



Possession of a Weapon Policy

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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 similar efforts to lower risks for all other persons on DBH premises.

Definition(s) **Public Offense:** An act committed or omitted in violation of a law forbidding or commanding it.
Threat: A statement of an intention to inflict pain, injury, damage, or other hostile action on someone.

Prohibited Weapons In accordance with 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, therefore:

All persons are prohibited from bringing or possessing the following weapons on DBH premises:

- Any firearm;
- 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 using one or two hands;
- Any tear gas weapon;
- Any taser or stun gun, as defined in PC Section 244.5, and
- 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.

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Possession of a Weapon Policy, Continued

Notification Clients and the public will be notified about this policy through the admitting process and via signs posted in lobby and reception areas. Posted signs are available in all threshold languages on the DBH website: [SFT009 Possession of a Weapon_Posted Notice for Clinics_Final.pdf](#)

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**. (SFT7010-1). Additional 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 Protect Third Parties in Response to a Client Threat (Tarasoff) Policy** (CLP0819);
 - **Duty to Protect Third Parties in Response to a Client Threat (Tarasoff) Procedure** (CLP0819-1);
 - **Threats and Assault on DBH Staff Policy** (SFT7015);
 - **Threats and Assault on DBH Staff Procedure** (SFT7015-1);
 - **Assaultive Behavior Plan Policy** (SFT7009), and
 - **Assaultive Behavior Plan Procedure** (SFT7009-1)
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Policy Violation Clients are subject to termination of client services should they violate this policy. See **Possession of a Weapon Procedure** (SFT7010-1) for detailed instructions on actions to take when violations of this policy are observed.

DBH staff are subject to termination of employment should they violate this policy.

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 grievance and appeal process described in the **Grievance and Appeal Policy** (QM6029).

Related Policy or Procedure [County Policy Manual](#)

- [Violence and Threats in the Workplace-Zero Tolerance \(13-07\)](#)

[DBH Standard Practice Manual and Departmental Forms](#)

- [Duty to Protect Third Parties in Response to a Client Threat \(Tarasoff\) Policy](#) (CLP0819)
- [Duty to Protect Third Parties in Response to a Client Threat \(Tarasoff\) Procedure](#) (CLP0819-1)
- [Assaultive Behavior Plan Policy](#) (SFT7009)
- [Assaultive Behavior Plan Procedure](#) (SFT7009-1)

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Possession of a Weapon Policy, Continued

Related Policy or Procedure, continued

- Threats of Assault on DBH Staff Policy (SFT7015)
 - Threats of Assault on DBH Staff Procedure (SFT7015-1)
 - Special Incident Reporting Procedure - Client Related (SFT7016)
 - Possession of a Weapon Procedure (SFT7022-1)
 - Possession of a Weapon Notice for Clinics (SFT009) (E, SP, Man, Viet)
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References

- [California Penal Code, § 171b, 244.5](#)
 - [Evidence Code, § 1010](#)
 - [United States Code, 5845](#)
 - [Welfare and Institutions Code, § 8100 and 8105](#)
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