



COMMISSIONERS COURT  
COMMUNICATION

REFERENCE NUMBER

PAGE 1 OF

5

DATE: 03/22/2016

SUBJECT: **APPROVAL OF AN AMENDED WEAPONS IN COUNTY FACILITIES  
POLICY**

**COMMISSIONERS COURT ACTION REQUESTED:**

It is requested that the Commissioners Court approve an amended Weapons in County Facilities Policy.

**BACKGROUND:**

The attached amended policy addresses non-law enforcement employees carrying and possessing handguns in County facilities. Non-law enforcement employees will be allowed to carry handguns under the guidelines established in this amended policy. The amended policy was developed by the Commissioners Court, County Administrator's Office and the Criminal District Attorney's Office.

**FISCAL IMPACT:**

There is no fiscal impact associated with this item.

|               |                        |              |                  |
|---------------|------------------------|--------------|------------------|
| SUBMITTED BY: | Administrator's Office | PREPARED BY: | Jay L. Singleton |
|               |                        | APPROVED BY: |                  |



# TARRANT COUNTY

## WEAPONS IN COUNTY FACILITIES POLICY

### I. POLICY STATEMENT

In a continuing effort to provide safe and secure facilities for the public and employees, the Tarrant County Commissioners Court adopts the following policy regarding the carrying and possessing of weapons within Tarrant County facilities owned, leased, or otherwise occupied by Tarrant County.

### II. DEFINITIONS

Facilities means a building, premises or a portion of a building or premises owned, leased, or otherwise occupied by Tarrant County. The term does not include any public or private driveway, street, sidewalk or walkway, parking lot, parking garage, or other parking area.

Weapons are those items as defined in Texas Penal Code, Chapter 46.01, 46.03 and 46.05.

### III. POLICY GUIDELINES

- A. Those members of the public, and Tarrant County elected and appointed officials who are authorized by law to carry weapons in public places, as well as licensed peace officers carrying weapons in the course and scope of their employment, are permitted to possess or carry those weapons in Tarrant County facilities to the extent permitted by law.
- B. A non-law enforcement employee may carry/possess a handgun while on duty provided they are a current Texas handgun license holder, and the following rules are followed:
  - 1. A handgun may only be carried by an employee in a concealed manner and must be at all times on or about the employee's person in a belt, ankle or shoulder holster, purse or in the employee's locked personal vehicle. Storing a handgun in a desk, cabinet, briefcase or backpack while at work is prohibited. A handgun may not be removed from its holster or purse except as allowed in this Policy.
  - 2. Handguns may not be stored on County premises.

3. An employee is only authorized to use a handgun in a manner consistent with the law of defense of the employee or another person (Texas Penal Code, §§ 9.31 (Self-Defense), 9.32 (Deadly Force In Defense of Person), 9.33 (Defense of Third Person)).
4. Tarrant County is not responsible for damage to or loss or theft of employee's handgun.
5. The employee is authorized to carry a handgun on the employer's premises by Texas Government Code, Sec. 411.203 (Rights of Employers) but has no individual right or entitlement to do so and authorization may be withdrawn at any time at the employer's discretion without advance notice or right of review;

The employee agrees:

- a. to indemnify and hold harmless the County and officials for any claims made if the employee's handgun is used or misused by the employee or another person;
- b. to immediately cease handgun carry if directed to do so by the department head or other authorized person;
- c. to immediately cease handgun carry on County property if:
  - i. the employee is charged with or convicted of a felony or Class A or B misdemeanor or becomes subject to restraining or protective order; or
  - ii. the employee's handgun license is suspended/revoked or has expired;
- d. that the handgun carried at work must be one authorized to be carried by employee by employee's handgun license training.

The employee acknowledges:

- a. any use of the handgun by the employee is solely on behalf of and at the risk of the employee alone and not at the request of or with the approval of Tarrant County, its officials or supervisors;

- b. possession of handguns by employees is not allowed in areas prohibited by state law or County policy or restricted areas or times including during formal employee counseling and Civil Service hearings;
    - c. the employee's work area or individual office and furnishings are subject to search as necessary to enforce employee handgun carry rules.
- 6. Nothing in this Policy should be interpreted to allow the carrying/possessing of handguns in the Tim Curry Criminal Justice Center, Family Law Center, Tom Vandergriff Civil Courts Building, 1895 Courthouse or Scott D. Moore Juvenile Justice Center, or in any other County building or facility at a time which otherwise prohibits the possession of handguns.
- C. The Commissioners Court does not purport to have or exercise any authority over the right of a court to regulate weapons in any government court or offices utilized by that court when done pursuant to specific written order of the court.
- D. Personnel of an armored car service working for the County pursuant to its armored car contract may carry firearms as authorized by their license from the State, but only into those parts of facilities as required for and in performance of their duties pursuant to the contract with the County and as permitted by law.
- F. Personnel of the Fort Worth Police Department Crime Lab and of the Tarrant County Medical Examiner's Crime Lab may carry weapons into the Tim Curry Criminal Justice Center or similar court facility only under the following conditions:
  - a. The weapon must be a demonstrative exhibit or an item of evidence for use in the testimony of the employee;
  - b. The directors of the respective crime labs must designate in writing to the Sheriff the list of employees allowed to transport these types of weapons into the building;
  - c. Listed employees must have photo identification available at all times for inspection by the Sheriff's Department; and,
  - d. Listed employees may not bring their personal firearms into any County facility.

**830 Weapons in County Facilities Policy**

Approved: Court Order No. 73428 (November 28, 1995)  
Amended: Court Order No. 74472 (June 18, 1996)  
Amended: Court Order No. 95101 (April 12, 2005)  
Amended: Court Order No. 120925 (September 08, 2015)  
Amended: Court Order No. 122225 (March 22, 2016)



# NOTICE NOTICIA

POSSESSION OF  
WEAPONS OF ANY KIND  
ON THESE PREMISES  
IS PROHIBITED

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This includes, but not  
limited to:

- All bladed cutting instruments, such as knives, box cutters or razor devices.
  - All guns.
  - All Mace and OC Gas, such as chemical and pepper sprays.
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RETURN THESE ITEMS  
TO YOUR VEHICLES

ARMAS DE  
CUALQUIER TIPO  
ESTAN PROHIBIDOS

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Esta incluye, pero no esta  
limitado a:

- Cualquier mecanismo o instrumento para cortar, como cuchillos, navajas y cortadores de cajas.
  - Todos armas de fuego.
  - Todos tipos de gases, mace y gases chimicos, incluyendo gas de pimienta.
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REGRESE ESTOS  
ARTICULOS A SU COCHE



# NOTICE

# NOTICIA

**POSSESSION OF  
WEAPONS OF ANY KIND  
IN THIS MEETING ROOM  
AREA IS PROHIBITED**

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# NOTICE

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**POSSESSION OF  
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IN THIS COURT OFFICE  
AREA IS PROHIBITED**

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