



CASS # 103.01.01

Virginia Beach Department of Emergency Medical Services



Index #

Operations

WEAPONS POLICY

PURPOSE: To outline those specific occasions when EMS personnel will be allowed to clean, carry, or utilize any type of firearm or other weapon.

APPLICABILITY: This policy shall apply to all personnel while in the official capacity, as a member of the Department of EMS

POLICY STATEMENT: The purpose of this policy is to help reduce the risk of violence by preventing the unauthorized possession, brandishing, or use of weapons by members engaged in official functions of the Department.

CITYWIDE STANDARD

With exceptions noted below, all members will comply with City of Virginia Beach Department of Human Resources Policy 6.18 (Weapons Policy) a copy of which is provided as Attachment A.

OFFICIAL EXEMPTIONS

- A. Small personal pocketknives or large “buck” type knives, which are worn in a visible holster on the belt and utilized for necessary cutting (ie: seat belts) are acceptable.
- B. Authorized EMS personnel, while on “active” duty or training with the Virginia Beach Police Special Operations Team, are exempted from the Weapons Policy for the duration of the mission or length of training.
- C. Off duty EMS personnel who are Commonwealth of Virginia or Federal sworn peace officers.

WEAPONS POLICY

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This policy shall become effective upon the approval of the Chief of Emergency Medical Services.

APPROVED:

 **5/23/2008**

EMS Chief

Date

LEGAL REVIEW

Signature on File

City Attorney's Office

Date

Originated
4/11/1988

Revised
5/23/2008

ATTACHMENT A

CITY OF VIRGINIA BEACH WEAPONS POLICY	Policy Number: 6.18
	Date of Adoption: July 16, 2001
	Date of Revision:
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1.0 PURPOSE:

The purpose of this policy is to help reduce the risk of violence by preventing the unauthorized possession, brandishing, or use of weapons by:

(a) employees;

(b) volunteers; and/or

(c) individuals providing temporary services through an outside agency;

while they are (i) working; (ii) acting as a representative of the City; (iii) on City property; and/or (iv) in City-insured vehicles.

2.0 POLICY STATEMENT:

The City of Virginia Beach endeavors to provide a quality work life and a safe work environment for all members. As part of that endeavor, the City maintains a zero tolerance policy towards workplace violence and threatening behavior. Consequently, the City prohibits individuals covered by this policy from possessing, brandishing, or using any weapon while (a) working; (b) acting as a representative of the City; (c) in a City-insured vehicle; and/or (d) on City property, unless the possession, brandishing, or use of the weapon is a condition of their employment with the City; is a condition of providing services to the City; or has been authorized by their supervisor. To be allowed to possess a weapon under the exceptions noted, individuals must have completed any required training regarding the possession or use of the weapon and have satisfied any certification requirement mandated by federal, state, or local law, rule, or regulation.

The prohibition against possession of a weapon applies even if a member has a permit to carry a concealed weapon.

3.0 DEFINITIONS:

For purposes of this policy, the term Amember@ includes employees, volunteers, and individuals providing temporary services through an outside agency.

The term Aweapon@ includes, but is not limited to, the following: (i) a pocket or pen knife with a blade of three (3) inches or longer, (ii) any firearm or other weapon designed or intended to propel a missile of any kind; (iii) a dirk, bowie knife, switchblade knife, ballistic knife, razor, slingshot, spring stick, metal knucks, blackjack; (iv) any flailing instrument consisting of two (2) or more rigid parts connected in such a manner as to allow them to spring freely, which instrument may also be known as a nunchuck, nunchanka, nunchalcu, shuriken or fighting chains; (v) any disc, of whatever configuration, having at least two (2) points or pointed blades which is designed to be thrown or propelled and which may be known as a throwing star or oriental dart; (vi) any weapons of like kind as those enumerated; or (vi) any object that is used as a weapon.

4.0 PROCEDURE

4.1 Members. Members who become aware or have reason to believe that this policy is being violated should immediately report the incident to their supervisor. If the supervisor is the party who has violated the policy, members should report the incident to their department director or to the Director of Human Resources (or a designee).

If members are in a situation that constitutes an emergency, they should immediately contact the Police Department by dialing 911. To the extent possible, members should inform their supervisor of the situation at the time it is occurring or to other appropriate parties mentioned above if the supervisor is the perpetrator. In non-emergency situations, if the member, or the member=s supervisor, believes the questionable conduct may constitute a criminal offense, the member or the supervisor should contact the Police Department within a reasonable time to report the matter and to determine if the police will conduct a criminal investigation.

A member who reports information in good faith in accordance with this policy will not be subject to retaliation or discipline by the City solely for making the report.

4.2 Managers. If supervisors receive information that one of their members may have or is engaged in conduct that would be a violation of this policy, they should take the necessary steps to obtain information about the situation, including interviewing individuals who may have knowledge about the conduct. Supervisors should document the steps they took in their review and the results of the review. The supervisor must make the Department of Human Resources aware of any matter that involves a violation or a potential violation of this policy.

After completing their review of a situation, if supervisors determine that an

employee has violated this policy, they should impose appropriate disciplinary action, up to and including dismissal. For non-employee violators of this policy, appropriate action should be taken considering the totality of the circumstances. In a case that involves violence or a threat of violence, the supervisor should take reasonable steps that may be necessary to provide appropriate safeguards in the workplace.

If supervisors receive a complaint or become aware of a situation that involves a member from another department, they should notify the director of the other department about the matter so the director may initiate an investigation.

If supervisors become aware of a situation that constitutes an emergency, they should immediately contact the Police Department at 911. In non-emergency situations, if the member, or the member=s supervisor, believes the questionable conduct constitutes a criminal offense, the member or the supervisor should contact the Police Department within a reasonable time to report the matter and to determine if the police will conduct a criminal investigation.

If the Police Department becomes involved in a criminal investigation of a member, the member=s supervisor should contact the appropriate supervisor in the Police Department to coordinate the investigation. Supervisors will cooperate with the police investigation while conducting or completing their own inquiry into the situation.

Members should review the City=s AViolence Prevention Policy,@ Policy No. 6.17, to familiarize themselves with the City=s policy and procedure regarding violence or threatened violence.

5.0 SEARCHES:

If the City has reasonable suspicion to believe members may be violating this policy or any other City or department policy by inappropriately possessing prohibited weapons, objects, documents, equipment, substances, stolen property, etc., they may be asked to consent to a search of their person. In addition, the City reserves the right to search property under the control of a member. Property subject to search includes, but is not limited to, offices, computers, computer files, computer drives, City vehicles, file cabinets, desks, and lockers. The scope of any search and the manner in which it is performed will conform to applicable legal requirements.

6.0 DISCIPLINE/REPERCUSSIONS:

Employees who violate this policy will be subject to discipline, up to and including dismissal. Depending on all of the circumstances, dismissal may be the appropriate sanction even for a first infraction. Non-employee violators of this policy will be subject to appropriate action based upon the totality of the

circumstances. In addition to any discipline or other appropriate action that may be imposed, in appropriate circumstances the City may institute a prosecution against a violator of this policy or, in its discretion, lend reasonable assistance to a member to prosecute the offender.

7.0 RELATED TOPICS:

The following policies address topics that may be relevant to the issue of weapons in the workplace: Violence Prevention Policy, No. 6.17; Legal Detainment Policy, No. 6.08; Criminal Charge and Conviction Policy, No. 6.02(A); Discipline Policy, No. 4.02; and Employee Assistance Program Policy, No. 5.02.

8.0 POLICY REVISIONS:

The City Manager, or a designee, may revise this policy at any time.