



OHIO LEGISLATIVE SERVICE COMMISSION

Final Analysis

Sarah A. Maki

Am. Sub. H.B. 79 132nd General Assembly (As Passed by the General Assembly)

Reps. Retherford and Hagan, Hambley, Seitz, Dean, Thompson, Brenner, Faber, Becker, Vitale, Brinkman, Koehler, Riedel, Goodman, Antani, Stein, Hood, Schaffer, Blessing, Roegner, Merrin, Antonio, Arndt, Ashford, Carfagna, Cupp, DeVitis, Gavarone, Ginter, Green, Greenspan, Henne, Hill, Holmes, Householder, T. Johnson, Keller, Kick, Landis, Lanese, Lang, LaTourette, McColley, Miller, Patton, Pelanda, Perales, Rezabek, Romanchuk, Ryan, Schuring, Slaby, Sprague, Sweeney, West, Wiggam, Young

Sens. Eklund, Coley, Bacon, Beagle, Burke, Gardner, Hackett, Hoagland, Huffman, LaRose, Lehner, Obhof, O'Brien, Oelslager, Peterson, Terhar, Thomas, Uecker, Williams, Wilson, Yuko

Effective date: June 1, 2018

ACT SUMMARY

- Authorizes a tactical medical professional who has received firearms training and is specifically authorized to carry firearms by the law enforcement agency to which the professional is attached to carry a firearm while on duty under the same terms as the agency's law enforcement officers.
- Provides for firearms training for tactical medical professionals.
- Specifies that a tactical medical professional who is authorized to carry a firearm on duty has the same right to carry a concealed handgun as a person who has been issued a concealed handgun license.

CONTENT AND OPERATION

Tactical medical professionals authorized to carry firearms on duty

General authority

The act permits a "tactical medical professional" (see below) to carry firearms while on duty in the same manner, to the same extent, and in the same areas as a law

enforcement officer of the law enforcement agency that the professional is serving, if both of the following apply:¹

(1) The law enforcement agency that the tactical medical professional is serving has specifically authorized the professional to carry firearms on duty.

(2) The tactical medical professional either:

- Has been awarded a certificate by the Executive Director of the Ohio Peace Officer Training Commission (OPOTC) that attests to the professional's satisfactory completion of an approved state, county, or municipal basic training program or a program at the Ohio Peace Officer Training Academy that qualifies the professional to carry firearms on duty and conforms to the rules described below; or
- Prior to or during employment as a tactical medical professional, and prior to June 1, 2018 (the act's effective date), has successfully completed a firearms training program that was approved by the OPOTC, other than one of the programs described in the previous dot point.

The tactical medical professionals who may be authorized to carry firearms are: EMTs, EMTs-basic, AEMTs, EMTs-I, paramedics, nurses, or physicians who (1) are trained and certified in a nationally recognized tactical medical training program that is equivalent to "tactical combat casualty care" (TCCC) and "tactical emergency medical support" (TEMS) and (2) function in the tactical or austere environment while attached to an Ohio law enforcement agency or an Ohio political subdivision.² (The medical professionals included in this definition are defined below in "**Medical professional definitions.**")

Protection from criminal and civil liability

The act grants a tactical medical professional who is carrying one or more firearms in accordance with the provisions described above protection from potential civil or criminal liability for conduct occurring while the professional is carrying the firearm or firearms. The liability protection covers the professional to the same extent as a law enforcement officer of the law enforcement agency that the professional is serving.³

¹ R.C. 109.771(A).

² R.C. 109.71(E), and R.C. 2923.126(G)(5), by reference.

³ R.C. 109.771(B).

