



Cover Memorandum

Patrol Rifle, JHPD Directive #404

Purpose of the Directive

The purpose of this Directive is to establish the Johns Hopkins Police Department (JHPD)'s guidelines for the issuance, maintenance, safekeeping, deployment, use, restrictions, and training in the use of police department patrol rifles.

Summary of Directive Requirements

In order to ensure that its officers are prepared and properly equipped to face the potential threat posed by an active shooter or assailant to the Johns Hopkins community, the JHPD, like many other university police departments, provides its officers with specialized training and access to rifles to engage an active assailant who poses an imminent threat of mass casualties to the Johns Hopkins community.

The Directive makes clear that the discharge of a rifle is always deadly force/lethal force.

The Directive establishes that officers shall **only** discharge the patrol rifle when de-escalation techniques and less lethal force options are not effective or feasible, and when a reasonable officer, based on the totality of the circumstances, would know that such action is immediately reasonable, necessary and proportional to protect themselves or another person from an imminent threat of death or serious physical injury.

The Directive prohibits the use of a patrol rifle:

- In any response to assemblies or demonstrations or other acts of expression of acts protected by the First Amendment.
- On traffic stops absent exigent circumstances, such as high-risk traffic stop of an individual wanted for an active assailant or mass casualty event.

Blueprint for the Policy Development Process

The draft JHPD policies (hereinafter referred to as "directives") shared for community feedback are based on examples of 21st century best practices in public safety policy, identified through extensive benchmarking of university and municipal law enforcement agencies across the nation. Taken together, they represent a comprehensively progressive approach to policing that prioritizes equity, transparency, accountability, and community-based public safety strategies.

The JHPD's draft directives embody approaches that community advocates and leading experts have championed locally and in law enforcement reform efforts across the nation. The draft directives have also been developed based on input received through robust community engagement in prior phases of

JHPD development, including suggestions received in the legislative process as well as last fall's Memorandum of Understanding (MOU) public comment period and feedback opportunities.

In addition, the directives were drafted to exceed the minimum requirements of the Constitution and laws of the United States and the State of Maryland, to align with the Community Safety and Strengthening Act (CSSA) and to fulfill the requirements of the MOU between the Johns Hopkins University and the Baltimore Police Department. The Hopkins community and our neighbors throughout Baltimore can help improve and strengthen these directives further through their feedback and input.

Material that was considered in the drafting of the Directive and Procedure Manual, include:

a. Publicly available policies from municipal police departments that have undergone substantial reform efforts, including: the New Orleans Police Department; Seattle Police Department; Portland Police Department; Detroit Police Department; Ferguson Police Department; and Baltimore Police Department;

b. National guidance on best practices and model policies from criminal justice reform efforts, social science research centers, and civil rights organizations, including: the Leadership Conference on Civil and Human Rights; American Civil Liberties Union (ACLU), including the ACLU of Massachusetts's "Racially Just Policing: Model Policies for Colleges and Universities"; the International Association of Chiefs of Police (IACP); the Police Executive Research Forum (PERF); U.S. Department of Justice Office of Community Oriented Policing Services (COPS Office); The Justice Collaboratory (The JC) at Yale University Law School; and The Center for Innovation in Community Safety (CICS) at Georgetown Law School.

c. National and local higher education institutions that are based in comparable environments and make policies publicly available, including: Carnegie Mellon University; Morgan State University; Towson University; University of Chicago; University of Cincinnati; University of Maryland, Baltimore County; University of Pennsylvania; and Yale University.

To ensure that the proposed directives captured national best practices in community-focused public safety services, the development team collaborated with independent experts from two organizations: National Policing Institute (the Institute), a non-profit dedicated to advancing excellence in policing through research and innovation, and 21CP Solutions, an expert consulting team of former law enforcement personnel, academics, civil rights lawyers, and community leaders dedicated to advancing safe, fair, equitable, and inclusive public safety solutions. Each directive was reviewed by experts selected by both organizations, who provided feedback, suggestions, and edits that were fully incorporated into the current draft.

Finally, individuals and organizations representing the diversity of the Johns Hopkins University community provided feedback to ensure the policies and procedures reflect and respond to the values of our institution and to our community's public safety service needs.

