



RICHLAND ROD & GUN CLUB

(INCORPORATED)

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RICHLAND, WASHINGTON
99352

April 10, 2012

Sergeant Carl Klein
WASHINGTON DEPARTMENT
OF FISH AND WILDLIFE
600 Capital Way N.
Olympia, WA 99501

Re: WDFW Hunter Education Draft Instructor Policy Manual

Dear Sgt. Klein

This letter presents the Richland Rod and Gun Club (RRGC) Hunter Education Instructor Team's concerns about the proposed "WDFW HUNTER EDUCATION DRAFT INSTRUCTOR POLICY MANUAL".

Its general tone, when combined with specific points, impugns the integrity, skillfulness and dedication demonstrated in the volunteer work currently performed by certified hunter education instructors and registered hunter education volunteers throughout Washington State.

The Richland Rod and Gun Club initiated Hunter Education Training in the Tri-City area in 1957, shortly after the original law mandating firearms safety training was enacted. Instructors associated with the club have taught classes every year since, successfully training more than 17,000 students, one member has taught for 56 years. There has never been an accidental firearm discharge in our classrooms. Neither to our knowledge has there **ever** been any accidental firearm discharge associated with hunter education firing range or classroom instruction in Washington State. Overall, the changes proposed in the draft Manual substantially reduce realistic, "hands-on" experience with firearms, compromising effective training to the students' detriment.

This “Policy Manual” demonstrates a complete lack of trust in certified instructors to teach firearm usage in a safe manner. Additionally, it proposes to confiscate property without just compensation. This is not public property that the WDFW can arbitrarily usurp. These firearms, and related educational materials, have been acquired over the years by the various hunter education teams. They were paid for out of the instructors’ personal funds, other private donations and/or grants from a variety of charitable organizations. They **are not** the property of the State of Washington

The “draft policy manual” needs to be completely rewritten and a new one developed consistent with common sense and realistic application. The proposed mandates (presented as policies) preclude more than they include. It is a manual of what one may not do when teaching, and what one must do, regarding reports and organization. The “draft policy manual” effectively precludes vital interaction with students. If interaction is necessary or desired the instructor must first reduce the request to writing, have it signed, and then have a second instructor on hand to witness the interaction. Such restrictions are clumsy, impractical, and insulting, needlessly undermining instructor/student trust.

The “draft policy manual” states that the Hunter Education administration will provide all the materials and additional policies and instructions in the next few months. Unfortunately, we have heard this one too many times. We (the RRGC instructors) cannot envision ourselves being able to effectively teach safe firearm handling in the environment that will result from these “draft policies”. Hunter Education is not a “for credit” university semester course. It is a 10 hour program tightly focused on safe firearms handling. The “draft policy manual” proposes to micro-manage and control everything from what may be worn, to what may (and may not) be said. It is a draconian solution in search of a problem!

The restrictions and limitations proposed in the “draft policy manual” will result in under-trained students. They will have substantially less “hands-on” experience; less “muscle-memory”, and inadequate opportunity to build safe gun handling habits. This will result in increased – and entirely avoidable – frequency of accidents with firearms.

In 2010 the RRGC Hunter Education program boasted the largest team-teaching group in SE Washington: 17 certified instructors and 25 registered volunteers, who were supported by four private organizations and two conservation groups. Since the start of these policies, and the subsequent meetings to include the most recent IST, 10 instructors have already resigned. The registered volunteers feel exposed and decline to participate, the organizations that have supported our team threaten to cease providing critical facilities and materials, including classrooms and firing ranges. Unless the “draft policy manual” is thoroughly revised to be more realistic, practical and oriented to safe firearms handling practices, the members of the RRGC team will withdraw from the Washington

State Hunter Education Program as will the RR&GC, the Connell Gun Club, and the Tri-City Metallic Silhouette Association

We (the RRGC instructor team) have attached several proposed revisions. These are intended in good faith as just a few examples of the most important kinds of practical, “real world” changes that will need to be made. We have many other recommendations, but they are too numerous to address in the context of this letter.

