

## Prohibition of Weapons, Explosives, and Firearms on County Property

<b>Objective:</b>	To ensure the safety of County employees and visitors of County property by limiting possession, transfer, distribution, and/or use of weapons, explosives, or firearms on County property.	<b>Policy/Procedure Number:</b>	02-41
<b>Reference:</b> <i>(All applicable federal, state, and local laws)</i>	New York Penal Law, Section 265 (Firearms and other dangerous weapons); New York Municipal Home Rule Law section 10(1)(ii)(a)(12)	<b>Effective Date:</b>	March 21, 1995
<b>Legislative Policy Statement:</b>		<b>Responsible Department:</b>	Human Resources
<b>General Information:</b>	This policy applies to all County employees, including elected or appointed officials, paid staff, and members of any administrative board, commission, or agency of that government, interns, whether paid or unpaid, volunteers, contractors, vendors, and visitors. There is no reasonable expectation of privacy with respect to the items listed below in the workplace.	<b>Modified Date (s):</b>	March 2020
		<b>Resolution No.:</b>	2020-61
		<b>Next Scheduled Review:</b>	March 2025

**I. Definitions:**

**County Property** - Refers to, but is not limited to, all Tompkins County leased, owned, or maintained buildings, facilities, rooms, parking lots, land, County-owned vehicles, and County worksites.

**Explosives** - Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion. This includes, but is not limited to, dynamite and other high explosives, black powder, pellet powder, detonators, safety fuses, igniters, fireworks, ammunition, bombs, and grenades.

**Firearms** - Any projectile-firing devices including, but not limited to all rifles, handguns, shotguns, long guns, and machine guns (including those using BB's, pellets, or darts),

**Weapons** - Any device designed or used as a weapon and capable of causing bodily harm or death. This includes, but is not limited to knives, switchblades, shivs, daggers, shanks, mace, pepper spray, tasers or electric shock devices, slingshots, metal knuckles, and martial arts devices.

- II. Policy:**
- A.** The possession, transfer, use and/or distribution of weapons, explosives, or firearms are prohibited on Tompkins County property, at County-sponsored events, while conducting County business, or while attending off-site events where employees are representing the County in an official capacity.
  - B.** Individuals in possession of a valid concealed weapons permit are not exempt under this policy and are prohibited from carrying firearms on County property at any time.
  - C.** This policy does not apply to employees of the Tompkins County Sheriff's Office or to any other law enforcement persons of municipal, County, State and Federal governments authorized by law to possess any of the above weapons on County property as part of their job duties.

- D. Violation of this policy by a County employee shall result in disciplinary action, up to and including termination, in accordance with the provisions of applicable collective bargaining agreements. Discipline is in addition to, and not in lieu of, any criminal or other action provided by Federal or State law.
- E. Retaliation against any individual who has reported a possible violation of this policy is prohibited. Incidents of retaliation shall result in disciplinary action, up to and including termination, in accordance with the provisions of applicable collective bargaining agreements.
- F. Tompkins County shall provide a copy of this policy to employees upon hire and make the policy accessible to all individuals via the County website.

### **III. Procedure:**

#### **A. Employee Responsibilities**

1. Any County employee who observes, suspects, or has knowledge of an individual in possession of weapons, explosives, or firearms that are not connected to their employment as a law enforcement officer must report this possession to their Supervisor and/or Department Head immediately.
2. Any County employee who observes unattended items they reasonably believe to be weapons, explosives, or firearms must also immediately report this to their Supervisor and/or Department Head immediately.
3. In applying this policy, no employee shall take any action that will risk their own safety or the safety of other individuals. No attempt should ever be made by an employee to restrain or forcibly evict an armed person from County property.
4. Employees who feel an immediate risk to their safety or the safety or security of others, should avoid any interaction with the individual. Steps should be taken to secure their area and the employee shall immediately call 911.

#### **B. Supervisor/Department Head Responsibilities**

1. Supervisors and Department Heads are expected to be knowledgeable of and shall be responsible for implementing this policy within their respective departments.
2. *Employee Violations*
  - a. In the event of any observed or suspected violations of this policy, Supervisors and/or Department Heads shall inform the employee(s) that they are in violation of the policy and request the weapon, explosive, or firearm to be removed from the premises immediately. Any weapon or firearm found by Supervisors and/or Department Heads may also be confiscated at the Department Head or Supervisor's discretion.
  - b. Supervisors and/or Department Heads shall immediately notify the Commissioner of Human Resources or their designee of any observed or suspected violations of this policy upon discovery or receiving a report from any individual with a concern.
  - c. The Commissioner of Human Resources or their designee shall investigate reported violations of this policy immediately and assist

Department Heads with initiating appropriate action(s) to respond to violations of this policy. Where appropriate the Commissioner of Human Resources or their designee may refer the matter to law enforcement authorities for investigation and prosecution.

- d. If a violation is believed to be immediate and life threatening, Supervisors and/or Department Heads should immediately call 911.

### 3. *Visitor Violations*

- a. If a visitor on County property is observed or suspected to be in violation of this policy, the Department Head or their designee shall inform the visitor of the policy and request the bearer of the weapon, explosive, or firearm to leave the premises immediately, and may be subject to ban from County property at the Department Head's discretion. This should be done in an informative, calm, and non-confrontational manner.
- b. Any conflict or disagreement concerning such items shall be referred to local law enforcement officials. If the concern is believed to be immediate and life threatening, Supervisors and/or Department Heads should immediately call 911.