



DEPARTMENT OF CORRECTIONS
Community Corrections



Title:	Authorization to Carry Firearms (Parole and Probation Officers)	DOC Policy: 50.1.2
Effective:	11/25/08	Supercedes: 3/1/06
Applicability: Community Corrections		
Directives Cross-Reference: Use of Force (Community Corrections) – Div 022		
Attachments: None		

I. PURPOSE

To establish policy and procedures governing authorization for parole and probation officers to carry a Department-authorized or Department-issued firearm while on duty.

II. DEFINITIONS

- A. Local State Director: A person within the Department of Corrections who reports to the Chief of Community Corrections and has responsibility for managing a state community corrections office within a particular county.
- B. Department Armorer: A Department employee trained and authorized to make repairs and modifications to Department issued firearms.
- C. DPSST: Department of Public Safety Standards and Training.
- D. Duty Firearm: A Department-issued firearm carried by an authorized parole and probation officer while performing official duties.
- E. Field/Field Related Duties: Home contacts, searches, arrests outside the office, release investigation and other duties outside an office setting.
- F. Firearms Instructor: A designated employee with demonstrated expertise in firearms, firearms training and less than lethal force options assigned by the local state director as approved by the Department of Corrections and/or DPSST, to oversee firearms training pursuant to this policy.
- G. Mind Altering Substance: Anything ingested or otherwise introduced into the body which could reasonably be expected to adversely affect the employee's ability to exercise good judgment and emotional control; e.g., alcohol, tranquilizers, psychotropic medication, etc.
- H. Off-Duty: Whenever the officer discontinues the performance of their job description, or other management assigned duties for the day. Whenever an officer is called out after hours, the officer would be considered to be on duty.
- I. Offender: Any person under supervision of the Department of Corrections who is on parole, post-prison supervision, transitional leave, local control and/or probation status.

- J. Officer: Any Department parole and probation officer who is DPSST trained in arrest procedures, use of restraints, less than lethal force options and defensive tactics and who has been authorized to carry a duty firearm pursuant to this policy.

III. POLICY

A. Application

1. Any officer who is DPSST trained in arrest procedures, use of restraints, less than lethal force options, or other defensive tactics as evidenced by Department training records, may apply to carry a duty firearm pursuant to this policy.
2. An officer desiring to carry a duty firearm shall make written application to the local state director on the Department's "Request for Authorization to Carry a Firearm While on Duty" form (CD 1287).

B. Approval/Denial

1. The local state director shall review and approve or deny all applications to carry a duty firearm, subject only to limited review by the Chief of Community Corrections as set forth in this policy.
2. In reviewing an application, the local state director may consider the applicant's background performance and adherence to Department rules, policies, procedures, pertinent statutory provisions and training mandates, and whether the applicant has otherwise acted in a manner which could reflect an inability to exercise sound judgment and emotional control in the utilization of a firearm while on duty.
3. Prior to receiving authorization to carry a firearm, staff shall obtain a psychological screening as approved by the Department, which certifies their suitability for carrying firearms. Staff who have received a psychological screening as part of the hiring process may or may not need an additional screening as part of the arming process. This report will be forwarded by the evaluator to the local state director.
4. The local state director's decision to approve or to deny an application to carry a duty firearm shall be promptly communicated to the applicant in writing. A copy of the decision shall be distributed to the Chief of Community Corrections.
5. An officer whose application to carry a duty firearm has been denied by the local state director may obtain an administrative review of the denial as set forth in Section I of this policy. No administrative review shall be available to an applicant whose application is denied based on the applicant's refusal to submit to a medical, psychological and/or psychiatric screening when requested by the local state director.
6. An officer whose application to carry a duty firearm has been approved by the local state director or Chief of Community Corrections will be scheduled to participate in the Department's firearms training.
 - a. If the officer can demonstrate to the satisfaction of the firearms instructor that he/she is physically able to successfully complete the Department's firearms training, the local state director shall provide the officer with

written Departmental authorization to carry his/her duty firearm pursuant to this policy.

- b. A copy of the written Departmental authorization shall be provided to Staff Training and be included in the officer's official personnel file.
- c. There shall be no administrative review of the firearms instructor's decision.

