



Possession of a Weapon Procedure

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Purpose To provide instruction to the Department of Behavioral Health (DBH) workforce on how to respond to clients or any other person in possession of a weapon on DBH premises.

Responding to Weapon Possession Procedure DBH staff are not permitted to accept weapons. When responding to anyone who brings or is in possession of a weapon on DBH premises, staff shall follow the steps below:

| If ... | Then ... |
|---|---|
| A person is known to have, or is suspected of having a weapon | <ul style="list-style-type: none"> • Report the possible possession to the Clinic Supervisor and security personnel immediately; • Clinic Supervisor to request security to escort the person in possession of a weapon from the facility; • Clinic Supervisor will ensure documentation of the incident in the Electronic Health Record (EHR) if the individual is a DBH client; • If the individual is an employee of DBH, the supervisor will immediately place the individual on paid leave pending outcome of an investigation, and • Clinic Supervisor will report the incident to the Director's Office for review and service termination consideration. |
| Treatment is in progress for a client when a weapon is discovered | <ul style="list-style-type: none"> • Treatment session shall be immediately terminated; • Treating staff member will discreetly report the discovery to the Clinic Supervisor and security personnel; • Clinic Supervisor will request security to escort the client in possession of a weapon from the facility; |

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Possession of a Weapon Procedure, Continued

Responding to Weapon Possession Procedure, continued

| If ... | Then ... |
|---|---|
| Treatment is in progress for a client when the weapon is discovered (continued) | <ul style="list-style-type: none"> • Treating staff member will document the incident in the client's EHR, and • Clinic Supervisor will report the incident to the Director's Office for review and consideration of service termination. |
| The person refuses to comply with security personnel to leave the premises | <ul style="list-style-type: none"> • Clinic Supervisor or security personnel will call law enforcement; • Clinic Supervisor or designee is to: <ul style="list-style-type: none"> ○ Ensure clinic safety, including the removal of bystanders, and ○ Ensure local law enforcement is or has been immediately contacted. • Clinic Supervisor will report the incident to the Director's Office for review and service termination consideration. |

Note: If a Clinic Supervisor is not available or accessible, the next Senior level workforce member or designee will assume these responsibilities.

Prior Tarasoff Threat and Possession of Weapon

In accordance with Welfare and Institutions Code 8100 (b), clients who have made a serious threat of physical violence against a reasonably identifiable victim or victims (Tarasoff threat), are prohibited from possessing any firearms or any other deadly weapon for a period of six (6) months following the date law enforcement was notified of the Tarasoff threat.

If a client meeting this criterion possesses a weapon, law enforcement must be notified immediately by a licensed psychotherapist, as defined by Evidence Code 1010 (a) to (e), in accordance with Welfare and Institutions Code 8105 (c).

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Possession of a Weapon Procedure, Continued

Termination of Services

The following steps shall be taken regarding termination of services:

| Step | Action |
|---|---|
| Upon receipt of an incident report pertaining to a client possessing a weapon | The applicable Deputy Director (DD) shall form a committee of three (3) or more persons from various programs to make a recommendation whether to terminate services to the Director or designee. |
| Upon receipt of the recommendation | The Director or designee will render a decision and notify the applicable DD and Program Manager (PM). |
| If it is determined services will be terminated | The applicable PM shall immediately issue the Notice of Adverse Benefit Determination (NOABD) Termination Notice (QM059) . |

Related Policy or Procedure

County of San Bernardino Policy Manual:

- Violence and Threats in the Workplace - Zero Tolerance Policy (No. 13-07)

DBH Standard Practice Manual and Departmental Forms:

- Notice of Adverse Benefit Determination (NOABD) Termination Notice (QM059).
- Assaultive Behavior Plan Policy (SFT7009)
- Possession of a Weapon Policy (SFT7010)
- Threats of Assault on DBH Staff Policy (SFT7015)
- Special Incident Reporting Procedure – Client Related (SFT7016)
- Possession of a Weapon Notice for Clinics (SFT009) (E, SP Man, Viet)

Reference(s)

- California Penal Code, § 171b, 244.5
- Evidence Code, § 1010
- United States Code, 5845
- Welfare and Institutions Code, § 8100 and 8105