



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

M E M O R A N D U M

DATE: July 31, 1992
TO: Water Management Division Staff
FROM: Norm Young, Administrator *NY*
RE: Firearms, Badges, and Threatening Situations

Miscellaneous Memo #9

Attached is a copy of a policy issued by the Governor's office in 1981 regarding the use of firearms in the performance of state jobs. The policy provides that only peace officers and those commissioned as special deputies by the director of Law Enforcement are authorized to use a firearm in carrying out assignments for the state. I am advised that while some of our employees are empowered to issue citations in the enforcement of some of the department's responsibilities, no employee of the department is classified as a peace officer for purposes of this policy and no department employee is currently commissioned as a special deputy. Therefore, none of the department's employees are authorized to carry or use a firearm in the furtherance of department duties. Firearms are not to be carried on your person or in state vehicles when you are on the job.

As the policy memo indicates, employees involved in a high-risk situation should enlist the aid of a peace officer. If you think that an assignment may involve risk of violence, contact your supervisor and arrange for a peace officer to accompany you. If in the course of a contact with a citizen, you find the situation is becoming risky to you, the citizen, or others, leave, and if further contact is necessary to enforce the department's responsibilities, contact your supervisor, and arrange to return with a peace officer.

Threats of physical violence should not be ignored. Always inform your supervisor. Threats of a serious or continuing nature should be referred to the county prosecuting attorney. If the situation poses a continuing threat to other government employees, agencies likely to have personnel in the area should be notified.

Apparently, some of the badges issued by IDWR during the past 10 years have been "inherited" by employees other than those originally issued the badge. I would like to maintain an accurate listing of who has badges. All employees having badges are requested to provide their badge number to me by August 14, 1992. Badges are state property and are to be returned to your supervisor upon leaving an enforcement related position.

JOHN V EVANS
GOVERNOR



OFFICE OF THE GOVERNOR
STATE CAPITOL
BOISE 83720

MEMORANDUM

September 22, 1981

TO: All Department Directors

FROM: Governor John V. Evans *JVE*

SUBJECT: Firearms Policy

Some Department Directors have requested authority for certain employees who are not peace officers to carry firearms while performing their assigned duties.

In my judgment, the use of firearms is probably the most serious act in which a law enforcement officer will engage. By drawing or exhibiting a firearm unnecessarily or prematurely an officer severely limits his or her alternatives to control the situation, raises the anxiety of the suspect, and may cause an unwarranted or accidental discharge of the firearm. Similarly, improper arrest techniques result in increased danger of injury to the suspect and the officer.

Since the use of firearms has such far-reaching consequences for all parties involved, it is imperative that any person commissioned to carry a firearm act within the boundaries of legal guidelines, ethics, good judgment, and accepted police standards. This is only possible when such a person has been prepared by thorough training and receives proper leadership and direction to act wisely whenever using a firearm.

Peace officers in Idaho receive rigorous training in the use of firearms at the Peace Officers Standards and Training Academy before they are certified. Thereafter they receive advanced training in such areas as the use of force, arrest, search and seizure, custody, and transportation of suspects. This training is on-going throughout their careers. They are subject to the control and discipline of their law enforcement agency in the event of improper use of a firearm.

In general, other state employees are not as well equipped by training or subject to equivalent control in the use of firearms as are peace officers. For that reason, I am not inclined to encourage the proliferation of the use of firearms to state employees who are not peace officers. Because of the danger involved and the potential for civil