Now they are available for your review. Johns Hopkins is committed to adopting, incorporating, or otherwise reflecting recommended changes and feedback in the final version of policies so long as feedback is aligned with our values and commitments, permissible within legal parameters, and supported by national best practices for community policing and public safety.



POLICE DEPARTMENT

PATROL RIFLE

OPERATIONAL PROCEDURE #404

Responsible Executive:
Chief of Police
Responsible Office:
Vice President for Public Safety
Approved by:
Dr. Branville G. Bard, Jr.
Issued: [full date]
Revised: [full date]

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Policy Statement

The sanctity of human life is paramount. Johns Hopkins recognizes and respects the value of all human life and views the preservation and improvement of human life as central to its mission. It is therefore the policy of the Johns Hopkins Police Department (JHPD) that officers seek to avoid any use of force by applying de-escalation strategies. When de-escalation is not possible, officers may only use the least amount of force that is reasonable, necessary, and proportional to control an incident, effect an arrest, or to protect themselves or others from harm or death. Further, each officer has a duty to intervene to prevent the use of unreasonable or excessive force by other officers of the public safety team toward any person, render aid to those injured and report misconduct.

Who is Governed by this Policy

All sworn police officers, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD are governed by this Directive.

Purpose

The purpose of this Directive is to establish guidelines for the issuance, maintenance, safekeeping, deployment, and training in the use of JHPD rifles. While officers must at all times comply with the minimum legal requirements governing the use of force, they must also comply with even stricter standards set forth by this Directive.

Definitions

Aggravated Aggression:	Aggravated Aggression is when a person presents an Imminent Threat of death or serious physical injury to the officer, or to another person based on the Totality of the Circumstances. Aggravated Aggression represents the least encountered but most serious threat towards an officer or other person. Even when confronted with Aggravated Aggression, the officer is required to make every reasonable effort to de-escalate and to continuously assess their use of force.
Deployment:	For purposes of this directive, “deployment” means the removal of a rifle from the JHPD-provided secure rifle rack, storage locker, or authorized secured facility for the purpose of using the rifle for an operational purpose other than maintenance or training.
Imminent Threat:	A person presents an Imminent Threat when the person has the means and ability to physically injure the officer or another person, and the officer reasonably believes the person intends to deliver that harm.
Magazine:	A removable, spring-operated reservoir for the carrying of ammunition or cartridges for a repeating firearm such as the rifle.
Member:	All members of the JHPD, including employees, officers, and volunteers, unless the term is otherwise qualified (e.g., member of the public, member of the Baltimore Police Department, etc.).
Officer:	All sworn police officers, at any rank, as defined by MD Code, Public Safety, § 3-201, in service with the JHPD.
Safety:	A device, incorporated into the design of most firearms’ actions that, when engaged, should prevent the discharge of the firearm.
Sling:	A strap, usually of leather or sturdy webbing, fitted to the fore and aft (usually) of a rifle as an aid when carrying the rifle over the shoulder or hold the rifle steadily while aiming.

Policy

An unfortunate reality that educational institutions face is the potential for an Active Shooter on campus. Over the last decade, several institutions of higher education have had to endure the trauma of such an event. In order to ensure that its officers are prepared and properly equipped to face the potential threat posed by an active shooter to the Johns Hopkins community, the JHPD, like many other university police departments, provides its officers with specialized training and access to rifles only for the limited purpose of use in those situations that may necessitate

engaging or containing an assailant who poses an imminent threat of serious bodily injury to the officer or others and is at a greater distance, or where greater accuracy is required to safely confront the imminent threat and provide for the immediate defense of human life. Further, only those officers who have been trained and demonstrated proficiency in the use of the rifle may have access to said weapons. (Commission on Accreditation for Law Enforcement Agencies (CALEA) 4.1.4)

