



POLICY DIRECTIVE

Policy:	DOC 3.1.31 FIREARMS
Effective Date:	06/01/1998 Page 1 of 3
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Signature/Title:	/s/ John Schaffer, Public Safety Division Chief

I. POLICY

All Department of Corrections employees authorized to carry firearms will follow this policy and established requirements for the lawful and judicious use of firearms. This policy does not apply to issues related to the use of firearms that are addressed in use of force or incident response policies.

II. APPLICABILITY

All Department division and facility personnel whose responsibilities include carrying a firearm. Unless otherwise specified, the term “firearms” in this policy refers to department-issued firearms.

III. DEFINITIONS (See Glossary)

IV. REQUIREMENTS FOR AUTHORIZATION TO CARRY A FIREARM

A. Training and Qualification

1. All firearms training must include approved lesson plans outlining safety considerations. The Public Safety Training Supervisor or designee must approve and maintain records of lesson plans and firearms courses.
2. Employees must successfully complete an initial firearms qualification course to become authorized to carry a firearm. Further, employees must qualify annually through an approved course and complete any required training to remain authorized to carry a firearm.
3. An employee who fails the annual firearms qualification course may be given two additional attempts to qualify if time and circumstances allow during that training session.
 - a. If the employee fails to qualify during that training session, the employee will have 30 days to complete approved remedial training and must successfully qualify.
 - b. If the employee fails to qualify through remedial training, the employee is prohibited from carrying a firearm while performing official duties until such time as qualification requirements are met.
4. After each attempt at qualification, the *DOC 3.1.31 (A) Firearms Qualification* form is completed and filed in the employee’s training file.
5. An employee’s authorization may be revoked or suspended by a Bureau Chief or Facility Administrator as recommended by a supervisor and/or Firearms Instructor. Records of revocation or suspension will be maintained in the employee’s personnel file.
6. An employee with a physical or mental health condition preventing them from carrying a firearm and/or participating in the firearms qualification will provide Human Resources or the designated Americans with Disabilities Act Coordinator with a written statement from their physician, psychiatrist, or other medical/mental health provider specifying the expected length of time for the condition if determinable, including the start and end date.

V. FIREARMS

A. Carrying a Firearm

1. While assigned to an armed duty position, employees shall carry a Department-issued firearm at all times while on duty. Firearms will be carried in the approved retention device when applicable and will be duty ready. Employees are also required to carry handcuffs and their badge. **The badge will be clearly visible whenever the firearm is visible.**
 - a. Variations from these requirements may be approved in writing by an employee's supervisor and must be documented by the supervisor.
2. Employees carrying a Department-issued firearm either on or off-duty will refrain from using mood-altering and/or intoxicating substances and are subject to all the conditions of this policy.
3. Employees who wish to carry a concealed personal firearm while on duty are subject to applicable Montana Operations Manual (MOM) concealed carry firearm policy requirements.
4. Any time an employee points a firearm at anyone, or discharges a firearm outside of a training exercise, it will be reported and may be investigated pursuant to priority incident reporting requirements.

B. Storing Firearms and Ammunition

1. During work hours the Department-assigned firearm must be kept on the employee or in a secure location. Upon shift completion, employees will secure the firearm in the armory, a safe, or locked box. Any time a firearm is stored in a vehicle, the vehicle must be locked and the firearm stored out of sight. If the firearm is taken outside of the workplace, it will be stored in a secure location when not under the employee's control. The Department is not responsible for providing secure storage for any firearm taken outside of the workplace by an employee.
2. At secure facilities, the storage and issuing of all firearms and ammunition will follow applicable armory requirements.

C. Approved Firearms, Ammunition, and Equipment

1. Makes, models, and brands of firearms, ammunition, and equipment will be reviewed and approved by the firearms committee prior to being purchased or utilized.
2. Only accessories approved by the firearms committee may be attached. No modifications or alterations may be made to any Department-issued firearm other than grips approved by the firearms committee. No lettering, wording, or permanent alterations may be added to the firearm.
 - a. The Department may purchase equipment for task force officers at the firearms committee's discretion.
3. Red Dot Sights (RDS)
 - a. The firearms committee must approve all RDS systems.
 - b. Optics and approved retention devices will be purchased by the individual officer. Reimbursement requests will not be authorized. The Department is not liable for damage to officer purchased items. All officer purchased equipment remains the property of the officer.
 - c. Officers wishing to carry a Red Dot Sight system on their issued handgun must first complete an approved in-house, or other department approved RDS or Pistol Mounted Optic (PMO) specific training course and qualify with their weapon using the RDS prior to carrying the weapon.

- d. RDS systems must be installed by a qualified armorer. Any maintenance will be the sole responsibility of the individual officer.
- e. Iron Sights:
 - 1) Iron sights must co-witness through the optic window and be useable in the event of an optic or battery failure.
 - 2) Officers approved to carry RDS system must also demonstrate proficiency with the use of their back-up iron sights during the required transitional training course. Officers must qualify with both RDS and iron sights (Optic off).

D. Maintenance and Inspection of Firearms

1. Employees authorized to carry Department-issued firearms will be trained and responsible for the routine care, cleaning, and maintenance of firearms.
 - a. Repairs will be made by a Department-certified armorer or their designee.
2. All Department-issued firearms will be inspected annually by a Department-certified armorer, and the inspection will be documented.
3. If a Department-issued firearm or related equipment is lost, stolen, or otherwise unusable, it must be immediately reported to a Firearms Instructor and a supervisor. For lost or stolen firearms, the employee must notify local law enforcement or staff of the Department's Investigations Bureau for NCIC entry. A replacement can be issued and an employee does not need to re-qualify with the replacement if it is of the same make, model, generation, and caliber as the original.

VI. CLOSING

Questions about this policy should be directed to the Firearms Committee.

VII. REFERENCES

- A. 45-8-316, MCA; 45-8-328, MCA; 45-8-356 MCA
- B. *Montana Operations Manual, Permitted Conceal Carry Firearm Policy*
- C. *DOC 1.1.6 Priority Incident Reporting and Acting Director*

VIII. FORMS

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|------------------------|----------------------------------|
| <i>DOC 3.1.31 (A)</i> | <i>Firearms Qualification</i> |
| <i>PPD 1.1.600 (A)</i> | <i>Incident Report (P&P)</i> |