

ADM-17.04, "Firearms Training Requirements," January 1, 2002

SCDC POLICY/PROCEDURE

NUMBER:ADM-17.04

TITLE:FIREARMS TRAINING REQUIREMENTS

ISSUE DATE: JANUARY 1, 2002

RESPONSIBLE AUTHORITY:DIVISION OF TRAINING AND STAFF DEVELOPMENT

OPERATIONS MANUAL:ADMINISTRATION

SUPERSEDES: ADM-17.04 (July 30, 1999)

RELEVANT SCDC FORMS/SUPPLIES: NONE

ACA/CAC STANDARDS: 3-4088

STATE/FEDERAL STATUTES: Law Enforcement Training Act, Section 23-6-400, et. seq., South Carolina Code of Laws, 1976, as amended

PURPOSE: To outline the training requirements for employees required to use a firearm, and to provide uniform guidelines for the management of employees who fail to re-qualify annually in the use of firearms.

POLICY STATEMENT: SCDC employees required to use a firearm as a part of their job responsibilities must successfully complete training that has been approved by the South Carolina Department of Public Safety, in firearms safety, care, and use prior to being assigned to any post or position involving the possible use of such weapons. Employees authorized to use a firearm must demonstrate competency in its use on at least an annual basis. NOTE: Firearms certification is not interchangeable. An employee must qualify on each weapon that is authorized to a particular post (i.e., 2" revolver, 4" revolver, semi-auto pistol, semi-auto rifle, shotgun, etc.) In addition, firearms and firearms related equipment (i.e., shoulder holster, etc.) will not be issued to an employee who has not been trained on those firearms or firearms related equipment. The South Carolina Department of Corrections will ensure that any firearms training provided to an employee is conducted in compliance with applicable Law Enforcement Training Act requirements, American Correctional Association Standards, and any other applicable state or federal statutes, regulations, or codes governing the use of such weapons. (3-4088)

NOTE: THIS POLICY/PROCEDURE HAS BEEN SUBSTANTIALLY REVISED. BECAUSE OF THIS, CHANGES ARE NOT SHOWN IN BOLD/ITALICS.

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SPECIFIC PROCEDURES:

1. **TRAINING INSTRUCTORS:** All firearms training will be conducted by instructors who have successfully completed an approved "Training for Trainers" course and the appropriate Firearms Instructor Certification Program (i.e., Level I, Level II, Level III). Minimum qualifications and re-certification requirements for firearms instructors will be determined by the Division of Training and Staff Development.

2. EMPLOYEES AUTHORIZED TO BE ISSUED A FIREARM:

2.1 Pursuant to SCDC Policy/Procedure ADM-17.01, "Employee Training Standards," all uniformed security personnel and any employee classified as an Investigator, upon successful completion of Correctional Officer Certification Training (Pre-Service) and the appropriate security clearance as described in SCDC Policy/Procedure ADM-17.01, "Employee Training Standards," will be authorized issuance of a firearm. At any time, the Agency Director may require employees assigned to other classified positions to attend required firearms training and, upon successful completion, be authorized issuance of a firearm. (3-4088)

2.2 Any other employee not identified or required to be authorized issuance of a firearm as described in Specific Procedure 2.1, above, must receive the written approval of the Agency Director pursuant to the following guidelines:

2.2.1 A written request justifying the reason(s) why the employee should be authorized issuance of a firearm must be submitted by the employees immediate supervisor through the Warden or Division Director and the appropriate Agency Director's staff member to the Agency Director.

2.2.2 Should the Agency Director approve the request, the authorization will then be forwarded through the appropriate supervisor to the Division Director of Training and Staff Development, so that training approved

by the South Carolina Department of Public Safety can be scheduled for the employee. Disapproved requests will be routed to the appropriate Warden, Division Director, or Agency Director's Staff member.

2.3 Under no circumstances, except for during official training, will any employee be issued a firearm until s/he successfully completes South Carolina Department of Public Safety approved firearms qualification training for that particular weapon.(3-4088)

2.4 The Division of Training and Staff Development will be responsible for keeping records of each employees successful completion of required firearms training.

3. RE-QUALIFICATION/INABILITY TO RE-QUALIFY:

3.1 Any LETA certified employee authorized to use a firearm will be required to re-qualify annually and maintain current qualification throughout his/her three (3) year re-certification cycle. Any employee who is not LETA certified, but who is authorized to be issued a firearm, must re-qualify on an annual basis. (3-4088)

3.2 Any employee authorized to be issued a firearm who fails to fire a passing score needed to re-qualify will be placed on the institutional/divisional "No-Draw List" and will be scheduled for remedial training pursuant to SCDC Policy/Procedure ADM-17.02, "Law Enforcement Training Act Standards."