Conclusion:

Because the proposed draft policy manual is so controlling and unreasonable it will lead to the resignations of many more hunter education instructors. This will result in the substantial loss of hunter education opportunities for students. The wholesale departure of experienced, qualified instructors will leave many areas of the state without any program. This in turn will lead to the reduced sale of hunting licenses, reduced grant income to the State and reduced support for the conservation and wise use of State resources. Eventually, it will be easier for many to travel to Oregon, Idaho or Montana and take their hunter safety program, receiving better, safer instruction, while obtaining the same certificate. This entirely avoidable loss would be a profound shame!

Appropriate, effective hunter education is too important to our community for us to stand idly by and allow it to occur. We remain ready and willing to help **improve** the hunter safety education program.

Sincerely,

Jeff Gardner, President
Richland Rod & Gun Club

Gaylord Baker, President
Tri-Cities Metallic Silhouette Association

Don Board, Instructor
Hunter Education

//Original Signed//

WORDING IN DRAFT

Page 5 - Policy Adherence, paragraph 2.

Policies are designed to protect Hunter Education instructors by providing uniform guidance.

RECOMMENDED CHANGE

Delete second sentence. ~~Failure to follow agency policies may create both legal problems and financial liability, and could result in corrective action against instructors. This is not a “criminal statute” and the threat is not appropriate.~~

Page 5 - Policy Adherence, paragraph 3, first sentence.

Delete first sentence. ~~Where any conflict exists between an instructor’s personal philosophy and WDFW policy, instructors are required to adhere to agency policies. The subject should be before the action. The control as stated in the 3^d sentence in this paragraph is appropriate.~~

Page 6 - Equal Opportunity, last sentence. Regardless of background, limitation or orientation . . .

Delete phrase. This sentence should read, “All interested individuals shall have equal access to the Hunter Education training program in Washington State with the exception, felons are excluded unless archery is included as they cannot handle firearms.”

Page 8 - Instructors Serve and Support, Policy: It is the fundamental duty of a Hunter Education Instructor . . .

Change the word, “duty” to “Purpose” so it reads, “It is the fundamental purpose of a Hunter Education Instructor . . .”

Page 8 - Annual Policy Review Required

Change to “Policy Review Required”

Page 8 - Policy: Instructors shall review policies annually.

Change to “Instructors shall review policy changes when received and insert the hard copy change pages of the policy into their manual upon receipt.” *An affidavit has no impact except to increase paper.*

Page 8 – Instructors shall review policies annually.

Paragraph, first sentence. “Instructors are required to read all Hunter Education policies and procedures annually and to follow . . .”

Change to “Instructors are required to read all Hunter Education policies, procedures, and changes, to same, upon receipt of hard copy pages transmitted to the volunteer instructor.”

Page 8 – Instructors shall review policies annually.

Paragraph, second sentence. “Instructors are required each December to sign and . . . during the next calendar

Delete. *This is book keeping of no value. Check on the instructor if you feel a there is problem.*

year.”

Page 9 – Instructor Training – Policy:

Delete phrase. “The Department of Fish and Wildlife is responsible for training instructors. . . ~~to be effective and successful.~~”

Page 9 – Instructor Training – Policy:
First Paragraph

Delete first sentence. ~~Training activities and policies are designed to protect both the instructor and the state from potential legal action.~~

Page 9 – Insert new section – “In-Service Training”

Insert new paragraph under Instructor Training – WDFW will offer in-service training and Instructor Hunter Education Course manuals from time to time to keep practicing instructors informed of current practices and requirements

Page 9 – Volunteers Assisting . . .
Paragraph

Delete bracket. ~~(no physical contact, no instructor-student one-on-one, etc)~~

Page 12 - Instructors Teach Specific Subjects – Policy: Instructors shall teach the specific subjects outlined in the Hunter Education Policy Manual.

