

4-H Shooting Sports....a

RISKY BUSINESS!

Richard A. Fultz*

That should have gotten your attention. And it should have raised several questions in your thoughts...For example: Is this guy nuts?, or...Is this guy right? Is a 4-H Shooting Sports program really a **RISK?**

To prepare ourselves adequately to lead a successful, enjoyable, and safe shooting sports program we need to truthfully answer those questions. And for starters we need to know:

What is a Risk?

Simply put *Risk* is the **CHANCE OF LOSS**. That implies that just about everything we do in life is a *Risk*, from getting out of bed in the morning to drinking a cup of coffee to driving to work (or home again) or running a program involving youngsters who are in need of adequate and basic safety and handling training, and firearms, mechanical devices which have no thought processes nor concern for safety.

So, now that we know that running a shooting sports program that constitutes a **Risk**, we should proceed by learning how to:

Manage Risk

Manage a *Risk* can be done in four ways:

- * Assume – Well, that’s what you have done by deciding to have a 4-H shooting sports program,
- * Reduce – You reduce the Risk by recognizing the hazards of the program and working toward eliminating them, another name is ‘safety engineering’.
- * Avoidance – As the next step, you work to avoid hazards you can not reduce, such as unsafe backstops. It could also mean you re-consider your assumption of the Risk, by canceling the program.
- * Transfer – The final step is to transfer the responsibility for the results of these assumed Risks, perhaps through an insurance policy.

*Kansas 4-H Shooting Sports P.A.T. volunteer, Member and Lead Rifle Instructor, National 4-H Shooting Sports Committee.

REDUCING RISK

In order to reduce the *Risk* you are assuming in running a 4-H shooting sports program you must first recognize the specific duties that you have as the ‘instructor’, the ‘professional’, the ‘expert’, the *person responsible*, duties imposed by the concept of liability:

LIABILITY: A legal obligation or duty.

There are two types of liability: ***Criminal*** :duties due to community
 Civil :duties due to individuals

Under ***Civil Liability*** there are two types: ***Contractual***
 Tort

‘Tort’ is what should be of interest in a 4-H Shooting Sports program because it is defined as: ‘a legal wrong doing committed upon a person who suffers damages as a direct result’. While there are many types of ‘Tort’ liability, including ‘intentional wrong’, our concern should be ***‘unintentional wrong’***: an act or the failure to act in a responsible manner which results in injury to another. This is **NEGLIGENCE**.

NEGLIGENCE is defined as the failure to perform a legally owed duty as would a reasonable and prudent person, with that failure resulting in actual damage that is a consequence of the breach of duty and should have been foreseen.

There are four elements of negligence that *must* be present before negligence can be proved:

- | | |
|-------------------|---|
| * Duty owed | Was there a legal duty owed the injured party? |
| * Duty Breached | Was there a failure to fulfill this duty? |
| * Actual Damages | Was there an injury to the party owed the duty? |
| * Proximate Cause | Was the failure to fulfill the duty the direct cause of the injury? |

What does this mean for the 4-H instructor?

First, you have a ‘duty’, read that ***responsibility***, to provide a safe environment in which to conduct your program. This means simply that you should know what a safe environment is, be able to recognize hazards, act to remove those hazards in a prudent manner, or control them through a established procedure and ensure that *you do not*, intentionally or unintentionally, create additional hazards.

Second, you have a duty to conduct the activities of your program in a reasonable and prudent manner *in accordance with a recognized protocol or procedure*.

While these may seem to be insurmountable obstacles, really they are quite simply addressed. ***BY FOLLOWING THE ESTABLISHED 4-H SHOOTING SPORTS MANUAL OF INSTRUCTION AND LESSON PLAN*** and the *safety procedures provided in the manual*, you will have gone a long way toward satisfying your responsibility to conduct the program in a proper and safe manner. Certainly there will be times that you might vary from the *letter* of the manual, but never from the *law* it establishes. An example of this *might* be:

Lesson One of the Manual provides a safe and established procedure for familiarizing students with a Daisy Model 853 air rifle. But, what if you don’t have that particular model of air rifle and instead have the use of Remington 513T .22 Caliber rifles and a safe, proper range to fire them on. Then your first lesson would be to utilize the provided format of familiarization but substitute proper instruction for the Remington rifle, or what ever model of rifle you are going to use, in place of the Daily 853.

