

STATE OF VERMONT AGENCY OF HUMAN SERVICES DEPARTMENT OF CORRECTIONS	Firearms		Page 1 of 19
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Nicholas J. Deml, Commissioner	Date Signed	Date Effective	

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Policy #128, Firearms

PURPOSE

This policy outlines requirements for the issuance of firearms to Department of Corrections (DOC) staff members, as well as for the maintenance and use of all DOC firearms.

AUTHORITY

28 V.S.A. §§ 102, 551a

POLICY

The DOC's policy is to use firearms for the purposes of protection against a threat of serious bodily harm or deadly force, the protection of others, [REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]. The Commissioner may authorize the issuance of a DOC firearm to a staff member, as part of a self-protection plan.

The DOC recognizes that a majority of the population has experienced a traumatic event in their lifetimes, and that the individuals under the custody or supervision of the Department represent a population that is at higher risk for increased exposure to trauma. With this understanding, the DOC has a responsibility to ensure individuals are not unnecessarily re-traumatized or triggered through our interactions or use of firearms. When an individual is transported by the DOC, they undergo an unclothed search, are placed in restraints, and may be transported by individuals carrying firearms. Each of these experiences could be traumatic and could trigger a stress response. The DOC conducts these processes to meet its mission of promoting safe and supported communities, and will mitigate any negative impacts by ensuring staff comply with this policy, and all required training, and are respectful of all individuals at all times.

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FIREARMS ISSUED TO DESIGNATED STAFF OR AS PART OF SELF-PROTECTION PLAN

The Commissioner may authorize the issuance of a DOC firearm to a staff member for self-protection when they have received a significant threat. The decision whether to issue a DOC firearm shall be made on a case-by-case basis.

A. Process for Firearms Issuance to Designated Staff or as Part of a Self-Protection Plan

1. A staff member may request a DOC firearm as part of their safety plan.
 - a. The staff member shall make the request to the Staff Safety Manager in writing, and include the specific reasons for the request.
 - b. The Facilities Director, Director of Field Services, other appropriate Director, or designee, may recommend the issuance of a firearm as part of a staff member's safety plan, in accordance with the policy on staff safety.
 - c. The Commissioner may authorize the issuance of a DOC firearm in response to such a request. This authorization to carry a firearm may be for a specified period of time, and the Commissioner may re-authorize or terminate the authorization as appropriate.
 - d. Upon approval of the request by the Commissioner, the individual's safety plan is converted into a self-protection plan and Staff Safety Manager shall arrange for firearms training and qualification as soon as practicable. All training involving the use of DOC-issued firearms will be delivered by a Vermont Criminal Justice Council (VCJC) certified firearms instructor.
 - e. The Superintendent, District Manager, appropriate Director, or designee, shall review the self-protection plan every 30 days to assess whether changes are needed.
2. The Commissioner may also authorize the issuance of a DOC firearm, not as part of a self-protection plan, to a designated staff member, for protection against serious bodily harm or deadly force.
3. When a staff member approved or authorized under this section achieves firearms certification, the Staff Safety Manager shall:
 - a. Retain a copy of the approval and all related paperwork, in accordance with the appropriate record schedule;
 - b. Issue the approved and certified staff member the following items:

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- i. A firearms identification card;
 - ii. Firearm;
 - iii. Holster;
 - iv. Magazine pouch;
 - v. Portable gun safe; and
 - vi. Fifty rounds of ammunition;
- c. Offer the approved and certified staff member a gun lock; and
 - d. Document the items issued to the approved and certified staff member.

