


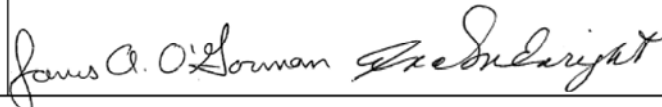
 <b>Corrections and Community Supervision</b>  <b>REVISION NOTICE</b>	TITLE		NO. 2020
	<b>Firearms Controls</b>		
REVISES DIR# 2020 Dtd. 08/05/2020	DISTRIBUTION A	PAGES PAGE 1 OF 1	DATE 1/28/2021
REFERENCES (Include but are not limited to) Federal Controlled Substances Act; Penal Law Sections 265 & 400; NYS SAFE Act, General Business Law Article 39-DDD; Criminal Procedure Law Section 2.10, Subdivision 23-a; Civil Service Law 72; 7 NYCRR Sections 50.1, 57.2, 57.3, 57.4, 57.5; ACA Expected Practices 4-APPFS-3B-01, 4-APPFS-3B-02, 4-APPFS-3B-03, 4- APPFS-3B-04; Directives <u>#0102</u> , #2021	APPROVING AUTHORITY  		

Added new material double underlined. Delete material ~~lined out.~~

- Section II-F; Revise the Note as follows:

NOTE: In accordance with Directive #0102, "Rights of Departmental Employees," ~~Nothing~~ contained in this subsection shall prevent any officer from invoking his or her~~their~~ constitutional right to avoid self-incrimination when being interviewed by an outside law enforcement agency.

 <b>Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE <b>Firearms Controls</b>		NO. 2020
			DATE 08/05/2020
SUPERSEDES DIR # 2020 Dtd. 11/22/17	DISTRIBUTION A	PAGES PAGE 1 OF 8	DATE LAST REVISED
REFERENCES (Include but are not limited to) Federal Controlled Substances Act; Penal Law Sections 265 & 400; NYS SAFE Act, General Business Law Article 39-DDD; Criminal Procedure Law Section 2.10, Subdivision 23-a; Civil Service Law 72; 7 NYCRR Sections 50.1, 57.2, 57.3, 57.4, 57.5; ACA Expected Practices 4-APPFS-3B-01, 4-APPFS-3B-02, 4-APPFS-3B-03, 4-APPFS-3B-04; Directive #2021	APPROVING AUTHORITY  		

- I. **POLICY:** The provisions of this directive only apply to firearms purchased, obtained, possessed, or carried by employees by virtue of their Peace Officer status.

This directive provides the Department's policy and procedures governing the carrying of firearms both on and off duty by employees granted Peace Officer status as authorized by the Criminal Procedure Law and defined in 7 NYCRR 50.1.

This Department is not a police agency and it does not require, or even desire, its Peace Officers to carry firearms while off duty. However, those employees who elect to purchase, obtain, possess, or carry firearm(s) on the basis of their Peace Officer status must do so in accordance with the procedures outlined in this directive and in 7 NYCRR 57.3. For Parole Revocation Specialists, as outlined in Criminal Procedure Law Section 2.10, Subdivision 23-a, a pistol permit is required in order to carry a firearm.

The only weapons that employees are permitted to privately acquire, own, or possess by virtue of their Peace Officer status are revolvers, single-shot, or semi-automatic pistols.

It is the responsibility of each individual Department employee to abide by all applicable provisions of the NYS SAFE Act, including a required National Instant Criminal Background Check (NICS) by a licensed firearms dealer, as outlined in General Business Law Article 39-DDD, prior to any weapon(s) acquisition/disposition, including private transfer or private sale. The sole exception to this requirement is the acquisition/disposition from/to immediate family members, that includes, spouses, domestic partners, children, or step-children only.

Information regarding the NICS background check, if required, must be recorded appropriately on "C" Form, [Form #NYSP-Cform](#), in area #2, "Transaction Data." Failure to abide by this directive may result in confiscation of the firearm(s) by the Department of Corrections and Community Supervision (DOCCS) and possible disciplinary/administrative action.