Core Principles

- I. **Sanctity of Human Life.** Officers shall make every effort to preserve human life in all situations.
- II. **Value of All Persons.** All human beings have equal value and worth and officers of the JHPD shall respect and uphold the value and dignity of all persons at all times.
- III. **Peaceful Resolutions.** Officers shall avoid the Use of Force unless it is not possible to do so.
- IV. **De-Escalation.** Officers shall use De-escalation Techniques and tactics in conformance with JHPD Directive #401, De-escalation, to reduce any threat or gain compliance to lawful commands without the Use of Force or with the lowest level of force possible.
- V. **Avoiding Escalation.** Officers shall not do or say anything that escalates an encounter unless necessary to achieve a lawful purpose.
- VI. **Assessment.** Officers shall continuously assess each situation and change their response as the circumstances change. Officers may be justified in using force in one instance, but not justified in using force an instant later. This duty to assess includes the continuous assessment of circumstances before and after the officer uses force.
- VII. **Reasonable, Necessary, and Proportional.** Officers shall use only the force that is reasonable, necessary, and proportional to respond to a threat or resistance to safely resolve an incident, and will immediately reduce the level of force as the threat or resistance diminishes.
- VIII. **Retaliatory Force Prohibited.** Officers are prohibited from using force against persons engaged in acts of expression protected by the First Amendment as described in JHPD Directive #486, Response to Assemblies, Demonstrations, and Disruptions of Campus Events, or to punish persons for fleeing or resisting arrest, assaulting an officer, or for any other reason.

- IX. Duty to Intervene.** Officers shall intervene to prevent abusive conduct or the use of retaliatory and excessive force by another officer in conformance with JHPD Directive #111, Duty to Intervene. (CALEA 1.2.10)
- X. Duty to Provide Medical Assistance.** After any Use of Force incident, officers shall immediately render aid to any injured person consistent with the officer's training and request medical assistance. If restrained, persons are not to be positioned facedown as it may cause positional asphyxia, and placing restrained persons on their back may lead to radial nerve damage to the wrists and forearms. Restrained persons are to be placed in a seated position or on their sides.
- XI. Accountability.** All officers shall be held accountable for any use of force that violates the law or JHPD policy and procedures.

Procedures

I. Equipment

The rifle provides officers with several safety advantages when confronting an active assailant and/or a heavily armed or fortified aggressive assailant. Rifles are more accurate and safer due to their lightweight design and longer barrel, possess greater range, and produce less recoil than traditional defensive weapons used by law enforcement. They are more effective in stopping an active assailant using fewer rounds and at greater distances than handguns or traditional police shotguns. The rifle projectile also has the velocity to stop an active assailant wearing body armor and, when concentrated, will defeat most hastily erected barriers used by a barricaded active assailant.

- A. The Colt M4 Carbine and identically designed semi-automatic rifles, chambered for the 5.56mm cartridge, is approved for issue and use by trained police officers.
- B. All issued rifles will be equipped with iron sights, a sling, and a barrel no less than 16" and no longer than 20" in length. (CALEA 4.3.1.a.b)
- Rifles will also be fitted with a red dot or similar low variable power optic and lights, approved by the department armorer.
 - Only department-approved and -issued 5.56mm ammunition will be used for duty and training.
 - Rifles will be issued with four (4) thirty (30) round magazines.
- C. All issued rifles will be secured in the rifle security rack within each marked patrol vehicle or JHPD-provided firearms locker. (CALEA 4.3.1.f)
- A ballistic plate carrier will be assigned to each marked patrol vehicle.
 - Three (3) of the issued magazines will be secured and stored in the

magazine holders on the ballistic plate carrier.

- D. Whenever a vehicle is disabled or sent for service, the on-duty supervisor will ensure the rifle is removed from the vehicle and stored in a JHPD weapons locker.
- E. Personally owned rifles are not permitted for carry or use. JHPD officers will only be armed with the issued rifle.
- F. Officers are responsible for the care and maintenance of their assigned rifles.
- G. Officers are prohibited from making any modifications or repairs, including adding accessories to any issued firearm, to include rifles.

II. Transportation & Storage (CALEA 4.3.1.f)

- A. Rifles will be kept in one of three (3) conditions:
 - **Transport Condition** – Issued rifles shall be kept in transport at all times when not deployed. The following describes the transport condition:
 - o Magazine removed
 - o Bolt closed/forward on an empty chamber
 - o Selector switch on safety
 - o Secured in a case that is issued and approved by the JHPD
 - **Patrol Ready** – While on patrol, the rifle will be kept in the patrol ready condition at all times when not deployed. The patrol ready condition is as follows:
 - o Loaded magazine inserted
 - o Bolt forward on an empty chamber
 - o Selector switch on safety
 - o Secured in a JHPD vehicle rack or in a protective case
 - **Armory Condition:** The rifle will be placed in the armory condition when it is deployed for maintenance or training. The armory condition is as follows:
 - o Magazine removed
 - o Bolt open with the chamber empty
 - o Selector switch on safety until ready to fire
 - o Ejection port open/visible
- B. Except for when the rifle is deployed for an incident, maintenance, or training, it shall be locked in the vehicle rifle rack in the patrol ready condition or stored in the trunk of the officer's assigned vehicle in a protective case.
 - After use, the rifle will be returned to patrol ready condition and stowed.