B. Requirements for Carrying a DOC Firearm by Designated Staff or as Part of a Self-Protection Plan

1. Staff who are issued a DOC firearm as a designated staff member or as part of a self-protection plan shall only use that DOC-issued firearm for protection against a threat of serious bodily harm or deadly force or the protection of others.
2. Staff who are issued a DOC firearm as a designated staff member or as part of a self-protection plan shall not use the firearm in the course of any non-DOC business or for any purpose unrelated to their self-protection against such a threat or the protection of others.
3. Staff who are issued a DOC firearm as a designated staff member or as part of a self-protection plan shall:
 - a. Obtain firearms certification, approved by the Staff Safety Manager, prior to carrying the firearm and shall requalify regularly, as outlined in [Section C., Training for Individuals Issued DOC Firearms As a Designated Staff Member or As Part of a Self-Protection Plan](#);
 - b. Only carry that firearm in a DOC-issued holster;
 - c. Wear the firearm in a manner that is discreetly concealed and non-visible at all times;
 - d. Carry their firearms identification card whenever carrying the firearm; and
 - e. Store the firearm in a secure manner when it is not being carried, to prevent theft, tampering, or misuse.
4. A staff member who was issued a DOC firearm as a designated staff member or as part of a self-protection plan shall immediately report the loss or theft of the firearm to the Commissioner, in writing.

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5. A staff member who is issued a DOC firearm as a designated staff member or as part of a self-protection plan may be subject to disciplinary action, up to and including termination, if they:
 - a. Lose the firearm; or
 - b. Display or exhibit the firearm, other than to protection against a threat of serious bodily harm or deadly force.
6. If a staff member transfers worksites and has a DOC-issued firearm as part of a self-protection plan, they shall notify their new Superintendent, District Manager, or appropriate Director of their plan prior to their transfer.

C. Training for Individuals Issued DOC Firearms as Designated Staff or Part of a Self-Protection Plan

1. Staff members who are approved or authorized to carry a DOC firearm as a designated staff member or as part of a self-protection plan shall successfully complete and certify in a training course in the following topics prior to being issued a firearm:
 - a. Arrest certification;
 - b. Vermont law and DOC policies relating to the use of deadly force;
 - c. Correctional applications of the firearm;
 - d. Safe weapons handling;
 - e. Loading and reloading techniques;
 - f. Drawing and re-holstering techniques;
 - g. Shooting fundamentals, including footing (i.e., stance), grip, presentation, sight alignment, trigger control, and follow through;
 - h. Shooting at varying distances;
 - i. Dominant and non-dominant hand shooting techniques;
 - j. Move and shoot techniques;
 - k. Use of a barricade for cover and concealment;
 - l. Use of verbal commands;
 - m. Immediate action techniques;
 - n. Identification and engagement of multiple opponents;
 - o. Position shooting;
 - p. Diminished light techniques;
 - q. Concealed carry pistol techniques; and
 - r. Safe firearms storage.

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2. To achieve firearms certification, staff members who are issued a DOC firearm as a designated staff member or as part of a self-protection plan shall:
 - a. Successfully pass the:
 - i. DOC firearms written test; and
 - ii. VCJC Rule 13 36-Round Qualification Course of Fire; and
 - b. Adhere to all range safety rules.
3. Staff members who are issued a DOC firearm as a designated staff member or as part of a self-protection plan shall:
 - a. Requalify annually on the:
 - i. DOC firearms written test; and
 - ii. VCJC Rule 13 36-Round Qualification Course of Fire; and
 - b. Adhere to all range safety rules in order to maintain their authorization.

D. Unholstering or Discharge of DOC Firearm Issued to Designated Staff or as Part of a Self-Protection Plan

1. Staff members issued DOC firearms as a designated staff member or as part of a self-protection plan shall:
 - a. Only discharge a DOC-issued firearm as a last resort, to prevent loss of life or serious bodily injury of themselves or another person when there is imminent danger;
 - b. Not issue warning shots; and
 - c. Surrender the firearm to the appropriate law enforcement authority after discharge, upon request.
2. In the event that a staff member who is issued a DOC firearm as a designated staff member or as part of a self-protection plan unholsters their firearm not related to firearms training, the staff member shall immediately:
 - a. Make all required notifications, in accordance with the standard operating procedures (SOPs) on incident reporting. In cases when the individual is not assigned to a correctional facility or probation or parole office, they shall follow the notification requirements in the facility incident reporting SOP; and
 - b. Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge.