Authority to carry a concealed handgun

The act grants a tactical medical professional who is qualified to carry firearms while on duty under the provisions described above the same right to carry a concealed handgun as a person who was issued a concealed carry handgun license under the Concealed Handgun License Law.⁴

Medical professional definitions

As used in the act:

- "Nurse" means (1) any person licensed by the Board of Nursing to practice nursing as a licensed practical nurse or as a registered nurse and (2) any certified nurse practitioner, clinical nurse specialist, certified registered nurse anesthetist, or certified nurse-midwife who holds a certificate of authority issued by the Board of Nursing.
- "Physician" means a person who is licensed by the State Medical Board to practice medicine and surgery or osteopathic medicine and surgery.
- "EMT," "EMT-basic," "EMT-I," "AEMT," and "paramedic" have the same meanings as in the Emergency Medical Services Law.⁵

The act does not define or describe "tactical combat casualty care" and "tactical emergency medical support" programs. These programs are not defined or described elsewhere in the Revised Code or the Ohio Administrative Code.

Attorney General rules

The act requires the Attorney General (the AG) to adopt rules governing the training of tactical medical professionals to qualify them to carry firearms while on duty. The rules must specify the amount of training necessary for the satisfactory completion of training programs at approved peace officer training schools, other than the Ohio Peace Officer Training Academy, and must be adopted in accordance with the Administrative Procedure Act, or R.C. 109.74 (which authorizes the AG, in accordance with the Administrative Procedure Act, to adopt any or all rules recommended by the OPOTC).⁶

⁴ R.C. 2923.126(E)(3); the Concealed Handgun License Law is R.C. 2923.124 to 2923.1213, not in the act except for R.C. 2923.126.

⁵ R.C. 109.71(F) to (H).

⁶ R.C. 109.748.



The rules also must include the following requirements:⁷

- That the tactical medical professional receive firearms training through a program approved by the OPOTC;
- That the professional receive training in any additional subjects deemed necessary by the OPOTC; and
- For a tactical medical professional seeking certification to carry a rifle or carbine, that the professional additionally receive training with respect to the carrying and use of rifles and carbines through a program approved by the OPOTC.

The Attorney General also must adopt rules authorizing and governing: (1) the attendance of tactical medical professionals at approved peace officer training schools, including the Ohio Peace Officer Training Academy, to receive the necessary training to qualify them to carry firearms on duty and (2) the certification of tactical medical professionals upon their satisfactory completion of the training program. These rules must be adopted in accordance with the Administrative Procedure Act or R.C. 109.74.⁸

Ohio Peace Officer Training Commission to recommend training rules

The act requires the OPOTC (a division in the AG's office) to recommend rules to the AG with respect to permitting tactical medical professionals to (1) attend an approved peace officer training school, including the Ohio Peace Officer Training Academy, (2) receive training that qualifies them to carry firearms while on duty, and (3) obtain certificates of satisfactory completion of that training. The OPOTC also must recommend rules with respect to the requirements for the training program, which must include at least the act's minimum firearms training requirements.⁹

Certification of tactical medical professionals

The OPOTC's Executive Director is given the duty to certify, and to issue appropriate certificates to, the tactical medical professionals who satisfactorily complete an approved training program.¹⁰

⁷ R.C. 109.748(A).

⁸ R.C. 109.748(B).

⁹ R.C. 109.73(A)(13) and (14).

¹⁰ R.C. 109.75(M) and 109.79(A).



The act requires the Ohio Peace Officer Training Academy to permit tactical medical professionals to attend training courses at the Academy that are designed to qualify them to carry firearms on duty. The courses must provide training comparable to the training set forth in rules adopted by the AG under the act. The law enforcement agency served a tactical medical professional who attends the Academy may pay the professional's tuition costs.¹¹

Firearms requalification

The act adds tactical medical professionals to the list of persons who, if authorized to carry firearms in the course of their official duties, must complete an annual firearms requalification program. The Revised Code requires specified persons who are authorized to carry firearms in the course of their official duties (e.g., traditional law enforcement officers and others) to successfully complete an annual firearms requalification program that is approved by the OPOTC's Executive Director.¹²

HISTORY

ACTION	DATE
Introduced	02-22-17
Reported, H. Federalism & Interstate Relations	09-13-17
Passed House (90-7)	10-11-17
Reported, S. Judiciary	01-31-18
Passed Senate (31-0)	02-06-18
House concurred in Senate amendments (92-2)	02-14-18

18-HB79-132/ec

¹¹ R.C. 109.79(A).