3.3 If the employee still fails to qualify after the remedial training provided for in ADM-17.02, the Division of Training and Staff Development will be responsible for notifying the affected institution/division of the employees failure to re-qualify. The employee will remain on the institutional/divisional "No-Draw List" and is not allowed to perform duties that involve or require the use of firearms. The Division of Training and Staff Development will notify the Law Enforcement Training Advisory Council of the employee's failure to re-qualify and request that the employee's certification be withdrawn.

3.4 The appropriate Warden, Division Director, or other authorized designee will, with the approval of the Division of Human Resources, ensure that the employee who fails to re-qualify is removed from the certified position within ten (10) days of the receipt of the notice of "Expiration of Law Enforcement Certificate."

3.5 Any employee who is not LETA certified, but who is authorized to be issued a firearm according to Specific Procedure 2.2 through 2.2.2, above, and who fail to shoot a passing score will be prohibited from performing those duties requiring the use of a firearm until such time as they successfully complete a Basic Firearms Training course designated by the Division of Training and Staff Development.

3.7 Required Action: Any Class 2 - SCO certified correctional employee who misses annual firearms re-qualification/training during his/her first and/or second year within his/her three (3) year re-certification cycle must attend and successfully complete the missed training within a 30 day period following the end of his/her respective first or second year of the three (3) year training cycle. Disciplinary action, to include de-certification, may be taken against an employee who fails to complete mandated LETA training in these

situations.

4. INABILITY TO RE-QUALIFY DUE TO MEDICAL REASONS OR MILITARY LEAVE:

See ADM-17.02, "Law Enforcement Training Act Standards (LETA)," for the procedures that must be followed when an employee is unable to re-qualify for medical reasons or for military leave.

5. NEGLIGENT DISCHARGE OF AN SCDC FIREARM: In the event that any employee negligently discharges an SCDC firearm while on duty, the employee will be placed on the institutions/divisions firearm "No-Draw List" until that employee successfully completes a range safety briefing and a weapons re-qualification session conducted by a Training Academy designated Firearms Instructor. The appropriate Warden/Division Director will be responsible for notifying the Division of Training and Staff Development so this additional training can be scheduled.

6. SAFETY REQUIREMENTS:

6.1 In compliance with related state and/or federal safety requirements (e.g., OSHA), the Division of Training and Staff Development will ensure that all employees utilizing any SCDC firing range, or other external designated range, are provided with and required to wear appropriate protective equipment/gear while they are qualifying/re-qualifying and at anytime that they are on the grounds of any SCDC firing range. Such equipment may include, but not be limited to, eye and ear protection. An eye wash station and soap and water will also be available. (NOTE: Employees who wear corrective eyeglasses are not required to wear protective eye goggles provided that their eyeglasses are approved by the American Safety Institute and have side shields.)

6.2 The Division of Training and Staff Development will ensure that appropriate safety equipment as directed by related state and federal safety requirements (e.g., OSHA) is located within areas accessible to staff utilizing any SCDC firing range or other external designated range.

6.3 The Division of Training and Staff Development will ensure that any staff member permanently assigned to any SCDC firing range is tested on initial assignment (baseline) and on an annual basis for lead levels and hearing loss as directed by applicable state and federal safety regulations. The Division Director of Training and Staff Development will arrange for such testing and will ensure that documentation is maintained to support compliance with these regulations.

NOTE: ANY IMPROPER CONDUCT/SAFETY VIOLATIONS ON ANY SCDC SANCTIONED RANGE WILL RESULT IN CORRECTIVE ACTION UP TO AND INCLUDING TERMINATION.

7. DEFINITIONS:

Level I Instructor Certification refers to revolver/shotgun certification.

Level II Instructor Certification refers to semiautomatic pistol and revolver/shotgun certification.

Level III Instructor Certification refers to semiautomatic rifle and revolver/shotgun certification.

Passing Score refers to the minimum standard required for successful completion of a training class as set forth by the Division of Training and Staff Development.

Required Firearm Training refers to any firearms instruction deemed by the Division of Training and Staff Development to be necessary for an employee.

SIGNATURE ON FILE

s/Gary D. Maynard, Director

ORIGINAL SIGNED COPY MAINTAINED IN THE DIVISION OF POLICY DEVELOPMENT.