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3. In the event of an unintentional or intentional discharge not related to firearms training of a DOC firearm issued to a designated staff member or as part of a self-protection plan, the staff member shall immediately:
 - a. Make all required notifications, in accordance with the standard operating procedures on incident reporting; and
 - b. Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge.
4. In the event of an unintentional discharge related to firearms training of a DOC firearm issued to a designated staff member or as part of a self-protection plan, the firearms instructor shall:
 - a. Remove the firearm from possession of the staff member who discharged it;
 - b. Assess the situation to ensure that no one is injured.
 - i. If no one is injured, the firearms instructor shall:
 - a) Make a determination whether to remove the individual who discharged the firearm from the training;
 - b) Continue the training; and
 - c) At the end of the day:
 - 1) Make all required notifications, in accordance with the standard operating procedures on incident reporting; and
 - 2) Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge. All staff involved shall include a written report in the incident.
 - ii. If there is a resulting injury, staff shall immediately:
 - a) Seek medical attention, if required;
 - b) Make all required notifications, in accordance with the standard operating procedures on incident reporting; and
 - c) Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge.

E. Revocation or Relinquishment of Firearms Authorization of Designated Staff or Staff with Safety Plan

1. The Commissioner may revoke the firearms authorization of any staff member at any time.

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2. A staff member who was issued a DOC firearm as a designated staff member or as part of a self-protection plan may have their firearms authorization reviewed and possibly revoked by the Commissioner, or designee, for any of the following reasons, or other reasons not listed:
 - a. The threat that prompted the issuance of a DOC-firearm no longer exists;
 - b. The staff member was found to be out of compliance with any part of this policy, including failing to successfully complete firearms training or maintain certification;
 - c. The staff member discharged the firearm in an unsafe or unlawful manner;
 - d. A injury or death resulted from the staff member's accidental or negligent discharge of the firearm; or
 - e. The staff member does not adhere to all range safety rules.
3. A staff member may voluntarily relinquish their firearms authorization at any time.

FIREARMS ISSUED FOR SPECIAL DUTIES

The Commissioner may authorize the issuance of a DOC firearm to a staff member, who shall carry that firearm when performing specific special duties.

A. Process for Firearms Issuance for Special Duties

1. The authorization for the issuance of a DOC firearm for special duties shall only be granted by the Commissioner.
2. When a staff member is authorized to carry a firearm for special duties, the Staff Safety Manager shall arrange for firearms training and qualification as soon as practicable. All training involving the use of DOC-issued firearms will be delivered by a VCJC certified firearms instructor.
3. When the staff member authorized under this section achieves firearms certification, the Staff Safety Manager shall:
 - a. Retain a copy of the approval in the armory, in accordance with the appropriate record schedule;
 - b. Issue the approved staff member the following items:
 - i. A firearms identification card;
 - ii. Firearm;

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- iii. Holster;
- iv. Magazine pouch;
- v. Portable gun safe; and
- vi. Fifty rounds of ammunition;
- c. Offer the approved staff member a gun lock; and
- d. Document the items issued to the approved staff member.

B. Requirements for Carrying a DOC Firearm for Special Duties

Any DOC staff member that is issued a department firearm for special duties:

1. Shall only use or carry a DOC-issued firearm for protection against a threat of serious bodily harm or deadly force in the line of duty;
2. Shall not use the firearm in the course of any non-DOC business or for any purpose unrelated to their official duties;
3. Obtain firearms certification, approved by the Staff Safety Manager, prior to carrying the firearm and shall requalify regularly, as outlined in [Section C. Training for Individuals Issued DOC Firearms For Special Duties](#);
4. Only carry that firearm in a DOC-issued holster;
5. Carry their firearms identification card whenever carrying the firearm;
6. Store the firearm a DOC-issued lock box at all times except for the following reasons:
 - a. Training with a VCJC Firearms Instructor;
 - b. Armed transports when assigned;
 - c. Armed hospital coverage assigned; or
 - d. Additional duties assigned by the Commissioner of Corrections;
7. Maintain the firearm in clean and operating condition, by field stripping and cleaning after each training event.
8. Shall immediately report the loss or theft of the firearm to the Commissioner, in writing.
9. A staff members issued a DOC firearm may be subject to disciplinary action, up to and including termination, if they:
 - a. Lose the firearm; or
 - b. Display or exhibit the firearm, other than to protection against a threat of serious bodily harm or deadly force.

