

GREEN COUNTY'S WEAPON POLICY

I. Preamble

This policy was prompted, in significant part, by 2011 Wisconsin Act 35. It is intended to preserve and promote public protection and safety, public peace and good, and workplace safety.

II. Definitions

- A. "Law Enforcement Officer" means a Wisconsin law enforcement officer, as defined in Section 175.46(1)(g) Wisconsin Statutes or a federal law enforcement officer, as defined in Section 175.40(7)(a)1. Wisconsin Statutes.
- B. "Licensee" means an individual holding a valid license to carry a concealed weapon under Section 175.60 Wisconsin Statutes or an out-of-state licensee per Section 175.60(1)(f) 1.-2. Wisconsin Statutes.
- C. "Motor Vehicle" means a vehicle which is self-propelled, including but not limited to a passenger car, truck, van, bus, taxi, commercial motor vehicle, motorcycle, moped, motor bicycle, snowmobile, and all-terrain vehicle.
- D. "Placard" means a small card or plaque.
- E. "Sign" means a sign that states a restriction imposed hereunder and that is at least 5 inches by 7 inches.
- F. "Weapon" includes, without limitation, any firearm (including a handgun), an electric weapon (as defined in Section 941.295(1c)(a) Wisconsin Statutes), a knife (except a pocket knife with a blade less than 2.5 inches), a switchblade (as defined in Section 941.24(1) Wisconsin Statutes), a billy club, metallic knuckles, nunchaku, shuriken, cestus, manrikigusari, or any device designed or used as a weapon and capable of producing great bodily harm or death.

III. Prohibitions

- A. County employees are prohibited from carrying or possessing a weapon in the course of their employment.

This prohibition does not apply to:

- 1. Law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.
 - 2. An employee, who is a Licensee, properly storing a weapon or ammunition in the employee's own motor vehicle, regardless of whether the motor vehicle is used in the course of employment or whether the motor vehicle is driven or parked on property used by the County.
- B. Persons are prohibited from carrying or possessing a weapon while operating or being a passenger in any County owned or leased motor vehicle.

This prohibition does not apply to law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.

- C. No person may, while carrying or possessing a weapon, enter or remain in any part of a building that is owned, occupied, or controlled by the County.

This prohibition does not apply to:

1. Law enforcement officers, entitled to carry a weapon, while acting in their official capacity and with lawful authority.
2. A person if a firearm is in a motor vehicle driven or parked in the parking facility, or to any part of the building used as a parking facility.
3. A Circuit Court Judge, District Attorney or Assistant District Attorney, who is a Licensee who is carrying a weapon while in the Green County Justice Center.
4. A Licensee whom a judge has permitted in writing to carry a weapon who is carrying a weapon while in the Green County Justice Center.
5. The exemptions in above sub. paragraphs 3. & 4. for Circuit Court Judges, District Attorneys, Assistant District Attorneys and Licensees whom a judge has permitted in writing to carry a weapon do not apply to the following locations in and around the Green County Justice Center: any point past the door that divides the courtrooms from the holding cell receiving area, the secure holding cells, the secure visitation cell, the secure visitation visitors area, the secure elevator, the secure walkway connecting the Green County Jail and the Green County Justice Center, and any other areas designated and/or certified as part of the Green County Jail by the Wisconsin Department of Corrections.

IV. Notice

- A. For purposes of *III. Prohibitions A.* above:

County employees will be notified, either orally or in writing, of the restriction.

- B. For purposes of *III. Prohibitions B.* above:

1. A placard may be posted, that is located in a prominent place within or on the motor vehicle, such that any person who is an operator or occupant of the motor vehicle can be reasonably expected to see the placard.

Suggested language for the placard:

“ENTRY TO THIS VEHICLE WHILE CARRYING OR POSSESSING A CONCEALED FIREARM OR OTHER WEAPON IS FORBIDDEN”

or

2. Any motor vehicle operator or occupant will be notified, either orally or in writing, of the restriction.

- C. For purposes of *III. Prohibitions C.* above:

1. A sign will be posted that is located in a prominent place near all of the entrances to any building to which the restrictions apply, where any individual entering the building can be reasonably expected to see the sign.
2. Suggested language for a sign:

*“NO PERSON MAY ENTER OR REMAIN IN THIS BUILDING WHILE
CARRYING OR POSSESSING A FIREARM OR OTHER WEAPON“*

V. *Miscellaneous Provisions*

- A. This policy is intended to be consistent with, and cannot supersede, state or federal law.
- B. If any provision or clause of this policy or its application to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of this policy that can be given effect without the invalid provision or application, and to this end the provisions of this policy are severable.
- C. Reference to the Wisconsin Statutes herein include as such statutes now exist or are hereafter amended.

VI. *Penalties for Violation*

- A. If applicable, referral to law enforcement or the district attorney for prosecution as applicable under Wisconsin Statutes, including Section 943.13 Wisconsin Statutes; *and/or*
- B. For County employees, discipline up to and including discharge from employment.

VII. *Effective Date*

This Weapon Policy becomes effective November 1, 2011.

This Weapon Policy was adopted by the Personnel and Labor Relations Committee on October 26, 2011, and by the Property, Parks and Insurance Committee on October 27, 2011.

Michael J. Doyle,
Green County Clerk

This instrument was drafted by the Green County Corporation Counsel.