II. **ELIGIBILITY**

- A. In order to carry a concealable firearm while off duty, an employee must have attained the age of 21 years.
- B. The Department reserves the right to prohibit an employee from carrying firearm(s) while on and off duty, including the confiscation of, or surrender of, firearm(s) when the Department has reasonable suspicion or a reasonable basis to believe that:
  1. The employee has engaged in misconduct involving the use of, threatened use of, or display of a firearm;



2. The employee has violated any of the provisions of this directive;
3. The employee has failed to qualify or, after initial qualification, to requalify in accordance with Directive #2021, "Firearms Qualification and Requalification" (see [Form #2020A](#), "Sample Letter A – Qualification Issue");
4. The employee's mental or emotional condition is such that his or her possession of a firearm represents a threat to the safety of the employee, the facility staff, area office staff, or the community;
5. The employee is involved in an incident of domestic violence whereby the surrender of personal firearms to law enforcement is required or so ordered by the court;
6. The employee has lost a firearm, or a firearm was stolen;
7. The employee has been arrested and/or charged with the commission of an offense;
8. The employee has engaged in the use of any substance that is illegal under the Federal Controlled Substances Act, including marijuana. While it is specifically possible under State Law for an employee to obtain a prescription for medical marijuana, such a prescription would not make marijuana use and possession of a firearm lawful under Federal Law. In addition to the confiscation of the employee's firearm, the employee may also be subject to disciplinary action; or
9. The employee is the subject of an investigation by the Office of Special Investigations (OSI) for alleged conduct for which there is a reasonable basis to conclude that the individual is presently unfit to carry a firearm. Furthermore, if the employee is on suspension, leave without pay, or administrative leave as a result of an investigation or review by OSI, the physical surrender of off-duty weapons maintained by virtue of Peace Officer status will be required.

NOTE: The Department reserves the right to notify the permitting authority of the employee's change in status with respect to Department-issued and any personally owned firearms (see [Form #2020B](#), "Sample Letter B - Prohibition," and [Form #2020D](#), "Office of Special Investigations Weapons Prohibition Record").

- C. In the event an employee's Peace Officer status is revoked (in accordance with collective bargaining unit agreements) during a suspension from duty, on leave of absence without pay, or on leave of absence pursuant to Civil Service Law §72, the employee may not purchase, possess, own, or carry a firearm.
- D. Notification of prohibition from purchasing, possessing, owning, or carrying firearms while off duty must be made in writing ([Form #2020A](#) or [Form #2020C](#), "Sample Letter C – Separation," as applicable) by the facility Superintendent, Director of Internal Operations, and Regional Director, Bureau Chief, or their designee as early as possible after the decision to prohibit is made. Notification of prohibition will be made by the unit administrator for employees not employed at a facility or Community Supervision office. Such written notice will be provided to the employee in person, if possible, or by registered mail if personal contact is not possible.



- E. In order to assure that firearm(s) purchased, possessed, owned, or carried by employees do not fall into criminal hands, employees must exercise utmost care to safeguard firearm(s). Employees are required to immediately report, and in writing, the loss or theft of any firearm to the Superintendent, Regional Director, Bureau Chief, Deputy Commissioner for Correctional Facilities, Deputy Commissioner for Community Supervision, or office head. The loss of personally owned firearms may be cause for disciplinary action. Failure to report loss or theft of firearm(s) shall be cause for disciplinary action.
- F. The discharge of a weapon while on or off duty, except when firing at a practice target or a range or hunting game in accordance with the Department of Environmental Conservation Laws, must be verbally reported to the Superintendent, Bureau Chief, Deputy Commissioner for Correctional Facilities, Deputy Commissioner for Community Supervision, Deputy Commissioner/Chief for OSI, or office head, and local police agency, as soon as possible but no later than six hours after the discharge of the firearm.

When under the circumstances a person could be struck by a bullet from the weapon, the officer is also required to prepare and file a written report of the incident within 48 hours of the occurrence of the incident.

NOTE: Nothing contained in this subsection shall prevent any officer from invoking his or her constitutional right to avoid self-incrimination.

- G. An employee may not carry a firearm in connection with outside employment unless he or she obtains/has the required license or permit or is licensed by that employer.
- H. An employee is prohibited from carrying a personally owned firearm while on duty except as authorized in Directive #2021, Section IV-E.

**III. DUTIES AND RESPONSIBILITIES:** The Superintendent, Regional Director, Bureau Chief, OSI Deputy Commissioner/Chief, Director of Personnel, and Director of Labor Relations, as designees of the Commissioner, or their approved designee, may prohibit an employee from carrying firearm(s) both on and off duty and to confiscate firearm(s) when presented with any of the circumstances outlined in Section II-B of this directive. The privilege to carry a firearm pursuant to an employee's status as a Peace Officer with the Department pertains to carrying a firearm while both on and off duty, including a Department-issued firearm and personally owned firearm by virtue of one's Peace Officer status.

