

<b>OFFICE OF THE SHERIFF</b>	
<b>Undersheriff Kevin A McLeod</b>	
<b>General Order</b>	

**To:** All WCSO Staff

**From:** Undersheriff McLeod

**CC:**

**Date:** 19-April-2012

**Re:** Firearms Qualification

**#12-03**

This general order will supersede any and all previous General Orders, Procedural Orders, and/or Policy and Procedure.

## PURPOSE

The performance of essential functions of a Deputy Sheriff assigned to the Enforcement Division or a position in the Corrections Division which dictates the use of a firearm requires the deputy to comply with Weber County Sheriff's Office Firearms Policy 1.43 Firearms Training/Qualification/Proficiency. To appropriately protect and serve, maintain the public trust, and avoid significant liability, it is imperative that all Weber County Sheriff's Deputies assigned to the Enforcement Division or to an assignment in the Corrections Division which dictates the use of a firearm meet the standards of firearms qualification set forth in the Sheriff's Office Policies and Procedures and meet training and requirements set forth in Utah State Code.

## RATIONALE

Weber County Sheriff's Office deputies assigned to the Enforcement Division or to a position in the Corrections Division which dictates the use of a firearm are in a position of public trust and, as a core function and statutory mandate, must be able to carry a firearm. To be able to carry a firearm, a deputy using the Sheriff's Office assigned firearm must, at least once a year, be able to demonstrate proficiency in accuracy, familiarity, handling, and decision making (shoot/don't shoot) in both daylight and in low light or night time conditions. This is completed by participation in "Qualification Shoot/Training" sessions. Ability to meet and comply with Firearms Qualification standards creates an atmosphere of public trust and reliability. Failure to qualify or meet the standards creates liability for the Weber County Sheriff's Office and destroys the public trust.

## ORDER

Annual firearms "Qualification Shoot/Training" sessions are planned and scheduled by the Training Bureau and firearms instructors. Notification of assigned training dates and times are given to each deputy and his or her command. Although training dates and times may be changed due to unforeseeable or unchangeable events, it is the responsibility of the deputy to request and make those

changes through his or her Chain of Command. Any request for change in a scheduled firearms qualification or training date must be in writing and must be signed and dated by the deputy's Lieutenant and Chief Deputy, with notification given to the Training Bureau in a timely manner.

***Note: As a condition of employment, firearms qualification is mandatory for all deputies assigned to the Enforcement Division. Firearms qualification is optional for deputies assigned to the Corrections Division. Therefore available resources for training and qualification will be focused toward those deputies who must qualify as a condition of employment. Corrections Deputies who wish to qualify will be restricted to the "Initial Qualification Shoot" and "Failure to Qualify (1)".***

#### ❖ **Initial Qualification Shoot** (Enforcement and Corrections Deputies)

1. Deputies assigned to the Enforcement Division and those Corrections Deputies who want to qualify to carry a firearm must participate in at least two (2) qualification/training shoots per calendar year.
2. The cost of ammunition and time will be paid by the Sheriff's Office.
3. Qualification/training shoots will be separated into two sessions. One (1) daytime "Qualification Shoot" will evaluate deputies on firearms proficiency with: accuracy, familiarity and handling, and decision making (shoot/don't shoot). The second "training" session will consist of shooting, familiarity and handling, and decision making (shoot/don't shoot) in low light conditions using artificial light.
4. Weber County Sheriff's Office Policy 1.43.4 states:  
*Qualifying Courses of Fire and Minimum Passing Scores*
  - A. *Will be determined by the Sheriff's Office firearms instructor(s).*
  - B. *Courses of Fire may be different each time and may include the testing of numerous shooting disciplines such as but not limited to:*
    1. *sight alignment/picture,*
    2. *accuracy,*
    3. *time elements,*
    4. *positions,*
    5. *reloading, malfunction clearing,*
    6. *shoot/don't shoot or other decision making testing; and*
    7. *safety considerations.*
5. Deputies who are successful in meeting the qualification standards will be give a "Notice of Qualification" by the Range Master or Firearms Instructor. It is the responsibility of the deputy to give this notice to his or her immediate supervisor as soon as possible. The supervisor shall give the notice to the Division Chief Deputy to be placed in the deputy's personnel file.

#### ❖ **Failure to Qualify (1)** (Corrections and Enforcement Deputies)

1. Deputies who fail to qualify will be given a written "Notice of Qualification Failure 1" by the Range Master or Firearms Instructor. It is the responsibility of the deputy to give this notice to

his or her immediate supervisor as soon as possible. The supervisor shall give the notice to the Division Chief Deputy to be placed in the deputy's personnel file.

