

Charleston County Coroner's Office Policy #4	
Title: Carrying of Firearms/Use of Force	Page: 1 of 6
Effective Date: 07-22-2014 Updated: 6-19-2019, 2-17-2021, Reviewed: 9/5/2023 Authorized By: Bobbi Jo O'Neal, Coroner	

4.1 POLICY

1. Deputy Coroners authorized by the Charleston County Coroner to carry a privately owned firearm in the course of their duties will do so only in accordance with this policy, and applicable state and federal laws. The Coroner retains the right to revoke authorization to carry a firearm on duty at any time for any reason.
2. Non-sworn regular, full-time employees who have a current, valid SC Concealed Weapon Permit (SC CWP) may be authorized by the Charleston County Coroner to carry a concealed weapon while inside the Coroner's Office building upon request and submission of a copy of the permit.

4.2 STATE LAW

Deputies who complete the firearms qualification course may be armed with an approved handgun while on duty in accordance with Section 17-5-110 of the SC Code of Laws:

Carrying of Firearms

SECTION 17-5-110. Coroner or deputy coroner may carry pistol or other handgun. A coroner or deputy coroner, while engaged in official duties of his office, is authorized to carry a pistol or other handgun. He is considered so engaged when going to or returning from the actual performance of his duties. However, coroners and deputy coroners must be certified and trained by the South Carolina Law Enforcement Division in the proper use of handguns.

Carrying of Firearms/Use of Force

HISTORY: 1962 Code Section 17-65; 1975 (59) 194; 1994 Act No. 440, Section 1; 2001 Act No. 73, Section 1.

4.3 APPLICATION AND QUALIFICATION

1. Before a Deputy Coroner can carry a firearm on duty in accordance with this policy and state law, a Request to Carry a Firearm Application must be submitted to and approved by the Coroner. Deputies must apply and re-qualify annually.
2. Deputies seeking authorization to carry a firearm on duty shall successfully complete the prescribed course of fire with either the Charleston County Sheriff's Office, the State Law Enforcement Division (SLED), or other authorized agency and complete the Verification & Certification of Firearms Qualifications as per the South Carolina Criminal Justice Academy. This is also a requirement for any Deputy Coroner seeking Class III certification. Deputies must comply with range safety instructions and sign any forms required by the hosting agency of the qualification. The Coroner's Office will supply ammunition for qualification.
3. Deputies who have taken an extended leave of absence or suffered an illness or injury may be required to re-qualify before returning to full duty while armed.
4. Deputies who fail to qualify with their firearm, as required by this directive, will not be authorized to carry firearms until they have completed remedial training under the instruction of a certified firearms instructor and pass subsequent qualification course of fire.
5. When issued, Deputy Coroners are required to wear their protective vest while engaged in firearms training as directed by the Range Master or at their discretion.

4.4 AUTHORIZED FIREARMS AND AMMUNITION

Carrying of Firearms/Use of Force

1. Deputies may only carry personally owned semi-automatic handguns having a caliber of 9mm and a minimum barrel length of 5 inches made by a reputable manufacturer. The weapon must be inspected and approved by a certified firearms instructor with either the Charleston County Sheriff's Office, SLED, or the SC Criminal Justice Academy. Authorized manufacturers of these weapons include but are not limited to Beretta, Colt, Glock, Heckler & Koch, Ruger, Sig Sauer, Taurus, Walther, and Smith & Wesson.
2. Deputies will carry issued ammunition while on duty. The magazines will be loaded to full capacity and a round will be loaded in the chamber. If the weapon is equipped with a manual safety device, the safety will be in the "ON" position while carried on duty.
3. Deputies may only carry the weapon that they used to qualify and are responsible for all repairs to personally owned firearms.
4. CARRYING A BACK-UP (SECONDARY) WEAPON OR LESS THAN LETHAL WEAPON IS NOT AUTHORIZED. Less-than-lethal weapons include but are not limited to chemical agents (sprays or foams and the like), batons, throwing stars, brass knuckles, nightsticks, and conducted energy weapons (stun gun/Taser).
5. If approved for carry, the Deputy Coroner will always maintain their firearm in a clean and serviceable condition. No firearm shall be modified in its function regarding the trigger action/tension. Changing the sights is authorized if approved by the qualifying firearms instructor.
6. Deputies must always provide reasonable security for their firearm. No loading or unloading, manipulation, or unnecessary display of a firearm in any public place unless such action is necessary in the performance of job duties.