- A. The designee who placed the employee on the weapons prohibition shall require the employee to surrender all firearms to a correctional facility, Community Supervision office, or other approved location (e.g., local law enforcement office).
- B. The designee shall certify that the employee has surrendered all firearms to a correctional facility, Community Supervision office, or other approved location. This certification will require a review of "C" Forms ([Form #NYSP-Cform](#)) on file with the New York State Police, as well as the employee's [Form #1041](#), "Personal Firearms Registration."
- C. The designee must ensure that [Form #2020D](#) has been filled out in its entirety and forwarded to OSI.
- D. OSI is required to maintain a list of all prohibitions and surrendered firearms pursuant to Section II-B-1, 2, 4, 5, 6, 7, 8, and C.



- E. OSI is required to ensure that each [Form #2020D](#) filed with OSI is complete.
- F. Privileges may only be restored by the Central Office Weapons Prohibition Review Committee or at the direction of the Commissioner, when the privilege to possess has been suspended for any reason other than employee's failure to qualify or, after initial qualification, to requalify in accordance with Directive #2021.
- G. Authorization to restore an employee's privilege to possess a firearm when the prohibition is based upon a failure to qualify is set forth in Directive #2021.
- H. Each correctional facility and Community Supervision office shall designate a secure area to maintain weapons surrendered as the result of employee weapons prohibitions.

#### **IV. CENTRAL OFFICE WEAPONS PROHIBITION REVIEW COMMITTEE (RESTORATION OF PRIVILEGES)**

- A. Any Peace Officer who has had his or her privilege to possess a firearm while on or off duty by virtue of Peace Officer status as employed by the Department restricted/prohibited may submit a [Form #2020E](#), "Application for Removal of a Weapon Prohibition," to OSI for consideration of having a weapons prohibition removed and said privilege restored. The removal of the prohibition is for the employee's ability to carry a firearm while both on and off duty.

The applicant shall first ensure that any administrative proceeding and/or underlying criminal proceeding has concluded. The applicant should complete Part I of the application form and provide the required documentation. The applicant may, but is not required to, include with the application form ([Form #2020E](#)), a letter explaining the circumstances and the basis for the request. The application form and supporting documents should then be provided to the applicant's Superintendent or Regional Director. The applicant's Superintendent or Regional Director should complete Part II of the application, which shall not be provided to the applicant. The completed application ([Form #2020E](#)) and supporting documents should then be scanned and emailed, by or on behalf of the applicant, to OSI at the following email address:

[specialinvestigations@doccs.ny.gov](mailto:specialinvestigations@doccs.ny.gov), or sent by mail to:

NYS DOCCS Office of Special Investigations  
Attn: Weapons Prohibition  
1220 Washington Avenue  
Albany, NY 12226

Privileges revoked pursuant to Section II of this directive may only be restored with the approval of a majority vote of the Committee or at the direction of the Commissioner, with the exception of the employee's failure to qualify, which is controlled by Directive #2021.

1. The Committee is composed of employees from the following titles: Deputy Chief Investigator from OSI, the Director of the Bureau of Labor Relations, the Director of Special Operations and Emergency Management, and Director of Internal Operations for Community Supervision, or their designee. The Director of Operations for OSI or designee will serve as the chair and only vote in the event of a tie among voting members.



2. The Committee should meet each month. The Committee is required to review applications for reinstatement and determine, by a vote of present Committee members, whether to restore the privilege of a DOCCS Peace Officer to possess a firearm while on and off duty by virtue of his or her Peace Officer status with DOCCS.
3. All underlying disciplinary, administrative, and court matters must be resolved prior to the Committee's review of the application. The applicant must provide with the application documentation containing a detailed description of any disposition such as Probation, Conditional Discharge, Order of Protection, Suspension or Revocation of a Pistol Permit, or Disciplinary Evaluation Period (DEP). A pending disposition may serve as a basis to deny the application based upon the circumstance but does not automatically preclude the denial of an application for restoration of firearms privileges.
4. Factors to be considered by the Committee include, but are not limited to, the best interest of society and the Department, and the safety of the employee and the community.
5. Notification to the employee of the Committee's decision will be forwarded by OSI within 14 calendar days of the vote.