¹² R.C. 109.801(A).





From: Karen Ayers [<mailto:Karen@ayersinsurance.com>]

Sent: Friday, August 11, 2017 11:29 AM

To: Diane Caltà

Subject: RE: Tactical Medics

Hi Diane; Please see below the companies response.

Based on the email and information provided, it appears that the Tactical Medics will not be considered law enforcement but Medics defending themselves in line of duty to protect themselves or others.

I am referring you to General Liability form, CG 00 01, page 2 of 16 2. Exclusions a. Expected or Intended Injury

2. Exclusions

This insurance does not apply to:

a. Expected Or Intended Injury

"Bodily injury" or "property damage" expected or intended from the standpoint of the insured. This exclusion does not apply to "bodily injury" resulting from the use of reasonable force to protect persons or property.

and Public Entity extend Endorsement, CGD480, Provisions A. a. Expected or Intended Injury or Damage

A. REASONABLE FORCE PROPERTY DAMAGE – EXCEPTION TO EXPECTED OR INTENDED INJURY EXCLUSION

The following replaces Exclusion a., Expected Or Intended Injury, in Paragraph 2., of SECTION I – COVERAGES – COVERAGE A BODILY INJURY AND PROPERTY DAMAGE LIABILITY:

a. Expected Or Intended Injury Or Damage

"Bodily injury" or "property damage" expected or intended from the standpoint of the insured. This exclusion does not apply to "bodily injury" or "property damage" resulting from the use of reasonable force to protect any person or property.

Coverage would be afforded under the General Liability subject to terms and conditions.

There will be no additional premium charge for this.

Please let me know if you have additional questions. Thank you. Karen

Karen Ayers, President

500 W. Turkeyfoot Lake Road
Akron, Ohio 44319
(330)644-6300 FAX (330)644-5548
www.ayersinsurance.com

In case of emergency, we are accessible 24/7 by calling 330-644-6300.



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Authorization to Carry a Firearm

I. Attestation for Bailiffs, Parole Officers, Probation Officers, and DYS Employees

I certify that _____ is an employee of
Last, First, Middle Name
_____, serving in the capacity of
Employing Agency
_____, and as such may be
Position/Title

required to carry a firearm and must successfully complete an Ohio Peace Officer Training Commission approved firearms handgun training course. I attest that the information provided on this document is true and correct and is based on my personal knowledge or inquiry. I further understand and acknowledge that submission of falsified records is a criminal violation.

Signature of Appointing Authority

Printed Name and Title of Appointing Authority

II. Attestation for Tactical Medical Professionals

I certify that Gent, Kristopher John is attached to
Last, First, Middle Name
Summit County Sheriff's Office
Law Enforcement Agency as a tactical medical professional;

is trained and certified in a nationally recognized tactical medical training program that is equivalent to "tactical combat casualty care" (TCCC) and "tactical emergency medical support" (TEMS); may be required to carry a firearm while functioning as a tactical medical professional; and so must successfully complete an Ohio Peace Officer Training Commission approved firearms handgun training course. I attest that the information provided on this document is true and correct and is based on my personal knowledge or inquiry. I further understand and acknowledge that submission of falsified records is a criminal violation.


Signature of Appointing Authority

Steve Barry, Summit County Sheriff

Printed Name and Title of Appointing Authority

Court Officer Firearms Basic Training

This course is designed to provide basic semi-automatic pistol training for bailiffs, court security officers, court constables, probation officers, and other applicable court personnel. The training will include weapon manipulation, weapon retention, fundamentals of marksmanship, reloads, malfunctions, multiple targets, use of cover/concealment, and alternative shooting positions. Students will also participate in decision-making training that will include scenarios and the use of a simulator.