But, there are other *specific duties* that are required of you, specific ***legal*** duties, as recognized by the courts, that you should be aware of an fulfill.

You have a duty to:

1. **PROPERLY PLAN THE ACTIVITY.** Every aspect of the training should be planned prior to instruction and the instruction should be geared to the existing skill level of the student. The evaluation of the skill level should be continuous with each student and specific training included in your written lesson plan.
2. **PROVIDE PROPER INSTRUCTION.** The instruction you give must be consistent with the established protocol of your program (ie: follow the lesson plan in the manual) and, again, geared to the skill level of the individual student.

3. **EXPLAIN THE INHERENT RISKS.** Student must know and understand the inherent risk associated with the activity. They must be clearly warned of the dangers involved with not following your instruction. ***Once is not enough.*** Repeatedly advise them...“you must wear your safety glasses at all times in the range because a pellet could put out your eye and blind you.”
4. **MONITOR FOR INJURY OR INCAPACITY.** It is your responsibility to evaluate students for injuries or other conditions which would inhibit their ability to be safe and follow instruction. Never force a youngster to participate against their will. And be prepared to remove a student you observe to be inattentive or distracted (unable to safely participate). The required youth health form could be a basis for your decision.
5. **PROVIDE ADEQUATE, SAFE EQUIPMENT.** You must insure that the equipment you provide is proper for the program, ie: fits the shooter and the course of fire, and is mechanically safe, having been inspected and certified by a qualified individual. (Maintain an equipment log with written documentation of these inspections and certifications).
6. **PROVIDE PROPER EMERGENCY RESPONSE.** You must have a written emergency action plan, one that covers responsibilities of supervisory personnel, who to call, who calls, transportation, and who is the provider of emergency care.
 - Have an adequate first aid kit on site and have a trained first responder present.
 - Have the required youth and adult health forms available.
 - Notify Local emergency personnel of your activities and locations before you start your program.
7. **MAINTAIN ADEQUATE RECORDS.** While there are many formats this can take, the attached Activities Log is an example of what to include and how to maintain these important records.
8. **PROVIDE CLOSE SUPERVISION.** Activities should occur under your direct supervision. You and your associate trainers are always in place and in control.
9. **INSPECT, INSPECT, INSPECT.** Always ensure a safe environment by regularly and completely inspecting all aspects of the physical environment you are holding your program in.

Well, lots to remember and do! Certainly, but all these items can become manageable by spending the time to write them down in one format and establishing a procedure to follow in every activity. This written format is called a

RISK MANAGEMENT PLAN.

RISK MANAGEMENT PLAN.

A good **Risk Management Plan** will address specific situations that might be encountered during the program. These include:

- * **RATIONALE and GOALS.** Simply, what you want to do, why you want to do it, and where you intend to go with the program, write it down.

- * **PERSONNEL POLICIES.** How you select individuals to assist the program should be spelled out.
 - * If your state has a volunteer applications and selection program, include that in your plan.
 - * Establish and document required training for your personnel.
 - * Establish and document procedures of conduct for your personnel.
 - ie: There are never to be less than two instructors present at all times youth are present. Ex.: **At no time will an instructor be alone with a student.**
 - ie: No instructor is allowed to provide transportation for a youth unless on a planned and authorized travel event.

- * **JOB DESCRIPTION.** Include a written job description for each of your trainers.

- * **RECORDS** Keep accurate, thorough, up-to-date records of your training activities. (See the activities log.)

- * **SUPERVISION.** Establish in your written plan what levels of supervision are required, who responsibility it is, and the extent of authority assigned to each supervising trainer.

- * **INSPECTIONS.** All equipment and sites should be inspected according to a written procedure (a check list) on an established schedule.

- * **LESSON PLAN.** A *written* emergency plan should be included, outlining specific duties and actions to be taken in the event of an emergency or injury. This would include the required youth and adult health forms.

- * **FIRST AID.** First aid kits and trained personnel should be on site at every activity.

- * **EQUAL OPPORTUNITY.** A *written* policy statement should be drafted and included in your plan indicating your adherence to the established equal opportunity policy of your State's 4-H program.

Well, a beginning!

You can have a safe learning environment that minimizes the Risk both to the student (youth) and adult trainers involved, it just takes a PLAN.