## V. RECORDS TO BE MAINTAINED

### A. Notification: Personal Firearms

1. All employees must immediately notify their facility Superintendent or Director or, if they are not employed at a facility or field office, the Deputy Commissioner for Correctional Facilities or designee, of any and all personal firearms they acquire, own, or possess by virtue of their Peace Officer status. Community Supervision staff will notify the Regional Director as well as Directors of both the Training Academy and Internal Operations.
  2. All employees must notify their facility Superintendent or Director or, if they are not employed at a facility or field office, the Deputy Commissioner for Correctional Facilities or designee, of any firearm they acquire by virtue of their Peace Officer status, within ten days of acquisition. Community Supervision staff will notify the Regional Director as well as Directors of both the Training Academy and Internal Operations.
- B. Any notification under Section V of this directive must include the make, model number, caliber, serial number, the name and address of the person from whom the weapon was acquired, and the date of acquisition.
- C. Employees must notify the appropriate persons identified in Section V-A-1 of this directive within ten days of disposing of any personal firearm that is possessed by virtue of their Peace Officer status. This notification must include the name and address of the person to whom it was sold or otherwise disposed, and the date of disposition.
- D. All notices required to be made by employees shall be on "C" Forms ([Form #NYSP-Cform](#)) provided by the New York State Police, and the original plus one copy shall be forwarded by the facility Superintendent or Director to the Deputy Commissioner for Correctional Facilities. Community Supervision staff shall forward the original plus one copy to the Director of the Training Academy, Director of Internal Operations, and Regional Director.



NOTE: The reporting requirements of this Section shall not be deemed to apply to any firearm that is acquired, owned, or possessed by an employee under a permit issued pursuant to Section 400 of the Penal Law, unless that firearm is simultaneously registered pursuant to their status as a Peace Officer.

- E. Copies of all completed New York State Police "C" Forms (see [Form #NYSP-Cform](#)), shall be:
1. Forwarded to the Deputy Commissioner for Correctional Facilities for distribution to the New York State Police in accordance with 7 NYCRR 57.4 (original and one copy);
  2. Placed in the employee's personnel file (Community Supervision files located in Central Office);
  3. Forwarded to the Director of Internal Operations for all Community Supervision staff; and
  4. Issued to the employee.
- F. The Deputy Commissioner for Correctional Facilities, Superintendents, or their designees, shall keep up-to-date card files of personally owned firearms. For Community Supervision staff, the Directors of the Training Academy and Internal Operations will maintain and update this information on the Community Supervision Inventory Database.
1. The card file shall consist of [Form #1041](#), made out on each individual who has registered his or her firearm pursuant to Section V-A of this directive. This form will be updated annually during range training.
  2. Upon notification by an employee of a change, [Form #1041](#) will be amended promptly.
  3. Upon transfer of an employee, [Form #1041](#) will be forwarded to the new Superintendent or to the Deputy Commissioner for Correctional Facilities as the case may be.
  4. The Deputy Commissioner for Correctional Facilities, or Superintendents or their designees, shall review each employee's [Form #1041](#) prior to signing a fully completed New York State Police "C" Form (see [Form #NYSP-Cform](#)) for either acquisition or disposition. During this review, appropriate documentation will be noted on [Form #1041](#).
- G. When an employee is prohibited from carrying a weapon by virtue of Peace Officer status:
1. Upon the placement of a prohibition by the Superintendent, Regional Director, Bureau Chief, OSI Deputy Commissioner/Chief, or Director of Labor Relations, notification must be provided immediately to the Deputy Superintendent for Security (DSS), or equivalent, or Director of Internal Operations, as applicable.
  2. The DSS, or equivalent, the Bureau Chief or their designee, shall immediately confiscate the affected employee's identification (ID) card, secure it in the employee's facility personnel file, and make arrangements for the issuance of a new ID card indicating the employee is "Firearms Restricted."



3. The DSS will sign and date the employee's [Form #1041](#) card indicating "Firearms Restricted" on and/or off duty. Whereas, the Bureau Chief or designee will contact the Director of Internal Operations and advise that the employee's inventory record needs to be updated with the restriction information.
4. If documentation is subsequently received or there is a change in circumstances which removes or significantly modifies the basis for the original restriction, the Department's Central Office Weapons Prohibition Review Committee may reauthorize the employee to possess firearms by virtue of their Peace Officer status. OSI shall provide the appropriate notification and the process shall be reversed.
5. The employee shall be reissued their original DOCCS ID (without the indication of "Firearms Restricted"). The DSS or the Bureau Chief, or their designee, shall secure and destroy the employee ID card denoting the firearms restriction. For Community Supervision, the Director of Internal Operations shall be notified to update the employee's inventory record.
6. The DSS or Bureau Chief, or their designee, shall collect and secure the affected employee's qualification card ([Form #1258](#), "Weapons Qualification Card"), ensuring the employee is also added to the list of unqualified employees. The affected employees shall be subjected to the same restrictions as defined in Section III-E of Directive #2021. Once cleared by OSI as indicated above, the employee's [Form #1258](#) shall be returned and/or the employee shall be requalified as necessary.

**VI. SEPARATION OF PEACE OFFICERS:** Upon separation from State employment, off-duty (personally owned) weapons may no longer be possessed only by virtue of a person's Peace Officer status, and such weapons must be properly permitted or disposed of (i.e., transferred to a pistol permit, another Peace Officer, or licensed firearms dealer).