Note: Ammunition will be provided.

Equipment required: semi-automatic pistol, duty holster, 3 magazines, magazine holder, eye protection, hearing protection, ball cap, and body armor. Students must wear appropriate clothing for possible weather changes. Students must also bring a coat, jacket, sweatshirt, or other long sleeve shirt for use during scenarios.

London instructor(s): Aaron Coey

TMP - Decision Making Under Stress

The course will include both lecture and practical training exercises using the MILO 180 degree simulator and the scenario village.

Topics include: decision making while under stress, objectionably reasonableness, the effects on the body under stress, communication, use of contact/cover, use of physical barriers and cover, weapon accessing and handling under stress, downed officer rescue, warrant service, hostage rescue and rescue task force.

The use of non-lethal training aids (UTM/Simunition) will enhance the training. Attendees should be accomplished with their issued/duty firearms. This one day training is required for tactical medical professional certification.

Prerequisite: OPOTC approved firearms program or sworn peace officer

Equipment required: Duty Belt, Body Armor, Medical Go-Bag, all tactical turn-out equipment

London instructor(s): Wayne Dumolt

Ordinance 2019-24 – “Tactical Medics: Carrying of Firearms”

The 132nd Ohio General Assembly enacted HB 79, effective June 1, 2018. HB 79 established the authority for Tactical Medics to carry a firearm while operating with a law enforcement agency. The bill also defined training requirements and liability protections for authorized Tactical Medics. The proposed ordinance presented to Council would align the City of Green Codified Ordinances with the Ohio Revised Code section 109.771 and related sections.

This ordinance is specific to Tactical Medics, also referred to Tactical Medical Professionals in the Ohio Revised Code. This is NOT intended for regular fire department paramedics to carry firearms. Fire department Paramedics will not be permitted to carry a firearm on regular EMS and fire alarms and are subject to existing prohibitions in City policy and state law.

The Tactical Medics are specially trained Green Fire Division Paramedics that are assigned to provide medical support to the Summit County Sheriff's SWAT Team. The Tactical Medics train with the SWAT Team and deploy with the team on all missions. The primary mission for the Tactical Medics is medical support for the SWAT Team. Tactical Medics also provide medical care for civilians, bystanders, and suspects during SWAT operations.

Tactical Medics are selected by the Fire Division and the Sheriff's SWAT team. After selection, all Tactical Medics receive 60 hours of basic Tactical EMS training from an approved course. Tactical Medics also receive ongoing training through the Sheriff's Office and the Division of Fire Medical Director.

Ohio Revised Code section 109.771 establishes the authority and requirements for Tactical Medics to carry a firearm while working with a SWAT team. If adopted, this ordinance would allow Green Division of Fire Tactical Medics, who are assigned to the Summit County Sheriff's SWAT Team, to carry a firearm while functioning as part of the SWAT team.

In addition to authority and training requirements, ORC 109.771 establishes liability protection to Tactical Medics to the same extent as a law enforcement officer in the agency that they are serving.

In accordance with Ohio law, all Tactical Medics must first complete 48 hours of firearms training and have approval of their agency to carry a firearm. This training not only includes firearms safety and marksmanship, but also includes threat identification, decision making under stress, verbal commands and de-escalation techniques. Tactical Medics are also required to qualify at least annually to carry a firearm.

The primary medical role of the Tactical Medics will not change with the passage of this ordinance. The SWAT Deputies will provide law enforcement functions and the Tactical Medics will provide medical support and care. The only change would be the ability of a Tactical Medic to defend a casualty and themselves if necessary.

Thank you for your time and consideration.

Kristopher Gent

Captain, City of Green Division of Fire

Summit County Sheriff SWAT Tactical Medic

Firearms

334.1 PURPOSE AND SCOPE

This policy provides guidelines for the acquisition of firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force policy.