Change word - Instructors shall teach the specific subjects outlined in the Hunter Education ~~Policy~~ Instructor Manual. (Not the policy manual)

Page 12 – Instructors Teach Specific Subjects – Policy paragraph - Although an instructor has the authority to vary the specific order and expand the coverage for each subject within policy constraints, he or she may not omit a required subject and may not insert personal subject matter.

Change to – Although an instructor has the authority to vary the specific order and expand the coverage for each subject within policy constraints, he or she may not omit a required subject and may not insert personal subject matter outside the lesson boundaries.

Page 13 – Instructor vests required – Policy: Instructors shall act, dress, and conduct themselves professionally at all times while performing official Hunter Education duties.

Add paragraph – The department shall issue and replace vests as needed at no cost to the instructor.

Page 13 - Profanity Prohibited

Change to – Profanity Discouraged. *It is not realistic to dismiss and instructor because an exclamation escaped his lips if he slammed his finger in an action, etc.*

Page 15 – Corrective Action, Instructors/Volunteer Employees

Add – Complaints, Corrective Action, Instructors/Volunteer Employees

Page 15 – Change header from Corrective action to

Header should read Receipt of Complaint

Page 15 – Receipt of Complaint
Missing section on the method to be used by WDFW on handling of any complaint.

Add paragraph – The WDFW shall notify the Instructor of any significant complaint and offer the opportunity to respond prior to implementation of any investigation.

Page 15 - Receipt of Complaint
Missing section

Add paragraph - Instructor will then have the opportunity to respond to the WDFW.

Page 15 - Receipt of Complaint
Missing section

Add paragraph - This contact will be followed by documentation of the complaint and the response by the instructor team prior to corrective action.

Page 15 – Policy: The Hunter Education Instructor Corrective Action Policy details the appropriate corrective actions and steps that may be utilized by WDFW for addressing certified Hunter Education instructor or volunteer employee misconduct or performance deficiencies.

Change to – Policy: The Hunter Education Instructor ~~Corrective Action~~ Policy details the appropriate steps in handling complaints, investigation, consultation, and corrective actions that may be utilized by WDFW for addressing certified Hunter Education instructor or volunteer employee performance deficiencies or misconduct.

Page 15 – Corrective Action, Instructors/Volunteer Employees
Corrective Action – paragraph 3 – first sentence - **Certified Hunter Education instructors or volunteer employees do not have the same legal protection of their position that is afforded to state employees. . . . Any Hunter Education instructor whose certification is being revoked or any volunteer employee whose volunteer employment is being terminated may be required to immediately leave a Hunter Education classroom or field exercise.**

Delete entire paragraph – Not appropriate in the policy. A blanket statement that instructors or volunteers do not have the same protection “under the law” as state employees should alert all volunteers to resign immediately.

Page 18 – Unsafe Actions Prohibited

Delete phrase – ~~except when demonstrating specific safety issues in the classroom with inert firearms~~

Page 19 – Appropriate Physical Contact – Policy: Instructors are required to obtain permission from the student before touching the student for any reason.

Add to Policy - Instructors are required to obtain permission from the student (and parent if the student is under 18) before touching the student for any reason, including demonstrating the proper way to ~~shoulder~~ handle a firearm.

**Page 19 – Appropriate Physical Contact
– Add new paragraph**

Add new paragraph – A parental agreement form for students under the age of 18 signed by the parent should be submitted to the instructor prior to handling of firearms or classroom materials.

Page 19 – Reporting Suspected Abuse

Delete subject matter. Volunteer instructors do not have the training to recognize the signs.

**Page 20 – Courses, Field Activities and Range Training
Violation of Federal, State, Agency Rules**

Policy: Hunter Education classes conducted in violation of any federal, state or agency policy regulation or rule may result in denial of certification for students enrolled in the offending course.