- A. The facility Superintendent, Regional Director or designee, Director of the Training Academy, Director of Internal Operations, or the Deputy Commissioner for Correctional Facilities or their designee will review the employee's [Form #1041](#) to ensure off-duty weapons maintained by virtue of Peace Officer status are being properly disposed of.
- B. The facility Superintendent, Director of the Training Academy, Director of Internal Operations, or the Deputy Commissioner for Correctional Facilities shall notify the New York State Police Pistol Permit Section and the appropriate police agency (Sheriff in the county of residence or New York City Police Department) that an employee's Peace Officer status has been terminated, should the employee's [Form #1041](#) indicate "weapons maintained by virtue of Peace Officer status."
  1. Appropriate records shall be maintained by the facility Superintendent, Director of the Training Academy, Director of Internal Operations, or the Deputy Commissioner for Correctional Facilities identifying the time, date, person, and agency notified.
  2. A copy of such notice will be provided to the separated employee by regular mail at their last declared residential address (see [Form #2020C](#)).



- 
- C. Separated employees awaiting appropriate disposal options (i.e., pistol permit or transfer of ownership) must solicit, in writing, permission from the Superintendent (Director of the Training Academy for Community Supervision staff or Regional Director) to store personally owned weapons within the Arsenal. This permission, if granted, shall not exceed 30 days from the date of separation from State service and shall advise the former employee the Department is no longer responsible for loss or damage, and that any weapons remaining after 30 days shall either be destroyed or transferred to an outside law enforcement agency until such time that he or she acquires proper authorization to possess a firearm as a civilian (see [Form #2020C](#)).





# Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

## “SAMPLE LETTER A - QUALIFICATION ISSUE”

Date

Employee's Name  
Address

RE: Firearm Prohibition

Dear.....

Pursuant to Directive #2020, “Firearms Controls,” you are hereby informed that effective immediately you will not carry or use a firearm while on or off duty by virtue of your Peace Officer status.

This prohibition will remain in effect until further notice and any reinstatement must occur following your requalification as required by Directive #2021, “Firearms Qualification and Requalification.”

You shall surrender your weapon(s) by choosing one of the following options:

- At the correctional facility
- At the community supervision office
- With any outside law enforcement agency
- Formally transfer your weapon to another legally qualified person

Documentation must be provided to indicate which surrender option was chosen.

Sincerely,

Superintendent/Bureau Chief

cc: Personnel File





# Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

## “SAMPLE LETTER B – PROHIBITION”

Superintendent/Bureau Chief

\_\_\_\_\_ Correctional Facility/Regional Office DATE:

Address

\_\_\_\_\_, NY

RE: Firearm Prohibition for {Employee Name}

Dear Superintendent/Bureau Chief \_\_\_\_\_:

The above-captioned is the subject of an investigation being conducted by the Office of Special Investigations.

Pursuant to Directive #2020, “Firearms Controls,” the employee is to be informed that effective immediately, he or she may not carry a firearm by virtue of his or her Peace Officer status while on or off duty.

This prohibition will remain in effect until further notice or relief is sought by the employee, by writing to the Office of Special Investigations (OSI) at the Department of Corrections and Community Supervision.

Please arrange for **the surrender of any firearm** possessed by virtue of his or her Peace Officer status to either the facility/area office, or a police station. If you accept any firearm, ensure that a secure area is designated for **safekeeping** of the firearm(s). Please complete and return to the OSI the enclosed Weapon Prohibition Record (Form # 2020D) and attach a copy of the receipt issued to the employee for the surrendered firearm(s).

**Notification** of the firearm prohibition should be made to the following agencies: New York State Police, Sheriff’s Office, and/or respective police agency of the employee’s residence.

This weapon prohibition will remain in effect until further notice. The employee may seek the reinstatement of this privilege by completing Part I of the enclosed Application for Removal of a Weapon Prohibition, which also requires you to complete Part II.

Thank you for your cooperation in this matter.

Professionally yours,

Director of Operations  
NYS DOCCS, Office of Special Investigations

CC: Case File  
Weapons Pro File  
Personnel File





# Corrections and Community Supervision

ANDREW M. CUOMO  
Governor

ANTHONY J. ANNUCCI  
Acting Commissioner

## **“SAMPLE LETTER C - SEPARATION”**

Date:

Employee's Name  
Address

RE: Firearm Prohibition

Dear .....