- C. Police officers shall not leave a vehicle carrying an issued rifle unlocked or unattended while the keys are in the ignition.
- D. The rifle will be stored in a JHPD-authorized or -issued case in the armory condition when transported into or from the training facility, the armory, or during maintenance.

III. General Use Requirements

During all encounters, the officer must continually assess potentially rapidly changing factors and circumstances. Because the situation that initially suggested the need to use deadly force might change, an officer must always be evaluating force options and be prepared to de-escalate in conformance with JHPD Directives #401, De-escalation and #402, Use of Force.

- A. Unnecessary drawing or exhibiting a rifle may limit an officer's alternatives in a situation, create unnecessary risk, create anxiety on the part of the public and the officer, and/or result in an unnecessary or accidental discharge of the firearm.
- B. The discharge of a rifle is always deadly force/lethal force. The use of a rifle is a last resort and strictly limited to the requirements in JHPD Directive #402, Use of Force, Section IV, Deadly/Lethal Force, and to the additional requirements of this Directive.
- C. In sum, officers shall only discharge the rifle when de-escalation techniques and less lethal force options are not effective or feasible and when a reasonable officer, based on the totality of the circumstances, would know that such action is immediately reasonable, necessary, and proportional to protect themselves or another person from an imminent threat of death or serious physical injury and the additional use requirements of Section IV of this Directive have been met.
 - Note: The behavioral health crisis team should be immediately dispatched to the scene of these types of encounters and if possible, should handle communications with the person prior to use of force. See JHPD Directive #417, Behavioral Health Crisis Team Dispatch.

IV. Additional Use Requirements

In addition to the application of the Critical Thinking Decision Making Model (CTDMM) (See JHPD Directives #401, De-Escalation and #402, Use of Force) and consideration of all factors of JHPD Directive #402, Use of Force, Section IV, Lethal/Deadly Force, officers must consider the following factors when deciding whether to deploy a rifle:

- A. Factors that support the deployment of the rifle, include:
 - The situation involves an active assailant.
 - The assailant is wearing protective body armor.

- The assailant is armed with or has access to high-powered weapons or any weapon that is capable of injuring multiple persons or causing multiple serious injuries.
- There is a barricade or hostage situation, where the assailant is situated in a fortified location or tactically superior position, and perimeter containment is an immediate objective.
- The officer is faced with a situation that might require the delivery of accurate and effective fire at long range, such as a suspect armed with a firearm and at distance or high ground, where the officer would not have adequate cover if they moved into a position in which their handgun would be effective.

B. Factors that weigh against the deployment of the rifle:

- There is not a risk of mass casualties.
- There is adequate cover and time to engage in de-escalation strategies.
- The assailant is armed only with an edged weapon.
- The use of hands to access other tools is reduced when using the rifle.
- The officer reasonably believes the presence of the rifle could escalate, incite, or aggravate a situation.

C. Prohibited Actions

- If the situation does not present an imminent threat of death to the officer or others, and the individual is not armed with a firearm, officers shall not deploy a rifle without approval from a supervisor.
- Officers shall not deploy, carry, or use a rifle in any response to assemblies or demonstrations or other acts of expression protected by the First Amendment.
- Officers shall not deploy, carry, or use a rifle on traffic stops absent circumstances that support the deployment of the rifle, such as a high-risk traffic stop of an individual wanted for an active shooting or mass casualty event.
- Officers should not search or handcuff a suspect while holding the rifle. Handcuffing or searching requires the assistance of another officer. If no other option exists, the rifle will be placed on safety and slung tightly across the officer's back.
- Any deployment, carrying of, or use of the rifle that is in violation of this Directive will result in disciplinary action, up to and including termination.