2. The deputy will continue to perform normal assignment and work duties.
3. The deputy will then have thirty (30) days to come in to compliance with the policy.
4. During the thirty days, the deputy will be provided with at least one (1) three-hour training session with a firearms instructor.
  - a. This training will be mandatory for Enforcement Division Deputies. Time will be paid and ammunition provided.
  - b. This training will be optional for Corrections Deputies. Time and ammunition will be borne by the Corrections Deputy.
5. At the end of the training session, the deputy will be given a second attempt to qualify.
  - a. This attempt will be mandatory for Enforcement Division Deputies and time and ammunition will be paid for by the Sheriff's Office.
  - b. This attempt will be optional for Corrections Division Deputies and time and ammunition will be borne by the deputy.
6. If the deputy is successful in obtaining the qualification standards, he or she will be given a "Notice of Qualification". It is the responsibility of the deputy to give this notice to his or her immediate supervisor as soon as possible. The supervisor shall give the notice to the Division Chief Deputy to be placed in the deputy's personnel file.
7. If the deputy fails, he or she may be given one more opportunity to qualify prior to the end of the thirty-day period at the discretion and direction of the Firearms Instructors.
8. If the deputy is successful, he or she will be given a "Notice of Qualification" by the Range Master or Firearms Instructor. It is the responsibility of the deputy to give this notice to his or her immediate supervisor as soon as possible. The supervisor shall give the notice to the Division Chief Deputy to be placed in the deputy's personnel file.

## ❖ Failure to Qualify (2)

1. If the deputy fails to qualify in the thirty-day period described in Failure to Qualify (1), the deputy will be given a "Notice of Qualification Failure 2" by the Range Master or Firearms Instructor. It is the responsibility of the deputy to give this notice to his or her immediate supervisor as soon as possible. The supervisor shall give the notice to the Division Chief Deputy to be placed in the deputy's personnel file and to take appropriate action as described.
2. A deputy who fails will continue to perform normal assignment and work duties.
3. The deputy will be immediately placed on a disciplinary action by the Division Chief Deputy.
4. The disciplinary action will advise the deputy that he or she has been found in violation of Sheriff's Office Policy 1.43.
5. The deputy will be placed on a "Corrective Action Plan".

6. The “Corrective Action Plan” will provide the deputy with an additional thirty (30) days to comply with the policy.
7. The corrective action plan will notify the deputy that failure to comply with policy in the thirty (30) day period will result in discipline, up to and including termination.
8. During this thirty-day period, the deputy will be provided with at least one (1) three-hour training session with a firearms instructor. This training session is mandatory.
9. At the end of the training session, the deputy will be provided an attempt to qualify.
10. If the deputy is successful, he or she will be given a “Notice of Qualification” by the Range Master or Firearms instructor. It is the responsibility of the deputy to give this notice to his or her immediate supervisor as soon as possible. The supervisor shall give the notice to the Division Chief Deputy to be placed in the deputy’s personnel file.
11. If the deputy is unsuccessful, he or she will be given a “Notice of Qualification Failure 3” by the Range Master or Firearms Instructor. It is the responsibility of the deputy to give this notice to his or her immediate supervisor as soon as possible. The supervisor shall give the notice to the Division Chief Deputy to be placed in the deputy’s personnel file and to take appropriate action as described.

#### ❖ **Failure to Qualify (Final)**

1. If a deputy fails the qualification attempts described in Failure to Qualify (2), he or she will be provided with one more “final qualification attempt” prior to the end of the thirty-day period.
2. This “final qualification attempt” will be scheduled at the direction and discretion of the Firearms Instructors.
3. If a deputy fails the “final qualification attempt”, the deputy will be given a “Notice of Qualification Failure Final” by the Range Master or Firearms Instructor. It is the responsibility of the deputy to give this notice to his or her immediate supervisor as soon as possible. The supervisor shall give the notice to the Division Chief Deputy to be placed in the deputy’s personnel file and to take appropriate action as described.
4. The Chief Deputy will immediately place the deputy on administrative leave and proceed with the Disciplinary/Corrective Action Plan which will result in a recommendation of Termination.
5. All appropriate due process, as provided in the Weber County Sheriff’s Office Policy and Procedures and Weber County Personnel Policy, will apply.