Due to your separation from State service, and pursuant to Directive #2020, “Firearms Controls,” Section VI-C, you are hereby informed that upon your leaving State service, you will not be allowed to carry or use a firearm by virtue of your Peace Officer status.

You may surrender your weapon(s) at the facility, the Albany Training Academy or with any outside law enforcement agency until such time that you acquire proper authorization to possess a firearm as a civilian. Prior to separation, you must solicit, in writing, permission from the Superintendent or the Director of the Training Academy if you wish to store personally owned weapons within the arsenal. This permission, if granted, shall not exceed 30 days from the date of separation from State service. You are further advised the Department is no longer responsible for loss or damage and that any weapons remaining after 30 days shall either be destroyed or transferred to an outside law enforcement agency until such time that you acquire proper authorization to possess a firearm as a civilian. In the alternative, you may also transfer your weapon to any legally qualified individual.

Sincerely,

Superintendent/Bureau Chief

cc: Personnel File  
bcc: Bureau of Labor Relations  
Office of Special Investigations  
Bureau of Personnel  
Special Operations  
Institution Personal History File

Weapons Prohibition Record

Name and Title of employee being placed on weapons restriction:

Print Name/Title: \_\_\_\_\_

Name and Title of person notifying employee of weapons restriction:

Print Name/Title: \_\_\_\_\_ Signature: \_\_\_\_\_

Date employee was notified: \_\_\_\_\_ Time notified: \_\_\_\_\_

Employee notified in person \_\_\_\_\_ or by phone ( ) \_\_\_\_\_ Time \_\_\_\_\_ am/pm or by registered mail if personal contact is not possible \_\_\_\_\_

**(Address & Tracking #)**

Employee Surrendering Weapon(s) Sign: \_\_\_\_\_ Print: \_\_\_\_\_

Weapon(s) turned in	Make: _____	Model: _____	Serial # _____
	Make: _____	Model: _____	Serial # _____
	Make: _____	Model: _____	Serial # _____

Storage Location: \_\_\_\_\_

C Form(s) on file Yes \_\_\_\_\_ No \_\_\_\_\_ 1041 on file: Yes \_\_\_\_\_ No \_\_\_\_\_

**Name and Title of person receiving weapon(s)**

Print Name/Title: \_\_\_\_\_ Signature: \_\_\_\_\_

**If surrendered or confiscated by an outside Law Enforcement Agency:**

Name of Agency: \_\_\_\_\_

Reason for Surrender/Confiscation: \_\_\_\_\_

Date Confiscated/Surrendered: \_\_\_\_\_

Agency Name/Title: \_\_\_\_\_

**When Weapon(s) are to be returned, Name and Title of person returning weapon(s):**

Print Name/Title/Agency: \_\_\_\_\_ Signature: \_\_\_\_\_

Date Weapons Returned to Employee: \_\_\_\_\_ Time Returned: \_\_\_\_\_: \_\_\_\_\_ am/pm

Employee Receiving Weapon(s) Sign: \_\_\_\_\_ Print: \_\_\_\_\_

**If transferred to another individual: Name and Title of person transferring weapon(s):**

Print Name/Title: \_\_\_\_\_ Signature: \_\_\_\_\_

Date Weapons Transferred: \_\_\_\_\_ Time Returned: \_\_\_\_\_: \_\_\_\_\_ am/pm

Person Receiving Weapon(s) Sign: \_\_\_\_\_ Print: \_\_\_\_\_

Departmental Employee: Yes \_\_\_\_\_ No: \_\_\_\_\_ C Forms on file: Yes: \_\_\_\_\_ No: \_\_\_\_\_

1041 on file: Yes \_\_\_\_\_ No: \_\_\_\_\_ Pistol Permit # \_\_\_\_\_

County of Issuance: \_\_\_\_\_

**If Weapon(s) are to be destroyed: Name and Title of person transferring weapon(s) for disposal:**

Print Name/Title: \_\_\_\_\_ Signature: \_\_\_\_\_

Date Weapons transferred to State Police: \_\_\_\_\_ Time Transferred: \_\_\_\_\_: \_\_\_\_\_ am/pm

Person Receiving Weapon(s) Sign: \_\_\_\_\_ Print: \_\_\_\_\_

NCIC Checked: Yes \_\_\_\_\_ No: \_\_\_\_\_ Receipt for State Police Attached: \_\_\_\_\_



NEW YORK STATE DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION
APPLICATION FOR REMOVAL OF A WEAPON PROHIBITION

Please Note: You MAY NOT apply to have your weapons prohibition removed without notification from the Office of Special Investigations that the case involving your prohibition is closed.

PART I: - To be completed by the Applicant.