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C. Training for Individuals Issued DOC Firearms for Special Duties

1. Staff members approved to carry a DOC-issued firearm for special duties shall successfully complete and certify in a training course in the following topics prior to being issued a firearm:
 - a. Arrest certification;
 - b. Vermont law and DOC policies relating to the use of deadly force;
 - c. Correctional applications of the firearm;
 - d. Safe weapons handling;
 - e. Loading and reloading techniques;
 - f. Drawing and re-holstering techniques;
 - g. Shooting fundamentals, including footing (i.e., stance), grip, presentation, sight alignment, trigger control, and follow through;
 - h. Shooting at varying distances;
 - i. Dominant and non-dominant hand shooting techniques;
 - j. Move and shoot techniques;
 - k. Use of a barricade for cover and concealment;
 - l. Use of verbal commands;
 - m. Immediate action techniques;
 - n. Identification and engagement of multiple opponents;
 - o. Position shooting;
 - p. Diminished light techniques;
 - q. Concealed carry pistol techniques;
 - r. Safe firearms storage; and
 - s. Armed transport training, as outlined under the [Armed Transport Firearms and Requirements Heading, Section B., Armed Transport Firearms Training](#).
2. To achieve firearms certification, staff members issued a DOC firearm for special duties shall successfully pass the:
 - a. DOC firearms written test;
 - b. Pistol 50-round qualification course of fire;
 - c. 30-round diminished light pistol qualification course of fire; and
 - d. Adhere to all range safety rules.
3. Staff members issued a DOC firearm for special duties who are certified in the use of firearms shall:
 - a. Recertify twice per calendar year in the:
 - i. DOC firearms written test; and
 - ii. Pistol 50-round qualification course of fire;

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- b. Recertify once annually in the 30-round diminished light pistol qualification course of fire;
- c. Participate in at least eight hours of firearms training per calendar year, in addition to required certifications;
- d. Adhere to all range safety rules.

D. Unholstering or Discharge of DOC-Issued Firearm Issued for Special Duties

1. Staff members issued a DOC firearm for special duties:
 - a. Shall only discharge the DOC-issued firearm as a last resort, to prevent loss of life or serious bodily injury to themselves or another person when there is imminent danger;
 - b. Shall not issue warning shots; and
 - c. Shall surrender the firearm to the appropriate law enforcement authority after discharge, upon request.
2. In the event a staff member who is issued a DOC firearm for special duties unholsters their firearm not related to firearms exchange or training:
 - a. Make all required notifications, in accordance with the standard operating procedures on incident reporting. In cases when the individual is not assigned to a correctional facility or probation or parole office, they shall follow the notification requirements in the facility incident reporting SOP; and
 - b. Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge.
3. In the event of an intentional discharge not related to firearms training of a DOC firearm issued to a staff member for special duties, once the situation has been resolved:
 - a. A firearms-certified staff member not involved in the discharge shall remove the firearm from possession of the staff member who discharged it and secure it for evidence;
 - b. Staff shall:
 - i. Secure the scene;
 - ii. Remove the staff member who discharged their firearm from the scene and assign a support person to accompany and monitor the individual;
 - iii. Make all required notifications, in accordance with the standard operating procedures on incident reporting;

