

## **Northern Region - Framework to Allow Firearm Use by Designated Volunteers for Stock Euthanasia (3/31/20)**

### **Current policy:**

#### **FSM 1833.12 - Volunteers Using Firearms**

Volunteers may carry firearms in situations where field-going employees (except law enforcement employees) would carry them. Such volunteers must receive appropriate training and certification for firearm use and meet any other requirements for firearms handling,

### **Framework:**

**Volunteers under a Forest Service volunteer agreement who meet R1 requirements and pass a background check may be authorized by the Regional Forester or a Forest or Grassland Supervisor as an Agency designated volunteer firearm user, for the purpose of disposal (stock euthanasia) of their personal property.**

- 1. Authorization granted on a case-by case basis by Regional Forester or Forest/Grasslands Supervisor (not LEI dependent).**
  - a. Agency designated volunteer firearm bearer – through Regional Forester or Forest or Grassland Supervisor Letter of Designation
  - b. No “cap” on volunteer numbers or requests; must be volunteers working under a Forest Service volunteer agreement
  - c. Designation expires at end of three years
    - i. Reviewed and renewed on a three year cycle
    - ii. Background check is conducted for initial designation and each renewal
    - iii. Revocation of designation may occur at any time including but not limited to if the volunteer engages in activity that is unlawful per 18 U.S.C. 922 (g), engages in activity that is a violation of local, state and federal laws, and/or engages in any behavior or actions that put other volunteers, self, partners, Agency employees, or the public at risk
  
- 2. Background check required**
  - a. Organization submits names of volunteers they would like to have designated to local Line Officer
  - b. Local unit sends inquiry document via email to individuals
  - c. Volunteer fills out inquiry and submits personally via email to local Forest Service law enforcement contact listed (volunteer does NOT submit to the local unit)
  - d. LEI authorized to run background check
    - i. A background check must be run, even if the volunteer has had a background check conducted in the past or had a check conducted by a state for a concealed carry permit. Agency needs to ensure that as of the date of the request, the volunteer has not been convicted of a crime that would prevent them from having the ability to possess a firearm.
  
  - e. Confidentiality is retained; local line officer is notified by LE and only knows if applicant passed or did not pass background check.

- f. Law enforcement will shred the inquiry document; it will not be retained.
- 3. Use of controlled substances prohibited**
    - a. 18 USC 922 (g) prohibits unlawful use of controlled substances
  - 4. Completion of firearms safety course; self-certification that course was taken/completed or have previous law enforcement experience or military service**
    - a. Hunter safety course
    - b. Concealed weapons course
    - c. Firearms safety course
    - d. National Rifle Association (NRA) firearms course
    - e. Previous law enforcement experience or military service
  - 5. Firearms personally owned by the volunteer are allowed; government firearm not provided**
    - a. Used and carried in compliance with all local, state and federal laws.
  - 6. Discharge of a firearm**
    - a. For stock euthanasia only
    - b. In compliance with 36 CFR 261.10 (d) and other state laws re: firearms discharge
    - c. Any discharge (intentional or un-intentional) of a firearm is reported to the local Forest Service unit within 24 hours upon return from the field location.
    - d. Where a discharge of a firearm has resulted in personal injury or damage, a follow-up investigation by Forest Service Law Enforcement or local Sheriff's Department or other law enforcement entity may occur.
  - 7. Regional JHA/RA signed prior to use**
  - 8. Template wording added to local Forest Service Volunteer Agreement (OF-301a) prior to volunteer service, authorizing use of firearms by Agency designated volunteer firearm users for stock euthanasia**
    - a. Only volunteers who are designated by the Agency may carry/use a firearm.
    - b. Volunteers working under a challenge cost share cooperator (using a Forest Service volunteer agreement in tandem) or under a qualifying mutual benefit cooperator (where the cooperator's volunteer is signed up under a Forest Service volunteer agreement), who pass the background check and meet the criteria above, may also be designated.
  - 9. Record Retention**
    - a. R1 Regional Recreation, Minerals, Lands, Heritage and Wilderness Director and respective Forest/Grassland Supervisors will maintain regional/local records including current list of designations/expiration dates, annual reports of any firearm discharge, and coordinate renewals
  - 10. Annual agency firearms training/firearms proficiency certification and drug testing are NOT required**