Employee: (Last Name) (First Name) (Title)

Work Location: (Facility / Parole Office)

Attach the following documentation to the application:

- checkbox Court Disposition checkbox Arrest Report checkbox Incident Report checkbox Additional Documentation
checkbox To/From (Please explain the basis for your request)
checkbox Copy of current Weapons Qualification Card - Form #1258
checkbox Copy of current Form #1041 (front and back)

By signing below, I affirm that the information above and the attachments are true and accurate.

Signature Date

Submit this Application along with all documentation to your Superintendent/Regional Director, who will complete Part II and file the completed Application with the Office of Special Investigations.

PART II: - To be completed by the Superintendent/Regional Director.

Name: Title:

Location:

1) Do you recommend that the above-named employee's privilege to possess a weapon on duty and off duty by virtue of his/her Peace Officer status be restored? Yes No
Please explain the basis for your recommendation:

\*(Please attach a separate piece of paper if additional space is needed.)

2) Please describe the employee's time and attendance:

3) Please describe the employee's work attitude:

Superintendent/ Regional Director Signature Date

Please file this completed Application with the NYSDOCCS Office of Special Investigations, Attn: Weapons Prohibition, 1220 Washington Ave., Albany NY 12226 or email to SpecialInvestigations@doccs.ny.gov.





NEW YORK STATE CORRECTIONS AND COMMUNITY SUPERVISION  
WEAPONS QUALIFICATIONS CARD

Facility: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Badge No.: \_\_\_\_\_ has qualified as indicated below:  
Qualification expires on the dates indicated  
Glock: \_\_\_\_\_ Rifle: \_\_\_\_\_ Shotgun: \_\_\_\_\_ Baton: \_\_\_\_\_  
O.C.: \_\_\_\_\_ Use of Force: \_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
NYS Emp. I.D.# Weapons Training Officer  
Form 1258 (9/17)

NEW YORK STATE CORRECTIONS AND COMMUNITY SUPERVISION  
WEAPONS QUALIFICATIONS CARD

Facility: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Badge No.: \_\_\_\_\_ has qualified as indicated below:  
Qualification expires on the dates indicated  
Glock: \_\_\_\_\_ Rifle: \_\_\_\_\_ Shotgun: \_\_\_\_\_ Baton: \_\_\_\_\_  
O.C.: \_\_\_\_\_ Use of Force: \_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
NYS Emp. I.D.# Weapons Training Officer  
Form 1258 (9/17)

NEW YORK STATE CORRECTIONS AND COMMUNITY SUPERVISION  
WEAPONS QUALIFICATIONS CARD

Facility: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Badge No.: \_\_\_\_\_ has qualified as indicated below:  
Qualification expires on the dates indicated  
Glock: \_\_\_\_\_ Rifle: \_\_\_\_\_ Shotgun: \_\_\_\_\_ Baton: \_\_\_\_\_  
O.C.: \_\_\_\_\_ Use of Force: \_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
NYS Emp. I.D.# Weapons Training Officer  
Form 1258 (9/17)

NEW YORK STATE CORRECTIONS AND COMMUNITY SUPERVISION  
WEAPONS QUALIFICATIONS CARD

Facility: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Badge No.: \_\_\_\_\_ has qualified as indicated below:  
Qualification expires on the dates indicated  
Glock: \_\_\_\_\_ Rifle: \_\_\_\_\_ Shotgun: \_\_\_\_\_ Baton: \_\_\_\_\_  
O.C.: \_\_\_\_\_ Use of Force: \_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
NYS Emp. I.D.# Weapons Training Officer  
Form 1258 (9/17)

NEW YORK STATE CORRECTIONS AND COMMUNITY SUPERVISION  
WEAPONS QUALIFICATIONS CARD

Facility: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Badge No.: \_\_\_\_\_ has qualified as indicated below:  
Qualification expires on the dates indicated  
Glock: \_\_\_\_\_ Rifle: \_\_\_\_\_ Shotgun: \_\_\_\_\_ Baton: \_\_\_\_\_  
O.C.: \_\_\_\_\_ Use of Force: \_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
NYS Emp. I.D.# Weapons Training Officer  
Form 1258 (9/17)

NEW YORK STATE CORRECTIONS AND COMMUNITY SUPERVISION  
WEAPONS QUALIFICATIONS CARD

Facility: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Badge No.: \_\_\_\_\_ has qualified as indicated below:  
Qualification expires on the dates indicated  
Glock: \_\_\_\_\_ Rifle: \_\_\_\_\_ Shotgun: \_\_\_\_\_ Baton: \_\_\_\_\_  
O.C.: \_\_\_\_\_ Use of Force: \_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
NYS Emp. I.D.# Weapons Training Officer  
Form 1258 (9/17)

