibited if an officer has any amount of alcohol or controlled substance within his/her system which impairs either mental acuity or physical motor skills. This could include prescription and over-the-counter medication.

- D. Responsibilities of the Division Firearms Coordinator
  - 1. Maintain inventory listing of Division firearms.
  - 2. Maintain records provided by the Wisconsin State Patrol Academy (WSPA) and regions or posts as applicable reflecting the current firearms training status of all assigned officers.
  - 3. Maintain appropriate records pertaining to maintenance transactions and the state of repair of all Division-owned firearms.
  - 4. Coordinate Division armorer activities, equipment training, certification, and re-certification. Division armorers will be responsible for coordinating repairs and refinishing of Division-owned firearms under the direction of the Division Firearms Coordinator.
  - 5. Maintain the Division's ammunition inventory and distribute ammunition.
  - 6. Ensure all secondary and off-duty firearms carry requests are recorded and stored in the Division database.
  - 7. Work with the Firearms training Advisory Committee to coordinate Division firearms training, research and development.
  - 8. Ensure the Division weapon modification process is abided by with all Division firearms.

**VI. PROCEDURE**

- A. Carrying a Service Handgun
  - 1. Officers are required to be armed with a service handgun and to carry such firearm on their person while on-duty. Exceptions are when engaged in the processing of prisoners, restricted by courtroom protocol, when the presence of such firearm might jeopardize the outcome of a covert operation or investigation, or when other special circumstances prevail which, in the opinion of command personnel, render execution of this requirement impractical or undesirable.
  - 2. Service handguns will be carried with one round in the chamber, a magazine loaded to maximum recommended capacity and inserted in the magazine well.

3. Two additional magazines for service handguns will be loaded to the maximum recommended capacity and carried in a magazine pouch supplied by the Division. Officers who are on-duty in civilian clothing may carry the additional magazines either in a magazine pouch on their person or in a location that is readily accessible, unless execution of this requirement is deemed impractical or undesirable.
4. Service handguns may not be modified in any way. A Hogue HandALL Grip Sleeve (black) may be placed on the weapon, but a qualification shoot must occur prior to that weapon going into service.

**B. Secondary Firearms**

1. Officers authorized to carry a firearm while on-duty may be authorized to carry a secondary firearm in addition to or in lieu of the issued service handgun.
2. Secondary handguns must meet the following criteria:
  - a. Semi-automatic pistol or revolver
  - b. Minimum of .380 caliber
  - c. Minimum five-round capacity
3. With supervisory approval, an officer may carry an authorized firearm other than the service handgun while participating in special assignments.
  - a. The approval can be given only to an officer who qualifies with a handgun meeting the specific requirements for authorization for use as a secondary firearm.
  - b. Such authorization will be granted for the specific time period of the special assignment.
4. An on-duty officer desiring to use a personally-owned handgun or Division-issued handgun for a secondary firearm must:
  - a. Take the handgun and holster or carrying device to the Region Firearms Coordinator or his/her designee for inspection and approval.
  - b. Qualify and demonstrate capability with the handgun and carrying device as prescribed by P&P 2-3, Firearms Training.
  - c. Request authorization to carry the handgun from his/her captain via the chain-of-command (SP4589, Request to Carry Secondary or Off-Duty Firearm).
  - d. Authorization for carrying secondary firearms will occur annually.
  - e. A copy of the officer's approved or denied request for authorization to carry a secondary handgun will be distributed as designated on form SP4589.