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- iv. Take photographs of the area and any injuries that occurred;
 - v. Offer the staff member who discharged the opportunity to be assessed by a medial provider; and
 - vi. Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge. All staff involved shall include a written report in the incident; and
- c. The staff member's immediate supervisor shall refer the individual to the employee assistance program for additional support, if appropriate.
4. In the event of an unintentional discharge related to firearms training of a DOC firearm issued to a staff member for special duties, the firearms instructor shall:
- a. Remove the firearm from possession of the staff member who discharged it
 - b. Assess the situation to ensure that no one is injured.
 - i. If no one is injured, the firearms instructor shall:
 - a) Make a determination whether to remove the individual who discharged the firearm from the training;
 - b) Continue the training; and
 - c) At the end of the day:
 - 1) Make all required notifications, in accordance with the standard operating procedures on incident reporting; and
 - 2) Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge. All staff involved shall include a written report in the incident.
 - ii. If there is a resulting injury, staff shall immediately seek medical attention, if required, and follow the steps required when there is an intentional discharge of a firearm not related to training outlined above.
5. In the event of an unintentional discharge not related to firearms training of a DOC firearm issued to a staff member for special duties, staff shall immediately:
- a. Make all required notifications, in accordance with the standard operating procedures on incident reporting; and

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- b. Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge.

E. Revocation or Relinquishment of Special Duties Firearms Authorization

1. The Commissioner may revoke the firearms authorization of any staff member at any time.
2. A staff member who was issued a DOC firearm for special duties may have their firearms authorization reviewed and possibly revoked by the Commissioner, or designee, for any of the following reasons, or other reasons not listed:
 - a. The staff member's job duties no longer include special duties requiring the issuance of a DOC firearm;
 - b. The staff member was found to be out of compliance with any part of this policy, including failing to successfully complete firearms training or maintain certification;
 - c. The staff member discharged the firearm in an unsafe or unlawful manner;
 - d. A injury or death resulted from the staff member's accidental or negligent discharge of the firearm; or
 - e. The staff member does not adhere to all range safety rules.
3. A staff member may voluntarily relinquish their firearms authorization at any time.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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FACILITY FIREARMS

The DOC issues firearms to each Vermont correctional facility. This section outlines the conditions under which those firearms may be used, as well as requirements for their storage, access, and maintenance.

A. Use of Facility Firearms

1. Facility firearms may only be used by individuals who have passed and maintain firearms certification as described in [Section D., Firearms Training for Armed Staff Working a Security Post](#).
2. Staff may only access or use facility firearms for the following purposes:
 - [REDACTED]
 - [REDACTED]
 - c. For authorized training;
 - d. In order to clean or repair the firearm; or
 - [REDACTED]
3. Staff may only carry a facility firearm in a DOC-issued Level III retention holster.

B. Facility Firearms Storage and Access

- [REDACTED]
2. Staff shall secure all facility firearms in the gun safe unless it is being used for one of the purposes outlined in [Section A., Use of Facility Firearms](#).
3. The Security and Operations Supervisor (SOS) shall ensure that the facility maintains a list of staff members who are authorized to access the armory. This list shall consist of:
 - a. Glock armorers;
 - b. Remington armorers;
 - c. Identified Special Response Team (SRT) members; and

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- d. Correctional Facility Shift Supervisors (CFSS) and other security staff members of a higher rank in the DOC line of authority.
4. The SOS shall ensure that the facility maintains an armory perpetual inventory of:
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
5. The armorer shall conduct a monthly inventory of firearms and ammunition and document each inventory in the armory binder.
6. The Staff Safety Manager shall conduct an inventory of each facility armory once annually, with the facility armorer present.

C. Maintenance of Facility Firearms

1. After each time a firearm is used for training or certification purposes, staff shall:
 - a. Field strip and clean the firearm; and
 - b. Conduct a function test on the firearm.
2. Facility firearms shall only be inspected by certified armorers. Certified armorers shall:
 - a. Conduct internal and external inspections of all firearms at least once every six months; and
 - b. Conduct function tests on firearms as part of the inspection.

D. Firearms Training for Armed Staff Working a Security Post

1. Facility security staff who work an armed post shall be required to pass the initial 44-hour firearms certification course. This course includes the use of a:
 - a. Pistol (e.g., Glock 17); and
 - b. Shotgun (e.g., Remington 870), with both lethal and less lethal ammunition.
2. To pass the initial firearms certification course, facility security shall attend, successfully complete, and certify in the:
 - a. DOC firearms and less-lethal munitions written test;
 - b. Pistol 50-round qualification course of fire;
 - c. Less-lethal shotgun qualification course of fire;
 - d. 30-round diminished light pistol qualification course of fire; and
 - e. Lethal shotgun familiarization qualification course of fire.

