

USE OF FIREARMS AND FIREARMS CONTROL

The proliferation of handguns and long guns has received national attention and is a cause for concern in the local community. Shootings have increased alarmingly in recent years. Both police and citizen have been fearful about the rising crime rate and are concerned for their own lives. Numerous situations have occurred to demonstrate a real basis for both concerns.

The Committee was of the opinion that the courts were lax in imposing penalties for citizens convicted of violating the statutes pertaining to Carrying Concealed Weapons (CCW). Some claim that CCW violators, when apprehended by the police officer, are often treated lightly by the court and are convicted of a lesser offense than that provided in the CCW statute.

Discussion sought to strike a balance between limiting the acquisition of firearms and ammunition by criminals and the legitimate interest of citizens to possess weapons for personal use. The Committee expressed strong feeling that local legislation should be sought to prevent criminal use of firearms and minimize the crimes of violence occasioned by their proliferation.

Enact appropriate local legislation and support Federal restrictions that limit and regulate the sale of hand guns, rifles, shotguns and other weapons through mail order and other public means.

Enact appropriate local legislation to enforce the Federal law pertaining to the registration, sale and transfer of ammunition. Require that any private individual disposing of more than 500 rounds of selected ammunition in any one calendar year must provide registration records of the sale of that ammunition to the Detroit Police Department.

The courts should reconsider and re-examine their responsibility in assessing penalties for violation of Michigan's statute on concealed weapons. Stronger enforcement and penalties are provided by law and should be used.

Require mandatory registration of all hand guns.

Enforce Michigan law requiring a person to obtain a permit before he can either possess or carry handguns.

Require the seller of weapons to keep reasonable records that identify purchasers.

Proper Handling of Police Weapons

The problem of long guns used by police officers was discussed in depth, because members of the Committee felt that there have been situations that are particularly inflammatory. The debate over existing policy led to recommendations that will provide clearer yardsticks of conduct and discretion by the individual police officer.

Recognizing the need for long guns in fighting an increasing crime wave, the method of carrying these weapons is of paramount concern to the citizens of Detroit. When rifles and other long guns are exposed in a patrol car, it often engenders public hostility. Careless carrying of long guns and rifles is sometimes interpreted as intimidating influence by community members.

Insist that any long gun carried in a patrol car be departmentally authorized, approved, and supervised.
(In effect.)

All long guns, when not in use, should be placed in electrical locking devices or in the trunk of the vehicle in such a way that they will not be visible from outside the car.

Use of Deadly Force

It was agreed that this issue had the greatest emotional impact on relationships between citizens and their police department. The shooting of a citizen, in situations open to serious community question, can undo in an instant long years of positive police-community relations. While the Detroit Police Department has dealt with this issue by numerous directives and other administrative training, the use of deadly force remains as a critical topic requiring clear thinking and updated methods.

The Committee strongly identified with the intent of the following quote: "Deadly force should never be used on mere suspicion that a crime, no matter how serious, was committed or that the person being pursued committed the crime. An officer should either have witnessed the crime or should have sufficient information to know, as a virtual certainty, that the suspect committed an offense for which the use of deadly force is permissible.*" They felt that officers should be encouraged to consider their moral obligations with regard to the value of a human life.

The Detroit Police Department should review existing directives and issue new policies regarding the use of firearms and "deadly force" by police.
(Currently under study.)

Careful consideration should be given to policies in other police departments that are more restrictive than prevailing legal requirements affecting such use.
(Currently under study.)

Use of firearms and deadly force by police should be given the time and attention during Academy and in-service training that the seriousness of the subject demands.
(Currently under study.)

*Task Force on the Police, The President's Commission on Law Enforcement and Administration of Justice, 1967, p. 189.