This policy only applies to those members who are authorized to carry firearms.

334.1.1 AUTHORIZATION TO CARRY FIREARMS

Only authorized Tactical Medics who have met all state standards and have been authorized by the Chief shall have the privilege to carry a firearm on-duty. Authorized Tactical Medics shall also maintain a valid State of Ohio concealed handgun license.

334.2 POLICY

The City of Green Fire Division will allow authorized Tactical Medics to carry firearms to address the risks posed to the public and Fire Division members by violent and sometimes well-armed persons. The Fire Division will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

Firearms are authorized to be carried while actively participating in SWAT operations, training, and other official duties authorized by the Fire Chief. This includes travel to and from authorized activities.

Firearms are intended for defensive purposes including self-defense and the defense of others. Handguns shall normally be carried in a holster unless an immediate threat is encountered. If a rifle is authorized for the mission, it shall be carried at low ready or slung to a carry position. Weapons should not be pointed directly at subjects unless a immediate threat is perceived. Tactical Medics are not sworn law enforcement officers and should not act in a manner outside the Tactical EMS mission statement.

334.3 PATIENT CARE / PROVIDER SAFETY

Tactical Medics should exercise extreme caution when evaluating and treating patients while carrying a firearm. Tactical Medics must maintain situational awareness and ensure firearms are secured in a proper retention holster or have the safety activated and slung away from persons during patient encounters. Tactical Medics shall be familiar with weapon retention techniques.

To provide for the safety of patients, SWAT team members, and others, Tactical Medics are authorized to restrain patients or potential patients prior to and during evaluation and treatment or at the direction of law enforcement. If a person does not require evaluation or treatment, further

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restraint will be directed and assumed by law enforcement. Tactical Medics are not sworn law enforcement and should not restrain persons for reason other than the safety of themselves or others.

334.4 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Fire Division and have been thoroughly inspected by the Firearms Training Bureau. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm.

Tactical Medics shall carry at least one less lethal option for self defense while carrying a firearm. OC spray, TASER, expandable baton or other approved devices may be carried.

All other weapons not provided or approved by the Fire Division, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by Fire Division policy, may not be carried by members in the performance of their official duties without the express written authorization of the Tactical EMS Commander.

334.4.1 DUTY FIREARMS

Only issued or approved sidearms, shotguns and rifles are authorized for on-duty use. Medics will normally carry an authorized handgun. The SWAT Commander may approve the use of a rifle or shotgun based on the situation expected to be encountered. Use of a rifle or shotgun will directed by the SWAT team Commander.

334.4.2 PATROL RIFLES / SHOTGUNS

With approval of the SWAT Commander, members may deploy the patrol rifle or shotgun in any circumstance where the member can articulate a reasonable expectation that the rifle or shotgun may be needed. Examples of some general guidelines for deploying the patrol rifle or shotgun may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a defensive situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that a suspect may be wearing body armor.
- (e) When authorized or requested by a supervisor.

334.4.3 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Fire Chief or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

- (a) The firearm shall be in good working order and approved by the law enforcement law enforcement Firearms Training Bureau Commander or designee.

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- (b) The firearm shall be inspected by the law enforcement Firearms Training Bureau Commander or member prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the Fire Division qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.

334.4.4 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry issued or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and approved by the Fire Division.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun shall be the responsibility of the member unless the handgun is provided by the Fire Division. Ammunition will be issued by the law enforcement agency or the Fire Division.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the law enforcement Firearms Training Bureau Commander or designee prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as Fire Division issue. If the caliber of the handgun is other than Fire Division issue, the Fire Chief or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the Fire Division qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly.

334.4.5 AMMUNITION

Members shall carry only Fire Division-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all Fire Division approved firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Fire Division shall be dispensed by the law enforcement Firearms Training Bureau Commander or designee when needed, in accordance with established policy.