NEW YORK STATE CORRECTIONS AND COMMUNITY SUPERVISION  
WEAPONS QUALIFICATIONS CARD

Facility: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Badge No.: \_\_\_\_\_ has qualified as indicated below:  
Qualification expires on the dates indicated  
Glock: \_\_\_\_\_ Rifle: \_\_\_\_\_ Shotgun: \_\_\_\_\_ Baton: \_\_\_\_\_  
O.C.: \_\_\_\_\_ Use of Force: \_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
NYS Emp. I.D.# Weapons Training Officer  
Form 1258 (9/17)

NEW YORK STATE CORRECTIONS AND COMMUNITY SUPERVISION  
WEAPONS QUALIFICATIONS CARD

Facility: \_\_\_\_\_  
Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Badge No.: \_\_\_\_\_ has qualified as indicated below:  
Qualification expires on the dates indicated  
Glock: \_\_\_\_\_ Rifle: \_\_\_\_\_ Shotgun: \_\_\_\_\_ Baton: \_\_\_\_\_  
O.C.: \_\_\_\_\_ Use of Force: \_\_\_\_\_ Other: \_\_\_\_\_  
\_\_\_\_\_  
NYS Emp. I.D.# Weapons Training Officer  
Form 1258 (9/17)

**NOTICE TO EMPLOYEE**

This card expires on the dates indicated.

This card shall be produced upon demand of any supervisory officer.

This card verifies that the bearer has been qualified in the safe handling and proper use of the aforementioned weapons.

Any employee accepting possession of a firearm that they are not qualified to use, for other than training purposes, shall be held solely responsible for any resulting use of that weapon.

Employee's Signature \_\_\_\_\_

**NOTICE TO EMPLOYEE**

This card expires on the dates indicated.

This card shall be produced upon demand of any supervisory officer.

This card verifies that the bearer has been qualified in the safe handling and proper use of the aforementioned weapons.

Any employee accepting possession of a firearm that they are not qualified to use, for other than training purposes, shall be held solely responsible for any resulting use of that weapon.

Employee's Signature \_\_\_\_\_

**NOTICE TO EMPLOYEE**

This card expires on the dates indicated.

This card shall be produced upon demand of any supervisory officer.

This card verifies that the bearer has been qualified in the safe handling and proper use of the aforementioned weapons.

Any employee accepting possession of a firearm that they are not qualified to use, for other than training purposes, shall be held solely responsible for any resulting use of that weapon.

Employee's Signature \_\_\_\_\_

**NOTICE TO EMPLOYEE**

This card expires on the dates indicated.

This card shall be produced upon demand of any supervisory officer.

This card verifies that the bearer has been qualified in the safe handling and proper use of the aforementioned weapons.

Any employee accepting possession of a firearm that they are not qualified to use, for other than training purposes, shall be held solely responsible for any resulting use of that weapon.

Employee's Signature \_\_\_\_\_

**NOTICE TO EMPLOYEE**

This card expires on the dates indicated.

This card shall be produced upon demand of any supervisory officer.

This card verifies that the bearer has been qualified in the safe handling and proper use of the aforementioned weapons.

Any employee accepting possession of a firearm that they are not qualified to use, for other than training purposes, shall be held solely responsible for any resulting use of that weapon.

Employee's Signature \_\_\_\_\_

**NOTICE TO EMPLOYEE**

This card expires on the dates indicated.

This card shall be produced upon demand of any supervisory officer.

This card verifies that the bearer has been qualified in the safe handling and proper use of the aforementioned weapons.

Any employee accepting possession of a firearm that they are not qualified to use, for other than training purposes, shall be held solely responsible for any resulting use of that weapon.

Employee's Signature \_\_\_\_\_

**NOTICE TO EMPLOYEE**

This card expires on the dates indicated.

This card shall be produced upon demand of any supervisory officer.

This card verifies that the bearer has been qualified in the safe handling and proper use of the aforementioned weapons.

Any employee accepting possession of a firearm that they are not qualified to use, for other than training purposes, shall be held solely responsible for any resulting use of that weapon.

Employee's Signature \_\_\_\_\_

**NOTICE TO EMPLOYEE**

This card expires on the dates indicated.

This card shall be produced upon demand of any supervisory officer.

This card verifies that the bearer has been qualified in the safe handling and proper use of the aforementioned weapons.

Any employee accepting possession of a firearm that they are not qualified to use, for other than training purposes, shall be held solely responsible for any resulting use of that weapon.

Employee's Signature \_\_\_\_\_