Replace with – Policy: Hunter education classes shall comply with appropriate federal, state or agency policy, regulation or rule. Instructors will be supplied with copies of appropriate laws.

Page 20 – First Aid Requirements

Delete – There is no funding to hire a first aid provider to attend all classes. Medical personnel have withdrawn from the classes in light of the threat of litigation and loss of license to practice in this state for touching a student. First Aid kit is appropriate. Certification is not necessary for due diligence.

**Page 22 – Curriculum Requirements, Traditional Class
Policy: Hunter Education . . .**

Change curriculum Requirements to reflect the following:

Safety..... five hours
Conservation.....one hour
Sportsmanship.....one hour
Survival.....one hour
First aid.....one hour
Instructors discretionone hour

Page 24 – Skills Training Not Pass/Fail –
One occurrence of egregious muzzle-control. Egregious is defined as blatant or outstandingly bad.

Change to read – One occurrence of pointing a firearm at another person, (muzzle-control), on the range is cause for failure.

Page 25 – Live-Fire Instructor Responsibilities.

Delete statement – Advise students that participation is optional.

Why would the student take this class if there is no intention to purchase a hunting license? Persons with no intention to handle have no need to pass!

Firearms and Ammunition

Delete this entire section beginning with Page 26 through 28 up to the heading, “Wearing of Firearms Prohibited.”

This section places unreasonable restrictions on use of firearms. Any low recoil firearm should be acceptable such as 7.62x39, 28ga., .38 special, and many others.

Page 26 - Firearms and Ammunition – Maintenance of Firearms – Policy: Firearms not supplied by the WDFW

Add second paragraph – Firearms to be used on the range that are supplied by the teaching team, shall be maintained in accordance with the guidance of the manufacturer.

There is no reason to believe the WDFW will pay to have a gunsmith inspect all of the firearms every year. The requirement to maintain written records of inspections is onerous and unnecessary.

Page 26 - Firearms and Ammunition – NOTE: All firearms donated to instructors or teaching teams for Hunter Education purposes or purchased with donated funds received by instructors or teaching teams for Hunter Education purposes or obtained by instructors or teaching teams through grants for Hunter Education purposes are state property.

Delete paragraph – This is **confiscation** or **in other words theft** by the State.

Page 26 – Allowable Firearms for Classroom and Field Course Activities Policy: Only classroom-safe firearms may be used in classroom and field course activities by January 1, 2014

Delete section – *This removes the incentive for the student to exercise care in handling. Disabled or not, the student should not treat the firearm as non-functional.*

Page 27 – Allowable Firearms - Policy: Effective June 30, 2012, live-fire exercises . . .

Delete – *There are many low energy firearms that are perfectly acceptable for the small shooter.*

Page 27 – By June 30, 2012, WDFW will:

- Develop live fire, etc.

Delete paragraph

Page 27 – By December 31, 2012, all instructors will submit to WDFW a complete list of firearms . . .

Delete paragraph – *No group or club is going to allow the “State” to confiscate their firearms.*

Page 27 – WDFW-Issued/Inventoried Firearms Only for Live-Fire by 2015

Add the phrase – for student use

Page 27 – paragraph,” With the exception of bows and those firearms that have been previously inventoried when approved by WDFW as inert firearms for . . . Those firearms that do not fall within the five acceptable gauge/calibers will be surplus by WDFW with resultant funds used to purchase suitable firearms that can be assigned to the corresponding instructor for live-fire purposes.”

Delete *This is not a reasonable requirement!*

Page 28 – Muzzleloader Demonstration Restricted – Paragraph WDFW will develop . . . Handling of muzzleloaders by students will be strictly supervised by instructors.

Delete entirely. *There is no possible reason for preventing students from seeing more than three types of muzzleloading firearms.*

Page 30 - Course Fees – Needs second paragraph

Add paragraph – Donations made to 501, C, 7 organizations that sponsor the Hunter Education class as part of their youth activities may accept donations under their registered status, exempt from any WDFW claim.