

# Wisconsin Department of Safety and Professional Services

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## DIVISION OF PROFESSIONAL CREDENTIAL PROCESSING

### APPROVAL OF FIREARMS PROFICIENCY CERTIFIERS

#### INTRODUCTION

Persons who are qualified and wish to train owners and employees of licensed private detective/security guard agencies and certify them as proficient to carry a firearm while on duty as a security guard may apply to the Department for Approval as a Firearms Proficiency Certifier.

#### APPLICATION FOR APPROVAL

A person who wishes to be approved by the Department must complete the APPLICATION FOR APPROVAL OF FIREARMS CERTIFIER (Form #1912), and submit it to the Department. The application form requests personal information about criminal convictions or disciplinary action against other licenses held by the applicant, information about the person's qualification as a firearms instructor and information about where the training will be provided.

#### QUALIFICATIONS OF APPLICANT

Training and Certification. In accordance with the Wisconsin Administrative Code, § RL 34.04, the Department may only approve a person who: (1) is currently approved as a firearms instructor by the Training and Standards Bureau in the Wisconsin Department of Justice; (2) is certified as a firearms instructor by the National Rifle Association; or (3) at any time on or after January 1, 1995, was approved as a firearms instructor by the Training and Standards Bureau in the Wisconsin Law Enforcement Standards Board, or was certified as a law enforcement firearms instructor (or a substantially equivalent designation) by the National Rifle Association, **and** completed a 6-hour firearms instructor refresher course within 12 months before application for approval by the Department. The refresher course shall be presented by a regional training school approved by the Wisconsin Law Enforcement Standards Board (such as a vocational-technical college) or by a staff instructor in the Law Enforcement Activities Division of the National Rifle Association. No other training or certification will satisfy this requirement.

Conviction of Crime. A person who has been convicted of a felony, unless pardoned, may not be approved as a firearms proficiency certifier. A person who has been convicted of one or more misdemeanors may be approved, depending on the nature of the crime, the number of crimes, and evidence of rehabilitation.

#### APPROVAL OR DENIAL

The Department will obtain a name background records check from the Crime Information Bureau and an FBI fingerprint search on all applicants for initial approval of a firearms certifier.

The firearms permit will expire on December 14 of the even numbered year at which time the licensee is required to complete a renewal application. The Department will obtain a name background records check from the Crime Information Bureau for reapproval unless the Department has obtained a records check within the previous 6 months for another type of license or permit. The licensee is required to provide proof that he or she meets the training and certification requirements listed for renewal as a firearms certifier.

The Department will review the application and grant a firearms certifier to those who qualify. A Notice of Denial will be sent if the Department denies the application and the applicant has a right to request a hearing on the denial.

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## REQUIREMENTS PERTAINING TO PEACE OFFICERS

A person who is a peace officer, as defined in Wis. Stat. § 939.22(22), may carry on, about or near his or her person a firearm, concealed or otherwise, when acting as a private detective or private security person, if the peace officer obtains a firearms permit from the Department.

## LIST OF APPROVED FIREARMS CERTIFIERS

The Department maintains a current list of approved firearms proficiency certifiers on the Department's website at <http://dsps.wi.gov/prof/fire/form.htm>.

## COURSE OF INSTRUCTION

A firearms proficiency certifier may provide training for initial certification of an owner or employee of a security guard company by providing 36 hours of training which is based on the latest approved edition of the Firearms-A Training Guide for Law Enforcement Officers which the Law Enforcement Standards Bureau has approved for training law enforcement officers. Wisconsin Admin. Code §RL 34.03 provides more information about the required training.

A copy of the training guide is available on the Department's website at <http://dsps.wi.gov/prof/fire/form.htm>.

A firearms proficiency certifier may also provide annual refresher training to owners or employees of a security guard company by providing 6 hours of training which more briefly covers the contents of the 36-hour course. By teaching the refresher course, a firearms proficiency certifier may also satisfy the refresher course requirement relating to his or her own firearms permit.

The Department has prepared an outline of a 6-hour refresher course. The outline is sent with the Certificate of Approval after the application has been processed.

An owner or employee of a security guard company who has not obtained firearms training at any time during the previous 5 years must complete the full 36-hour course. The 6-hour refresher course will not be sufficient in such cases.

## SITE OF FIREARMS TRAINING

Approved firearms proficiency certifiers are required to own, lease or use sites which they are able to locate for providing firearms instruction.

## CERTIFICATION DOCUMENTS

After an approved firearms proficiency certifier has provided instruction to an owner or employee of a private detective/security guard agency, the certifier must complete a portion of a form prepared by the Department and certify that the person named on the form has successfully completed the training on one or more specific dates and at one or more locations. This certification must be provided on either the FIREARMS CERTIFICATION OF PROFICIENCY - INITIAL CERTIFICATION (Form #467) or the FIREARMS CERTIFICATION OF PROFICIENCY - RENEWAL (Form #2117).

The certifier may want to have a supply of these forms available for agency owners and employees; however, the certifier's obligation is to simply complete his or her portion of the form and give it to the agency owner or employee, so that the owner can send it to the Department. The certifier should not complete his or her portion of the form until page 1 has been completed by the agency owner or employee.

## FALSIFICATION OF CERTIFICATION

The urgency of certain situations may occasionally result in requests for certification without successful completion of the required training. A firearms proficiency certifier should deny such requests, recognizing his or her liability if an improperly trained person causes serious injury to another while on duty and recognizing that he or she may be charged with a crime of false swearing.