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3. Facility security staff who are certified in the use of firearms shall:
 - a. Recertify twice annually in the:
 - i. DOC firearms and less-lethal munitions written test;
 - ii. Pistol 50-round qualification course of fire; and
 - iii. Lethal shotgun familiarization course of fire;
 - b. Recertify once annually in the:
 - i. 30-round diminished light pistol qualification course of fire; and
 - ii. Less-lethal shotgun qualification course of fire; and
 - c. Participate in at least four hours of firearms training per calendar year, in addition to required certifications.

E. Advanced Firearms Training

The DOC provides additional advanced training for individuals who are members of Special Response Teams (SRTs).

F. Unholstering or Discharge of Facility Firearms

1. Certified staff members who are assigned a facility firearm:
 - a. Shall only discharge the firearm as a last resort, to prevent loss of life or serious bodily injury to themselves or another person when there is imminent danger;
 - b. Shall not issue warning shots; and
 - c. Shall surrender the firearm to the appropriate law enforcement authority after discharge, upon request.
2. In the event a staff member who is assigned a facility firearm unholsters their firearm not related to firearms exchange or training:
 - a. Make all required notifications, in accordance with the standard operating procedures on incident reporting; and
 - b. Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge.
3. In the event of an intentional discharge not related to firearms training of a facility firearm, once the situation has been resolved:
 - a. A firearms-certified staff member not involved in the discharge shall remove the firearm from possession of the staff member who discharged it and secure it for evidence; and
 - b. Staff shall:

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- i. Secure the scene;
 - ii. Remove the staff member who discharged their firearm from the scene and assign a support person to accompany and monitor the individual;
 - iii. Make all required notifications, in accordance with the standard operating procedures on incident reporting;
 - iv. Take photographs of the area and any injuries that occurred;
 - v. Offer the staff member who discharged the opportunity to be assessed by a medial provider; and
 - vi. Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge. All staff involved shall include a written report in the incident; and
 - c. The staff member's immediate supervisor shall refer the individual to the employee assistance program for additional support, if appropriate.
4. In the event of an unintentional discharge related to firearms training of a facility firearm, the firearms instructor shall:
 - a. Remove the firearm from possession of the staff member who discharged it
 - b. Assess the situation to ensure that no one is injured.
 - i. If no one is injured, the firearms instructor shall:
 - a) Make a determination whether to remove the individual who discharged the firearm from the training;
 - b) Continue the training; and
 - c) At the end of the day:
 - 1) Make all required notifications, in accordance with the standard operating procedures on incident reporting;
 - 2) Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge. All staff involved shall include a written report in the incident.
 - ii. If there is a resulting injury, staff shall immediately seek medical attention, if required, and follow the steps required when there is an intentional discharge of a firearm not related to training outlined above.

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5. In the event of an unintentional discharge not related to firearms training of a facility firearm, staff shall immediately:
 - a. Make all required notifications, in accordance with the standard operating procedures on incident reporting; and
 - b. Create an incident in OMS, in accordance with the policy on incident reporting, including the circumstances of the discharge.

G. Revocation or Relinquishment of Facility Firearms Authorization

1. The Commissioner may revoke the firearms authorization of any staff member at any time.
2. A staff member who was certified to use a facility firearm may have their firearms authorization reviewed and possibly revoked by the Commissioner, or designee, for any of the following reasons, or other reasons not listed:
 - a. The staff member was found to be out of compliance with any part of this policy, including failing to successfully complete firearms training or maintain certification;
 - b. The staff member discharged the firearm in an unsafe or unlawful manner;
 - c. A injury or death resulted from the staff member's accidental or negligent discharge of the firearm; or
 - d. The staff member does not adhere to all range safety rules.
3. A staff member may voluntarily relinquish their firearms authorization at any time.