- f. In addition to the distribution designation above, a copy of the approved or denied SP4589 will be uploaded into the Division Record Management System (WisDOT Learn Center).
  - 5. The Division will not assume any obligation relating to the repair, maintenance or loss of personally-owned firearms. In the event the Region Firearms Coordinator or his/her designee rules a firearm unsafe, the firearm will not be carried under any circumstances until repaired and approved.
  - 6. Secondary firearms may not be carried in plain view, unless carried in lieu of the service handgun, or in such a manner as to detract from the professional appearance of the officer. No secondary handgun will be carried in such a manner or in any carrying device or holster that will jeopardize the safety of the officer, other employees or the public.
  - 7. Ammunition
    - a. Must be approved by the Division or Region Firearms Coordinator.
    - b. Ammunition purchased by the officer and approved by the Division for use in a secondary handgun should not be used with the Division-issued service handgun if they are of the same caliber.
    - c. The officer must purchase new ammunition for use in their secondary handgun on a yearly basis.
      - 1) Semi-automatic handgun: Officers are limited to a maximum of two magazines filled to capacity and one in the chamber.
      - 2) Revolver: Officers are limited to a revolver loaded to capacity and one speed reloader.
- C. Off-Duty Firearms
  - 1. Bureau Directors, the WSPA Commander, Region Commanders and section heads, as applicable, may approve the carrying of a Division-owned and authorized concealed handgun by off-duty personnel. Authorization may be made when it is determined that the officer's life or the life of a member of the immediate family has been threatened. Use of off-duty firearms will be limited to actions normally associated with the officer's official duties. The request for authorization to carry a concealed Division-owned off-duty firearm must be accompanied by a memorandum, which specifically details the reason for the request.
    - a. Approval or disapproval of requests, at any level, to carry a Division-owned off-duty firearm will be documented stating the reasons for such action.
    - b. A copy of the officer's approved or denied request for authorization to carry a Division-owned or secondary off-duty firearm will be distributed as designated on form SP4589, Request to Carry Secondary or Off-Duty Firearm.

2. Authorization for carrying a Division-owned firearm will be withdrawn when it is determined that the threat to the officer's life or the life of the family member(s) no longer exists.
3. Officers approved to carry an off-duty firearm must meet standard Division qualification requirements.  

Off-duty firearms may not be carried in plain view or in such manner as to detract from the professional appearance of the officer. No off-duty handgun will be carried in such a manner or in any carrying device or holster that will jeopardize the safety of the officer, other employees or the public.
4. When armed, whether on or off-duty, officers shall carry their badge and agency identification.
5. Use of personally-owned firearms by off-duty officers is regulated by state law, Department of Transportation Work Rules, DSP Work Rules and other applicable policies.
  - a. The Division recognizes the exemption of a "peace officer" from carrying a concealed weapon as specified in ss. 941.23, Wis. Statutes.
  - b. The Division recognizes the risks and liability that may be associated with officers carrying personally-owned firearms while off-duty.
  - c. The Division does not prohibit any sworn State Patrol officer to carry a concealed personally-owned secondary firearm when off-duty.
  - d. The Division encourages any off-duty officer to simply be a good witness in situations where other action is not absolutely necessary.

D. Tactical Weapons

1. Patrol Rifle – Only Division-issued or approved patrol rifles may be carried.
  - a. The patrol rifle is not intended to replace the officer's service handgun but should be considered a tactical weapon for use as a particular situation dictates.
  - b. Only ammunition issued or approved by the Division will be utilized.
  - c. The Division will issue five 30-round magazines with an assigned patrol rifle. Each magazine shall be loaded with 2 rounds less than capacity.
  - d. Ammunition will not be chambered until the patrol rifle is ready to be used. The safety is to be kept on until the patrol rifle is to be fired.
  - e. Only Division-issued or approved patrol rifle optics will be used with the patrol rifle. The patrol rifle optic shall be turned on while stored inside the cruiser.

- f. Assigned patrol rifles will be transported within the patrol vehicle trunk, or in the patrol vehicle interior if secured in a locked gun rack, during an officer's tour of duty.
  - 1) The patrol rifle will normally be encased during transport unless secured in a gun rack.
  - 2) If the patrol vehicle is left for service, the rifle will be removed and stored at the officer's residence or other secure location until such time as the vehicle is returned to service.
- g. Individual officers shall not modify their issued patrol rifles.
  - 1) Weapon modifications for personnel on Tactical Teams or the Force Protection Team will be submitted to the Tactical Team Coordinator. These modifications will be approved or denied at the Coordinator level with the FTAC being notified of the modification approval or denial.
- 2. FPT Rifle – In addition to the patrol rifle, the Division-issued FPT rifle may be carried by sworn Division personnel trained and qualified to do so.
  - a. Although the FPT rifle's primary role is that of task force safety and active shooter neutralization within the emergency response environment, it shall be considered a tactical weapon for use in the field as situations may dictate.
  - b. Only ammunition issued by the Division will be used in the FPT rifle.
  - c. Assigned FPT rifles will normally be transported within the patrol vehicle trunk/cargo area in a protective case, with an unloaded chamber and on safe, during an officer's tour of duty.
  - d. When the patrol vehicle is being serviced at a non-Division facility, the FPT rifle shall be removed and stored at the officer's residence or other secure location until the vehicle is returned to DSP service.
  - e. Only personnel who have successfully completed the selection process and successfully completed the Division-approved rifle certification training will be assigned and authorized to utilize the Division-issued FPT rifle.