C. Threat Notification

1. Any officer receiving a threat against his/her life or threat of serious injury shall:
 - a. As soon as practical, notify his/her supervisor and/or local state director as soon as possible. The local state director will notify the Chief of Community Corrections.
 - b. As soon as practical, the officer shall submit written documentation of the threat to the supervisor or local state director describing: Who, what, where, when, and how the threat was received.
2. The officer shall refrain from contact with the person making the threat unless authorized by the local state director.
3. At the officers' discretion, he/she may make a request to the local state director to carry their issued duty firearm for self-protection while off duty. This may involve the officers' request to carry his/her duty firearm off duty.
4. The local state director's decision to approve or to deny a request under these circumstances shall be promptly communicated to the applicant in writing. A copy of the decision shall be distributed to the Chief of Community Corrections.
5. If approved, the officer will abide by the DOC rule on **Use of Force (Community Corrections)** (OAR 291-022) and this policy whenever the duty firearm is worn.
6. The officer shall inform the local state director as soon as the threat no longer exists. Until that time, an assessment of the threat will be conducted at least quarterly by the local state director.

D. Suspension/Revocation of Authorization

1. The local state director may suspend an officer's authority to carry a duty firearm pursuant to this policy whenever he/she reasonably believes the officer has violated Department rules, policies, procedures, pertinent statutory provisions, training mandates or has otherwise acted in a manner which reflects an inability to exercise good judgment and emotional control in the utilization of a firearm. Authorization to carry a duty firearm may also be temporarily suspended whenever the local state director reasonably believes that an officer is physically unable to successfully complete the Department's firearms training.
2. Refusal on the part of any officer to submit his/her duty firearm for inspection upon request shall result in an immediate and automatic suspension of the officer's authority to carry a duty firearm pursuant this policy.

3. Failure on the part of any officer to achieve a qualifying score during his/her firearms qualification shall result in an immediate automatic suspension of the officer's authority to carry a duty firearm pursuant to this policy. The officer's authority to carry his/her duty firearm may be reinstated by the local state director when a qualifying score is achieved. (See Section E. Training)
4. To assist the local state director in determining whether to revoke or to reinstate an officer authorization to carry a duty firearm, the local state director may require the officer to submit to a screening from a Department-approved physician, psychologist or psychiatrist at Department expense, whenever he/she deems such an evaluation to be necessary or advisable. Refusal to submit to an evaluation when requested by the local state director shall result in an immediate and automatic revocation of the officer's authority to carry a duty firearm.
5. The local state director's decision to revoke or to reinstate an officer's authority to carry a duty firearm pursuant to this policy shall be promptly communicated to the affected officer in writing. A copy of the decision shall be distributed to the Chief of Community Corrections.
6. An officer whose authority to carry a duty firearm has been revoked by the local state director may obtain an administrative review of the revocation as set forth in Section I of this policy. No administrative review shall be available to an officer whose authority to carry a duty firearm has been revoked based on the officer's refusal to submit to a medical, psychological and/or psychiatric evaluation when requested by the local state director, or based on the officer's refusal to surrender his/her duty firearm for inspection when requested.

E. General Terms and Conditions for Carrying a Duty Firearm

1. Authorization for officers to carry a duty firearm pursuant to this policy is restricted to the performance of official duties as follows:
 - a. In accordance with the officer's job description or as assigned by management; or
 - b. When called to work after the officer's work schedule has been completed to address a field-related matter.
 - c. Commute time:
 - (1) Officer's are not considered to be on duty during commute time.
 - (2) For convenience and safety, officers may wear their duty firearm while enroute to and from work.
2. In order to manage the risk related to removing and reholstering firearms, duty firearms may be carried in the office when an officer anticipates returning to the field within a reasonably short period. Officers whose primary job assignment is in an office setting are only authorized to carry firearms when performing field-related duties. The local state director may modify this section to accommodate particular office needs.