KEY ELEMENTS OF A RISK MANAGEMENT PLAN

I. Staffing/Supervision

- A. Training
- B. Certification
- C. Age requirements/Experience
- D. Adult/youth ratio
- E. Specific requirements (ie: VIP process)

II. Insurance Issues

- A. Waivers
- B. Health History/Parental Permission
- C. Liability/Vehicle Insurance
- D. Health Insurance
- E. Equipment Insurance
- F. Facility Insurance
- G. Leases

III. Emergencies

Procedures

- A. Transportation/Emergency Vehicle
- B. Communication/P.R.
- C. First Aid
- D. Parental Notification

Separate Plan for each Situation

- * Range accident
- * Lost Child
- * Misfire
- * Rabid Animal
- * Flood/Fire/Tornado
- * Vehicle Accident
- * Other areas as specific to your activity

IV. Equipment

- A. Safety Check Procedures/Maintenance
- B. Handling
- C. Proper Storage
- D. Transportation
- E. Parental permission to Use

V. Facility

- A. Safety Inspection
- B. Safety Procedures (signage, berms, safety zones, lines, etc.)
- C. Insurance
- D. Leases

BASIS FOR ALLEGATIONS OF NEGLIGENCE IN YOUTH PROGRAMMING

| | |
|--|--|
| Hiring or recruiting (staff or volunteers) | Carelessness in hiring or recruiting practices including failure to screen, select, train, and/or supervise staff and volunteers in a manner consistent with the standards of the field. |
| Emergency training | Failure to provide training in emergency procedures and on procedures for any incident that was foreseeable. |
| Supervision Ratios | Failure to provide appropriate supervision ratios and expectations for supervision in activities and at all other times children are in the care of the program provider. |
| Safe Transportation | Failure to provide safe transportation by qualified drivers, operating a safe vehicle and following procedures for internal control and supervision while transporting and during loading and unloading. |
| Equipment or Animals | Entrustment of equipment or animals to a person who is too young or for other reasons not equipped or trained to handle the condition. |
| Safety Procedures | Failure to have safety procedures or failure to teach, instruct or practice procedures. |
| Inadequate Warnings | Inadequate warning of hazards or warnings not appropriate for the age or physical or mental capabilities of the participant. |
| Maintenance | Failure to take immediate action on hazardous conditions or failure to perform routine maintenance such as testing water, alarms, and extinguishers or repairing, especially after notice, steps, rails, lights, equipment, etc. |
| Equipment | Failure to provide proper or adequate equipment in good condition and appropriate for intended use. |
| Secondary Injury | Failure to prevent secondary injury through the actions or non-actions or treatment of the injured. If the program provider assumes the duty to render aid, the law imposes a duty of competent and appropriate action. |

Maintenance:

The steps at the rifle range where you do your state shoot have a loose board. You have asked the owner of the range to repair the board several times. During the State Shoot, the board slips while a mother of a 4-H member is walking down. The mother is badly injured.

- What could have prevented this accident?

- Does your program have a liability since the owner of the range didn't do his job?

- Why do you have to be concerned about the safety of the mother, since she's not a part of your program?

- What protection is available for the owner of the range?

Safety Procedures

The Barnburners 4-H Club Shooting Program has been fortunate. A retired alumnus had offered several hundred dollars for equipment purchases ten years ago. Using the money, club leaders had bought several .22 rifles. Over the years of hard use several had developed small problems, but otherwise fired accurately. One, self-loader, would occasionally double-fire two shots with one pull of the trigger. All the instructors knew it, so they single-loaded it. Johnny had a gun just like the auto-loader at home. He fired it all the time without supervision. He thought it was dumb to only load one bullet at a time. One night at the club, he loaded a full-magazine and prepared to fire. The instructor was busy with a couple of other less experienced youngsters, so when it came time to shoot, Johnny was on his own.

He loaded the 10 round magazine and prepared to fire standing position. He aligned his sights, pressed the trigger, and ... the gun went full auto, firing all ten shots in less than a second. Two hit the target, one hit above the backstop, and 7 hit the wall and ceiling above the trap. One ricocheted and came back toward the firing line striking a youngster in the face. Her safety glasses were shattered shredding her eye with glass. The youngster lost her eye.

- Identify the safety violations & problems observed in this situation.
- What policies & procedures should have been in place to prevent this accident?
- How do you implement and enforce these policies and procedures?
- What are some of the impacts you would expect this incident to have on the State Program:
- Local Program impacts?
- How will you respond to the negative impacts?