3. Less Lethal Impact Munitions Weapon – Only a dedicated 12-gauge shotgun or 40mm launcher will be used to deliver less lethal impact munitions.
  - a. The shotgun or launcher used to deliver less lethal impact munitions will be readily recognized as being different than the standard issue shotgun to help ensure that deadly force is not introduced into a less lethal situation.
  - b. Only less lethal impact munitions issued by the Division will be used.
  - c. Each Post will be assigned two designated less lethal shotguns and 50 drag-stabilized beanbag rounds.
  - d. The less lethal shotgun and less lethal impact munitions shall be stored separately from lethal weapons and ammunition by location or a designated carrying case.
  - e. When practical, and when resources are available to do so, two officers shall verify that the correct less lethal weapon and munitions are being used prior to the deployment of less lethal munitions. In those instances where it is not practical and resources are not available, the operator of the less lethal weapon shall verify that the correct less lethal weapon and munitions are being used.
  - f. Only personnel who have received Division approved less lethal training will be allowed to deploy less lethal impact munitions.
  - g. The Division may issue a less lethal projectile system other than the shotgun for testing and evaluation purposes.
  
4. Chemical Munitions
  - a. The Division will provide training to officers in the care and use of chemical munitions and equipment when appropriate.
  - b. Region Commanders will keep the Director of the Bureau of Field Operations apprised of the use and inventory of chemical munitions and will coordinate inventory maintenance with the Office of the Academy.
  - c. Chemical munitions may be used only in situations where the supervisor has sufficient reason to believe that the situation cannot be controlled by a lesser degree of force and where the use of chemical munitions is not likely to escalate the incident.
    - 1) Prior to the deployment of chemical munitions, due regard will be exercised for the safety of all persons.
    - 2) Scene containment and/or evacuation practices will be followed when the use of chemical munitions or smoke is anticipated.

**E. Care and Maintenance of Weapons**

1. Officers are personally responsible for the security, care, maintenance and use of assigned or authorized weapons and optics, which are in their custody and control.
2. Officers will inspect all weapons and optics assigned to or carried by them for serviceability on a weekly basis and keep them clean and in good operating condition at all times.
3. All assigned or authorized firearms will be cleaned as soon as possible after being fired and as needed due to exposure to the elements or extended periods of storage within a gun case. The FPT rifle barrels are exempt from this requirement due to the need for barrel fouling.
4. The safety of all Division assigned or authorized firearms will be placed in the “on” position, where applicable, immediately prior to cleaning or inspections. In the case of weapons without an external safety, the weapon should be cleared administratively, with the chamber and magazine feed area visually and physically cleared.
5. Officers are authorized to fieldstrip their assigned firearms for cleaning, lubrication and inspection purposes. Disassembly of the slide and frame components beyond normal field stripping is not authorized.
6. Officers assigned any patrol rifle are not authorized to disassemble the lower receiver group.
7. Only Division armorers shall repair and/or remove the patrol rifle optic from the rifle.
8. Repairing and refinishing Division-owned firearms are the exclusive responsibilities of the Academy. Officers will not undertake or authorize any repair, modification or refinishing of any Division-owned weapon or magazine unless such officer has received prior written approval from the Division Firearms Coordinator or is an authorized Division armorer who has been tasked to make such repairs by the Division Firearms Coordinator in accordance with DSP Policy and Procedure 2-7, Assignment, handling and storage of Division Weapons.
9. Division armorers are authorized to install replacement parts and repair Division-owned firearms within the teachings of Division approved armorer training.

10. The Division Firearms Coordinator will ensure that all firearms assigned to officers are inspected for mechanical defects on an annual basis. Defects or deficiencies noted on the annual inspection will be documented and forwarded to the applicable region/post executive officer for any of the following reasons:
    - a. Inspection time is excessive due to dirty/unclean weapon or parts.
    - b. There is a history of continuing issues or concerns regarding care and maintenance.
    - c. Safety issues regarding weapon care or handling.
  