V. Reporting (CALEA 4.2.1.c.d)

- A. Anytime that a rifle is deployed, other than training or maintenance, the officer will complete and submit an Incident Report, or Supplemental Incident Report in conformance with JHPD Directive #470, Field Reporting System detailing their actions before the end of their shift. (CALEA 1.3.6 a)
- B. In conformance with JHPD Directives #402, Use of Force, and #407, Use of Force Reporting, Review, and Assessment, whenever a rifle is deployed or discharged other than for training, a Use of Force Report, will be completed and submitted before the shift is completed. (CALEA 4.2.1.a)

VI. Maintenance (CALEA 4.3.1.c)

- A. At the beginning of every shift, officers should inspect the rifle in their assigned cruiser to ensure proper condition of readiness, including that the red dot sight is operational and the weapon light produces sufficient illumination.
- B. Officers are responsible for the periodic cleaning and lubrication of their assigned rifles in accordance with their training.
- C. Only the armorer shall perform maintenance other than normal cleaning and lubrication.
- D. All rifles will be inspected by the armorer at least twice per year. The armorer will maintain all records of maintenance to the rifle. (CALEA 4.3.1.c)
- E. Officers shall be responsible for promptly reporting any damage or malfunction of an issued rifle to their supervisor by a memorandum and report any mechanical failure of the rifle or other debilitating damage or deficiencies immediately to the armorer, who will ensure that the rifle is removed from active service.

VII. Selection, Training & Qualification

All officers must successfully complete a rifle course approved by the Maryland Police Training Commission (MPTC) before the officer is issued a firearm.

- A. Upon successful completion of initial probation and the Field Training & Evaluation Program, all MPTC certified officers become eligible to participate in the training course. Upon successful completion, those officers selected by the Chief of Police and assigned to the Rifle Training Program will be issued a copy of the training materials and this Directive and shall properly acknowledge them by signature before beginning the Rifle Training Program. (CALEA 4.3.4)

- B. Officers selected for assignment to the Rifle Program must successfully complete a rifle course approved by the MPTC. (CALEA 4.3.2)
- C. In conformance with the firearms training protocol identified in JHPD Directive #403, Authorized Firearms & Weapons, officers shall qualify semi-annually with their assigned or authorized rifle following a MPTC Rifle Qualification Course. (CALEA 4.3.3)
- D. During semi-annual qualification, participating officers will also receive training with the rifle, this procedure, and JHPD Directive #401, De-escalation, and #402, Use of Force. (CALEA 4.3.3.b)
- E. Remedial training, reassignment, and removal of an officer who fails to successfully complete MPTC training and qualification requirements with the rifle will be in conformance with the firearms training protocol identified in JHPD Directive #403, Authorized Firearms & Defensive Weapons. (CALEA 4.3.3.c)
 - **Removal from the Program:** Officer(s) not assigned to operational line or staff responsibilities are not required to remain in the Rifle Program and may rescind their rifle certification.
 - Upon reassignment to a line or staff position and before being permitted to return to the Rifle Program, carry or use the rifle, a police officer who has rescinded their rifle certification must complete a remedial training session and successfully qualify with the rifle in conformance with the firearms training protocol identified in this directive and JHPD Directive #403, Authorized Firearms & Defensive Weapons.
 - The Chief of Police may remove officers from the Rifle Program based on agency need or supervisory or firearms instructor recommendation.
- F. All training and qualification records will be maintained by the Public Safety Training Section, in conformance with JHPD Directive #305 Training. (CALEA 4.3.3.b)

Policy Enforcement

Enforcement	Police Department managers and supervisors are responsible for enforcing this directive.
Reporting Violations	Suspected violations of this Directive should be reported to the Public Safety Accountability Unit (PSAU).

Related Resources

University Policies and Documents
Operational Procedure #401, De-escalation
Operational Procedure #402, Use of Force
Operational Procedure #403, Authorized Firearms & Defensive Weapons
Operational Procedure #407, Use of Force Review, Assessment and Investigation
Operational Procedure #469, Property & Evidence Management
Operational Procedure #470, Field Reporting System
Operational Procedure #486, Assemblies, Demonstrations and Disruptions of Campus Activities
External Documentation
Police Department Forms and Systems

Contacts

Subject Matter	Office Name	Telephone Number	E-mail/Web Address
Policy Clarification and Interpretation			