

**County of San Bernardino
Department of Behavioral Health**

Possession of a Weapon Policy

Effective Date 07/94
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Allan Rawland, Director

Policy It is the policy of the Department of Behavioral Health (DBH) to implement a Zero Tolerance Standard with regard to threats or violent behavior in the workplace, including prohibiting the possession of a weapon by a DBH client, or any other person, on DBH premises.

Purpose To promote the [Violence and Threats in the Workplace - Zero Tolerance](#) County policy for DBH employees and to promote similar efforts to lower risks for all other persons on DBH premises.

Prohibited Weapons Per California Penal Code, Section 171b(a), any person who brings or possesses any weapon, as described herein, within any state or local public building is guilty of a punishable public offense.

All persons are prohibited from bringing or possessing the following weapons on DBH premises, according to PC Section 171b(a). Weapons are defined as:

- Any firearm.
- Any deadly weapon described in PC Section 653k or 120120.
- Any knife with a blade length in excess of four inches, the blade of which is fixed or is capable of being fixed in an unguarded position by the use of one or two hands.
- Any unauthorized tear gas weapon.
- Any taser or stun gun, as defined in PC Section 244.5.
- Any instrument that expels a metallic projectile, such as a BB or pellet, through the force of air pressure, CO2 pressure, or spring action, or any spot marker gun or paint gun.

Note: Exceptions to PC 171b(a) are specified in PC Sections 171b(b), 7512, 12027, 12071.1 and 12071.4, which list, among others, peace officers and all persons who possess a valid license to a carry a firearm.

Notification Clients will be notified about this policy through the consent process. Clients will also be notified about this policy via signs posted in lobby and reception areas, as will the public. Posted signs will be written in English and Spanish.

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**County of San Bernardino
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Possession of a Weapon Policy, Continued

**Weapon(s)
Observed on
DBH Premises**

If a client or other person is in possession of a weapon, law enforcement shall immediately be notified as indicated in the [Possession of a Weapon Procedure](#).

Additionally steps must be followed if a person brandishes a weapon or makes a threat. Staff are expected to adhere to the following DBH policies, as applicable:

- [Duty to Warn and Protect Third Parties in Response to a Client Threat \(Tarasoff\) Policy](#)
 - [Duty to Warn and Protect Third Parties in Response to a Client Threat \(Tarasoff\) Procedure](#)
 - [Threats and Assault on DBH Staff Policy](#)
 - [Assaultive Behavior Plan Policy](#)
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Policy Violation

Clients are subject to termination of client services should they violate the policy. See [Possession of a Weapon Procedure](#) for detailed instructions on actions to take when violations of this policy are observed.

Note: DBH staff are not permitted to accept weapons.

**Grievance
Process**

Clients have the right to relate concerns regarding the termination of services through the Beneficiary and Grievance process described in the [Beneficiary Grievance and Appeal Procedure](#).

References

California Hospital Association. (2009). *Consent Manual: A Reference for Consent and Related Health Care Law*. Sacramento, California: California Hospital Association.
California Penal Code, Sections 171b, 244.5, 653k, 7512, 120120, 12027, 12071.1 and 12071.4

**Related Policy
or Procedure**

County of San Bernardino Policy Manual No. 09-08: [Violence and Threats in the Workplace - Zero Tolerance Policy](#)
DBH Standard Practice Manual SFT7022-1: [Possession of a Weapon Procedure](#)
DBH Standard Practice Manual SFT7009: [Assaultive Behavior Plan Policy](#)
DBH Standard Practice Manual SFT7015: [Threats of Assault on DBH Staff Policy](#)
DBH Standard Practice Manual SFT7016: [Special Incident Reporting Procedure – Client Related](#)