Equipment or Animals

George was a new shotgun instructor fresh from his state training. An experienced shooter, he was ready to teach these kids to shoot shotgun. When range day came, his youth model shotguns had not arrived. He was forced to use full size pump guns.

Rather than wait an extra week, he decided to plunge ahead. All was O.K. until Bobby came to the line. Twelve years old and 85 pounds with short arms, he could barely lift the 12 gauge, but George wanted him to shoot. Since it was hard to get the shotgun up in position, George decided to load 2 rounds in the shotgun and let Bobby shoot two clay birds before resting the gun.

Two rounds were loaded, a shell chambered, the gun shouldered... "pull" and Bobby chased the bird and slapped the trigger.

Struggling with the pump action, he pulled the forearm back and started it forward to chamber the second shell. Just as it chambered, the butt slipped off Bobby's shoulder. Frantically trying to stop the gun from falling, he instinctively squeezed his trigger hand and as the muzzle swung down to the left over George's foot it discharged.

George lost 3 toes and Bobby was never again able to pick up a gun.

- What went wrong?

- What policies should have been in place to insure that this type of accident didn't happen?

- How do you enforce the policies and procedures?

- How will you deal with the negative impact of this accident on your program?

Emergency Training & Secondary Injury

It was a silly accident. The snow had been quite heavy and wet. It stuck to shoes and boots like glue. When the youngsters went into the range, the snow that was stuck to their shoes and boots melted and puddle on the floor.

Debbie was wearing new shoes with slick soles. As she ran into the range to meet her friend, her feet slipped on the water and she fell, striking her head on the bench.

Unconscious, bleeding, Debbie lay on the floor. Amanda, a senior instructor, sent all the kids out of the range with her assistant, Dick. She moved Debbie onto a shooting mat and found a sweatshirt to rest her head on. A handkerchief was pressed on the wound but the blood kept coming.

After several minutes Debbie turned cool and clammy. She was still unconscious and bleeding quite heavily. Amanda yelled for Dick to bring a towel or something to stop the bleeding. When Dick brought the towel in, one of the other members commented that she looked like she was going into shock. When he asked about the ambulance, Debbie realized that no one had called EMS.

She screamed for someone to call the ambulance. It took another 10 minutes for the ambulance to arrive.

- Identify the violations & problems observed in this situation.

- What policies should have been in place to prevent the accident?

- How should the policies be implemented & enforced?

- What implications would a situation like this have on the local or state program?

4-H ACTIVITIES LOG

The following information should be included as an ***Activities Log*** that is used to record the occurrences during a live-fire event or training within a 4-H shootings sports program.

- The date of the activity
- The names of the instructors present and their individual duties and responsibilities
- A roll of the names of all 4-Her's present
- A listing of any 4-Her's who gave an excuse for their absence
- A roll of the names of parents present and a listing of their duties, if any.
- A roll of all adult volunteers present and a listing of their duties, if any.
- A range safety check list, showing that all items have been reviewed
- A narrative describing what the activities for the event were, who did them, and a copy of the instruction lesson plan for the event should be attached.
- A narrative describing any unusual occurrence at the event.
- If any injuries occurred, a completed injury report form should be attached.
- Any comments, suggestions, narratives regarding the event and its conduct.
- A signature line of the person(s) filling out the log.

An excellent format would be a three ring binder, with the sheets pre-punched. The injury reports and lesson plans, and all other inserts could be done in the same format. The binder would then be kept at the range under the exclusive control of the chief instructor and would be turned in to the project leader or extension agent at the end of the program year.

KANSAS 4-H SHOOTING SPORTS ACTIVITY LOG

Activity: _____ Date: _____

Instructors: _____

Responsibilities: _____

| NAME | HOME PHONE # | PRESENT (STUDENT SIGN IN IF PRESENT) | EXCUSED | ABSENT |
|------|--------------|---|---------|--------|
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Parents Present:

| PARENTS NAME | DUTIES PERFORMED |
|--------------|------------------|
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| | |
| | |

Activities Completed:

| NAME | ACTIVITY |
|------|----------|
| | |
| | |

Safety Check (attached) Yes ___ No ___ Emergency Response (attached) Yes ___ No ___
Health Forms (attached) Yes ___ No ___ First Aid Kit Available Yes ___ No ___

Unusual Occurrence: _____

Injury: _____

Other Comments: _____

Instructors Signature: _____

K-STATE CRISIS MANAGEMENT PLANNING
COUNTY: _____

4-H PROJECT LEADERS

Project _____ Leader _____

Take one copy of this sheet with you when you attend any K-State Research and Extension involved activity. Leave a second copy at your home.