Carrying of Firearms/Use of Force

7. The firearm must be visibly worn on either side of the hip (not in front or back and not in a cross-draw) in a holster equipped with at least two retention features and the Deputy's badge must be prominently visible/worn directly in front of the weapon.

8. The firearm may NOT be carried in a shoulder harness, purse, handbag, backpack, fanny pack, or in other containers or otherwise concealed. While on or off duty while wearing the issued uniform or the issued T-shirt, deputies will not carry a concealed weapon.

9. Weapons shall not be stored in a Charleston County-owned vehicle unless the Deputy Coroner is entering the Al Cannon Detention Center or other such government location that precludes the carrying of a firearm. Deputies shall utilize the lock box in the vehicle.

4.5 USE OF FORCE

Definitions

1. Deadly Force: Any use of force that is likely to cause death or serious physical injury.
2. Reasonable Belief: The facts or circumstances the deputy knows, that are such as to cause an ordinary and prudent person to act or think in a similar way under similar circumstances. The degree of risk that a reasonable and prudent person would consider a strong possibility to cause death or serious physical injury.
3. Serious Physical Injury: Any bodily injury that creates a substantial risk of death; causes serious, permanent disfigurement; or results in long-term loss or impairment to any bodily member or organ.

Carrying of Firearms/Use of Force

4.6 USE OF DEADLY FORCE

1. Deputies are only authorized to employ deadly force in order to protect themselves or others from what is reasonably believed to be an imminent threat of death or serious physical injury.

2. Before discharging a firearm, deputies will identify themselves and state their intent to shoot, where feasible.

4.7 PROHIBITIONS

Prohibited actions:

1. Drawing/presenting/pointing/displaying the firearm to threaten or attempt to subdue an unruly crowd or person if no reasonable and articulable threat to their life or the life of others exists.
2. Arresting anyone or assisting law enforcement officers in the arrest of anyone.
3. Firing their weapon as a warning.
4. Firing their weapon at or from a moving vehicle.
5. Shooting a suffering animal. (Law enforcement shall be summoned.)

4.8 USE OF FORCE INCIDENT PROCEDURES

1. Deputies shall provide immediate first aid to include CPR, if necessary, and shall request an ambulance through the Consolidated Dispatch Center for anyone who has sustained an injury that requires aid beyond First Aid.

2. The Deputy will summon a supervisor to the scene when it is safe and reasonable to do so. The supervisor shall notify the Chief Deputy and the Coroner who will notify the appropriate law enforcement agency.

3. When a Deputy's use of force results in a death or serious physical injury, the Coroner will place the Deputy on administrative leave status with pay pending a law

Carrying of Firearms/Use of Force

enforcement investigation by either SLED or a different law enforcement agency and an administrative review by the Coroner.

4. The Deputy will comply with investigative procedures prescribed by the Coroner, which may include providing a written statement(s) to the Coroner in the following situations:

- a. when a firearm was discharged outside of the firing range whether intentional or accidental;
- b. when a use of force resulted in death or serious physical injury;
- c. when a subject complained that an injury has been inflicted; or
- d. when misconduct is alleged or suspected.
- e. when the Deputy presented the firearm but did not fire the weapon for any reason

5. Any written statement obtained by the Coroner for administrative purposes carries the premise of what is commonly known as Garrity protection. The basic premise of Garrity protection is that a person cannot be compelled, by the threat of serious discipline, to make statements that may be used in a subsequent criminal proceeding but this does not preclude the use of incriminating statements in administrative proceedings up to and including termination.

6. In the event that the Deputy is on a scene with a law enforcement officer(s) when one of the above incidents occurred, the Coroner may summon SLED agents or other law enforcement agents to investigate the incident.

7. Prior to returning to armed duty, and at the discretion of the Coroner, the Deputy Coroner will re-qualify with their firearm and re-apply to carry as described herein.