  11. Anytime a firearm is assigned to an officer by the Academy, the Division Firearms Coordinator will work with the applicable region/post to ensure that:
    - a. The officer successfully completes Wisconsin Department of Justice handgun qualification course with the weapon prior to the weapon being placed into service.
    - b. The officer successfully completes the individual weapon zeroing and the WSPA rifle qualification course with the weapon prior to the weapon being placed into service. In the case of the FPT rifle, the officer successfully completes the FPT monthly qualification course-of-fire.
    - c. The handgun and rifle qualification requirements can be done at the region or post level.
    - d. The qualification requirements prior to use are not applicable to State Patrol recruits while attending initial certification training.
- F. Reporting the Loss or Theft of Issued or Authorized Firearms
1. If an officer discovers that their Division issued or authorized firearm(s) has/have been lost or stolen, they will immediately report the incident to their Bureau Director, WSPA Commander or Region Commander/Section Chief, as applicable, through the chain-of-command. The Bureau Director, WSPA Commander or Region Commander/Section Chief, as applicable, will ensure that an investigation of the incident is initiated immediately. The officer will complete an Offense/Incident Report regarding the incident.
  
  2. Upon receipt of the investigative report of the theft or loss of an issued firearm, the Bureau Director or Region Commander, as applicable, will prepare a supplemental report. The original and supplemental report will be forwarded to the Director of the Bureau of Field Operations within three working days. A copy will be sent through the chain-of-command to the WSPA Commander.

3. The Region Commander will ensure that the Crime Information Bureau (CIB) and National Crime Information Center (NCIC) entry is made to report the loss or theft of the firearm. This entry would normally be made by the investigating agency.
  4. A copy of the initial report submitted by the officer to whom the firearm was issued, a copy of the supplement and a copy of the CIB and NCIC entry messages will be forwarded to the Division Firearms Coordinator within ten working days, in addition to any normal distribution of such reports or notifications.
  5. When a lost or stolen Division issued or authorized firearm is recovered, the Region Commander will ensure that the entity that originally entered the messages cancels them. A copy of the CIB and NCIC cancellation messages will be sent to the Division Firearms Coordinator. If the firearm is recovered by a Division employee, a copy of the recovery report and the cancellation messages will be forwarded to the Division Firearms Coordinator. The firearm will be forwarded to the Academy after evidence requirements are met.
  6. The officer's supervisor will determine if the firearm was lost or stolen due to negligence on the part of the officer and communicate the finding through the chain-of-command. **NOTE:** If the lost or stolen firearm is a Law Enforcement Support Office (LESO) program item, the incident must be reported to the State LESO Coordinator within 24 hours via the Division Firearms Coordinator.
- G. Handling, Transfer or Surrender of Weapons
1. All transfers of Division issued weapons will be recorded in the Division's computer database in accordance with Division Policy and Procedure 2-7.
  2. If a Division firearm is confiscated as evidence, it will be recorded in the Division's computer database in accordance with Division Policy and Procedure 2-7.
  3. Officers will surrender all state-owned firearms and ammunition to the Region Commander or his/her designee upon leaving employment, change of duty status, when requested as a result of suspension from duty or a leave of absence. Ammunition turned in to the Region Commander or his/her designee will be turned over to the Region Firearms Coordinator for reissue. The respective region or post will record the transaction in the Division database.
  4. Firearms turned in as a result of leave of absence in excess of 120 days, change of duty status or leaving employment will be forwarded to the Academy within five days of turn-in in accordance with Division Policy and Procedure 2-7.

- H. Exceptions – The provisions of this directive will not be construed to prohibit authorized participation in organized shooting competitions. The use of Division issued firearms for this or any other activities require approval from the officer's Region Commander/Section Chief or his/her designee. However, possession or carrying of a weapon for these purposes does not relieve the officer from any other provisions of this directives.

**VII. REFERENCES**

Wisconsin State Statutes  
Department of Transportation/Division of State Patrol Work Rules  
DSP Policy & Procedure 2-3, Firearms Training  
DSP Policy & Procedure 2-7, Assignment, Handling and Storage of Division Weapons  
DSP Policy & Procedure 11-8, Requests for Approval of Outside Work or Activities  
SP4589, Request to Carry Secondary or Off-Duty Firearm  
eSP4500, Offense/Incident Report