I. ON-SITE IN A CRISIS OR POTENTIAL CRISIS

1. Call appropriate emergency personnel: 911 or _____
2. Location of project meeting/or accident location if on a field trip _____
3. See to any injured persons – using appropriate first aid.
4. Get other participants to a safe location – to avoid further injuries.
5. Call your county K-State Research and Extension Office, if it is open, and ask it to make the remaining contact.
County office number: _____ or _____ FAX number _____

II. IN THE EVENT OF AN EMERGENCY OR CRISIS

1. Be prepared to tell Extension personnel as much information as possible-even information that has yet to be confirmed. (write the information on the back of this sheet)
*Number and extent of injuries.
*Names of injured.
*Location of responding hospital or emergency care center.
*Description and location of the incident.
*Total number of people involved (number of youth, number of adults).
2. Have insurance information available for hospital or other emergency personnel. (list on back)
3. Release children only to parents or guardians listed on the “in case of emergency” contact form (listed on health form).
4. Get name of investigating officer(s) and appropriate contact information.
Investigating officer: _____ from (town) _____
5. Tell any news media that call or show up:
*To call campus Communications staff at 785-532-5806, for most complete information.
*Or, that no information is available yet, but will be soon through the county Extension office.

III. BEFORE YOU LEAVE FOR AN ACTIVITY OR EVENT

1. Do you have the completed crisis form with you? (this form)
2. Do you have signed and completed health forms for all participants?
Have you reviewed the health forms for any special conditions or other pertinent information?
3. Make sure you have “in case of emergency” contact information for parents or guardians of all participants. Make sure parents or guardians understand that only those persons listed on the form will be allowed to pick up the children in case of an accident (top part of health form).
4. Have you sent in any required pre-trip forms to your insurance company?
5. Do you have the following:
*Cellular telephone? Yes _____ No _____
*First aid kit? Yes _____ No _____
*Insurance information from your county? Yes _____ No _____

IV. PACKING TO LEAVE FOR AN ACTIVITY OR EVENT

1. Pack large suitcases securely under the bus or in another vehicle.
2. Make sure passengers know evacuation plans or appropriate emergency procedures.

V. POST-CRISIS RECOVERY

1. Return any necessary post-trip insurance forms required by the insurance company (applied to noncrisis events as well).
2. Make sure the victims and their families understand exactly what happened.
3. Know where victim's belongings are and when and if they will be returned.
4. Schedule sessions to deal with talking about the event. (Extension Agent responsibility).
5. Take advantage of county and state resources for counseling, both for individuals and for the group immediately. Families need to be told what to expect. Continued communication with the families is important. (Extension Agent responsibility)
6. Be prepared for insurance claim form questions.
7. Know when and where the event will be rescheduled.

INFORMATION FOR I 1. FROM FRONT PAGE

Number and extent of injuries: _____

Names of injured: _____

Location of responding hospital or emergency care center. _____

Description and location of the incident: _____

Total number of people involved: Youth _____ Adults _____

Insurance information: _____

WORM ASSESSMENT

PLEASE RESPOND 'YES' OR 'NO' TO THE FOLLOWING QUESTIONS:

- ___ 1. I have a risk management program documented for my 4-H program.
- ___ 2. A first aid kit is available at all 4-H functions.
- ___ 3. A list of medically trained volunteers is on file for use at 4-H activities.
- ___ 4. Current medical release forms are accessible for all 4-H members.
- ___ 5. Accident/incident forms are completed and filed within 24 hours of mishap.
- ___ 6. Our program has an emergency action plan for major activities.
- ___ 7. Volunteers are trained in risk management and are aware of the emergency action plan.
- ___ 8. Volunteers are trained in risk management and are aware of the emergency action plan.
- ___ 9. Activity rules are posted and reviewed with participants.
- ___ 10. Our program is fully covered by accident and liability insurance.

Scoring: To find out your level of worm infestation, count the number of '*YES*' answers. Check the chart below for your level of worminess.

10 '*YES*' Congrats! You are worm-free!
8-9 '*YES*' There's a worm in that apple!
6-7 '*YES*' Call in the birds!
4-5 '*YES*' Better Spray!
2-3 '*YES*' Infested.
0-1 '*YES*' Worm-eaten!