334.5. OFF-DUTY CARRY

Members desiring to carry a firearm off-duty must do so in accordance with Ohio law and must have a valid State of Ohio Concealed Handgun License.

334.6. EQUIPMENT

Firearms carried on-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

334.6.1 REPAIRS OR MODIFICATIONS

Firearms

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to the TEMS Commander or the law enforcement Firearms Training Bureau.

Firearms that are the property of the Fire Division or personally owned firearms that are approved for Fire Division use may be repaired or modified only by a person who is Fire Division-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized by the law enforcement Firearms Training Bureau.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the law enforcement Firearms Training Bureau.

334.6.2 HOLSTERS

Only Fire Division-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun. Holsters shall provide a minimum of Level II retention while still providing safe and rapid deployment of the firearm.

334.6.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on-duty after they have been examined and approved by the law enforcement Firearms Training Bureau Commander. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it. A handheld flashlight shall be carried on the member's person for task lighting, when carrying a firearm with a tactical light. A weapon mounted light shall not be used for task lighting.

334.6.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on -duty after they have been examined and approved by the Law enforcement Firearms Training Bureau Commander. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

334.7 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Law enforcement Firearms Training Bureau Commander or Staff.
- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Fire Division, without authorization of the Chief.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded outside of the vehicle.

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- (e) When authorized by policy, members shall either have their handgun on their person in an approved holster or locked in an approved storage location.
- (f) Members shall not place or store any firearm or other weapon on Fire Division premises except where the place of storage is approved and locked.
- (g) Any firearm authorized by the Fire Division to be carried on-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Firearms Training Bureau for inspection and repair (if Fire Division owned). Any firearm deemed in need of repair or service by the Firearms Training Bureau will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm may be approved until the duty firearm is serviceable.

334.7.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the tactical vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Firearms may be safely stored in secured lockers during the medics' shift.

334.7.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit Fire Division-issued firearms to be handled by anyone not authorized by the Fire Division to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

334.7.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment (ORC § 2923.15).

334.8 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete mandatory training with their duty firearms. In addition to mandatory training, all members will qualify at least annually with their duty and secondary firearms on a course approved by the Ohio Peace Officer Training Commission (POTC) (ORC § 109.801). Training and qualifications must be on an approved range course.

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

Instructors conducting firearms qualifications are required to have the approval of the POTC director as well as certification issued by the POTC (OAC § 109:2-13-04).

334.8.1 NON-CERTIFICATION OR NON-QUALIFICATION

A Tactical Medic who fails to qualify with a firearm shall sign a no-carry form and will be prohibited from carrying a firearm on-duty until able to re-qualify.

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Those who fail to meet minimum standards or qualify on their first shooting attempt shall complete remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency. Overtime will not normally be approved for additional range assignments.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 - 1. Unauthorized range make-up
 - 2. Failure to meet minimum standards or qualify after remedial training

Firearms safety and proficiency is an individual responsibility that may require additional training and practice outside of regular department training.

Members who repeatedly fail to meet minimum standards will be prohibited from carrying a firearm. In addition, the member may not carry a firearm until qualification is achieved (ORC § 109.801).

334.9 FIREARM DISCHARGE

Except during training, any member who discharges a firearm intentionally or unintentionally, on-duty, shall notify the TEMS Commander or Fire Chief as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the law enforcement agency Use of Force and Weapons policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the law enforcement Use of Force Policy.

334.9.1 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are discouraged and may not be discharged unless the member reasonably believes that they appear necessary, effective and reasonably safe.

334.10 USE OF FORCE AND DEADLY FORCE

The City of Green Division of Fire Tactical Medics shall follow the law enforcement agency's recommended use of force standards. These statements do not imply additional authority for Tactical Medics. Tactical Medics shall not operate in a capacity outside of approved policy and law.

Employees shall conform to additional requirements in the law enforcement agency's Use of Force policy including application of force, reporting requirements, and investigation of use.