

City of Virginia Beach Weapons Policy	Policy Number:	6.18
	Date of Adoption:	July 16, 2001
	Date of Prior Revision:	None
	Date of Current Revision:	July 18, 2012
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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 members while they are working, acting as a representative of the City, on City property; and/or in City-insured vehicles.

2.0 DEFINITIONS:

2.1 MEMBER: For purposes of this policy, the term “member” includes employees, volunteers, and individuals providing temporary services through an outside agency.

2.2 WEAPON: For the purpose of this policy shall include, but is not limited to, the following:

- A. a pocket or pen knife with a blade of three (3) inches or longer;,,
- B. any firearm or other weapon designed or intended to propel a missile of any kind;
- C. a dirk, bowie knife, switchblade knife, ballistic knife, razor, slingshot, spring stick, metal knucks, blackjack;
- D. 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;
- E. 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;
- F. any weapons of like kind as those enumerated; OR
- G. any object that is used as a weapon.

3.0 APPLICABILITY:

- 3.1** This policy applies to all full-time and part-time employees as defined by the Code of the City of Virginia Beach; all temporary service workers contracted to perform work for the City, and City volunteers.
- 3.2** This policy will only apply to employees working within Constitutional Offices, if the City's policies have been adopted by written consent of the appropriate elected official.

4.0 POLICY STATEMENT:

- 4.1** 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.
- 4.2** 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.
 - A.** Exceptions
 - (1) Where the possession, brandishing, or use of the weapon is a condition of the member's employment with the City; is a condition of providing services to the City; or has been authorized by their supervisor.
 - (2) Members are not prevented from storing a lawfully possessed firearm and ammunition in a locked private motor vehicle while on City property as set forth in the [Code of Virginia § 15.2-915](#).
 - B.** To be allowed to possess a weapon under exception 4.2A(1) 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.
- 4.3** The prohibition against possession of a weapon applies even if a member has a permit to carry a concealed weapon.

4.4 Searches

- A. 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, they may be asked to consent to a search of their person.
- B. 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.
- C. The scope of any search and the manner in which it is performed will conform to applicable legal requirements.

5.0 PROCEDURE:

5.1 Members Responsibility

- A. Members who become aware or have reason to believe that this policy is being violated shall to the extent possible, immediately report the incident to their supervisor at the time it is occurring.
 - (1) If the supervisor is the party who has violated the policy, members shall report the incident to their department director or to the Director of Human Resources (or a designee).
 - (2) If members are in a situation that constitutes an emergency, they shall immediately contact the Police Department by dialing 911.
- B. In non-emergency situations, if the member, the member's supervisor, the Director or the Director of Human Resources believes the conduct may constitute a criminal offense, the Police Department shall be contacted as soon as possible to report the matter.
- C. A member who reports information in good faith in accordance with this policy shall not be subject to retaliation or discipline by the City solely for making the report.

5.2 Supervisors Responsibility

- A. 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 shall immediately take the necessary steps to obtain information about the situation, including interviewing individuals who may have knowledge about the conduct.
 - (1) Supervisors are required to document the steps they took in their review and the results of the review.
 - (2) The supervisor must make the Department of Human Resources aware of any matter that involves a violation or a potential violation of this policy.

- B. After completing their review of a situation, if supervisors determine that an employee has violated this policy, they shall impose appropriate disciplinary action, up to and including dismissal, in accordance with the City's Discipline Policy and Procedure, #4.02.
 - (1) For non-employee violators of this policy, appropriate action shall be taken considering the totality of the circumstances which may include requesting that the individual not be used by the contractor to perform work for the City.
 - (2) In a case that also involves violence or a threat of violence, the supervisor shall take reasonable steps to provide appropriate safeguards in the workplace which may include calling 911 if there is an immediate threat and follow the procedures set forth in the City's Violence Prevention Policy, No. 6.17.

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

- D. If supervisors become aware of a situation that constitutes an emergency, they shall call 911.

- E. In non-emergency situations, if the member, or the member's supervisor, believes the conduct constitutes a criminal offense, the member or the supervisor shall contact the Police Department within a reasonable time to report the matter and to determine if the police will conduct a criminal investigation.

F. Criminal offense

- (1) If the Police Department performs a criminal investigation of a member, the member's supervisor is required to contact the appropriate supervisor in the Police Department to coordinate the investigation. Supervisors shall cooperate with the police investigation while conducting or completing their own inquiry into the situation.
- (2) When a police investigation results in an employee or contract worker being charged with a criminal offense, the supervisor shall inform the Department of Human Resources, as set forth in the City's Criminal and Administrative Charge and Conviction Policy, No. 6.02(A).

5.3 Discipline/Repercussions

- A. Employees who violate this policy shall be subject to disciplinary action up to and including dismissal.
 - (1) Depending on all of the circumstances, dismissal may be the appropriate sanction even for a first infraction.
 - (2) Refer to the City's [Discipline Policy and Procedure, No. 4.02](#).
- B. Non-employee violators of this policy shall be subject to appropriate action based upon the totality of the circumstances.

6.0 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; Criminal Charge and Conviction Policy, No. 6.02(A); Discipline Policy, No. 4.02; and Employee Assistance Program Policy, No. 5.02.

7.0 POLICY REVISIONS:

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