3. A Department-approved less than lethal option, and security restraints, must be carried on the officer's person whenever a firearm is carried.
4. Firearms stored in a Department facility must be secured in a Department-approved firearms locker designated for that purpose. Firearms shall never be stored in an unlocked desk, file cabinet or otherwise left unattended.
5. Officers shall maintain their duty firearm in optimum operating condition at all times.
6. Officers shall secure their duty firearm in a safe and secure manner at all times.
7. Officers shall carry their badges in a manner in which the badge is readily visible when a firearm is displayed. Department identification cards shall be carried and accessible at all times when on duty.
8. Officers shall at all times handle their duty firearm as prescribed by Department rules, policies, procedures and training.
9. Officers are prohibited from carrying a second firearm while on duty.
10. Protective body armor shall be worn whenever weapons are reasonably anticipated on the offenders, or offender associates, person or premises.
11. Officers will not discharge firearms in the course of employment except as authorized in the Department's rule on **Use of Force (Community Corrections)** (OAR 291-022).
12. Officers authorized to carry a duty firearm under this policy are responsible for cleaning and maintaining the firearm in accordance with factory specifications, and in good working order.
 - a. A Department-approved firearms instructor shall inspect each duty firearm prior to each qualification, or more frequently when deemed appropriate by the firearms instructor, to assure that the firearm has been properly cleaned, maintained, and is in good working order. All repairs, modifications or service must receive the prior written approval of a Department firearms instructor, with copies to the local state director.
 - b. Prior to carrying a duty firearm which has been repaired, modified, or serviced, the firearm shall be inspected **and test fired** by a Department firearms instructor. A copy of the written approval to carry the firearm shall be placed in the officer's training file.
 - c. If an officer is unavailable for scheduled qualifications, an alternative qualification schedule will be made available.
13. Officers are prohibited from carrying a duty firearm while under the influence of any mind-altering substance. It is the responsibility of the officer to notify his/her supervisor or local state director of use of mind-altering substances.

F. Training

1. Officers authorized to carry a duty firearm pursuant to this policy shall successfully complete a firearms training program recognized by DPSST.
2. Officers authorized to carry a duty firearm pursuant to this policy must qualify with their authorized or issued firearm on a quarterly basis. All qualifications must be documented in writing by a Department-approved firearms instructor with copies to the officer's training file. The serial number of the duty firearm used for qualification shall be documented at each qualification.
3. Any officer who fails to achieve a qualifying score during his/her quarterly firearms qualifications shall immediately cease to be authorized to carry a duty firearm under this policy. The officer's authority to carry a duty firearm may be reinstated by the local state director when a qualifying shooting score is achieved.
 - a. If an officer does not post a qualifying score after three relays, the officer will receive corrective training from the firearms instructor until qualified. The officer will return to the range with the firearms instructor after their corrective training qualification, and he/she will receive further corrective training as arranged.
 - b. At the next quarterly qualification, if the same officer does not post a qualifying score after three relays, the officer will receive corrective training from the firearms instructor until qualified. The officer will be advised that failure to pass the next quarterly qualification will result in suspension of carrying their firearm. The officer will return to the range with the firearms instructor after their corrective training qualification, and he/she will receive further corrective training as arranged.
 - c. At the third quarterly qualification, if the same officer does not post a qualifying score after three relays, or at the end of the training day, their firearm will be immediately surrendered to the firearms instructor, and the local state director will be immediately notified.
 - d. The local state director shall suspend the authority to carry their duty firearm until the officer has demonstrated the ability to post a qualifying score at a regularly scheduled qualification
 - e. While the suspension is in effect, the officer will have access to the firearm for training purposes only. Any further corrective training would be the responsibility of the officer.

G. Authorized Equipment

1. Only firearms and ammunition approved and/or issued by the Department may be carried while on duty pursuant to this policy.
2. Modifications of firearms must be approved and recorded by the Department armorer.
3. Employees are required to have at least two issued magazines for use with their duty firearm.

4. Holsters must be approved by the local state director and firearms instructor for use in carrying the officer's duty firearm.
5. Any optional equipment must be approved, in advance, by the local state director and firearms instructor. Optional equipment includes, but is not limited to, grips and grip adapters, extra magazines, carrying cases, and modifications to the sights for low light conditions.

H. Reporting

Any officer involved in the discharge of his/her firearm in a situation other than training or off duty practice shall immediately report the incident, in accordance with the Department's rule on **Use of Force (Community Corrections)** (OAR 291-022).

I. Administrative Review

1. An officer may request an administrative review of a denial/revocation decision by the local state director. Requests for administrative review shall be in writing and submitted to the Chief of Community Corrections within 30 calendar days from the date of the written decision or shall be considered waived.
2. The Chief of Community Corrections shall render his/her decision, in writing, within 30 calendar days of receipt of the request. The Chief of Community Corrections' decision shall be promptly communicated to the employee in writing. Copies of the decision shall be distributed to the local state director.

IV. IMPLEMENTATION

This policy will be adopted immediately without further modification.