

CSU UNIVERSITY POLICY

CLARIFICATION: This final policy approved by the Colorado State University System Board of Governors on Tuesday, Feb. 23, **does allow for both personal pepper spray and personal Tasers** by individuals for protection and self-defense. In an earlier draft of the policy, there was a description about Tasers not being allowed. However, upon further edits, that section was removed – a decision supported by the CSU Police Department and leaders of the university’s Public Safety Team.

Policies of Colorado State University	Chapter # - Chapter Name
Policy Title: Weapons Policy	

1. Policy Statement.

Colorado State University recognizes that the possession, use, or display of Weapons on Campus should be subject to reasonable control to manage the increased risks associated with having Weapons on Campus, which is consistent with the best practices of other colleges and universities. Some of the data and analysis supporting those best practices are contained in the position statement dated August 12, 2008, by the Board of Directors of the International Association of Campus Law Enforcement Administrators, Inc. (“IACLEA”). According to that statement, the presence of students carrying concealed weapons would not reduce violence on campuses and that having such weapons may dramatically increase violence on campus arising from (a) the potential for accidental discharge or misuse of firearms at on-campus parties or student gatherings, (b) the potential for guns to be used as a means to settle disputes, and (c) that campus police officers responding to a situation involving an active shooter may not be able to distinguish between the shooter and others with firearms. Colorado State University concurs with IACLEA’s position statement and believes that safety on Campus will be improved by reasonably controlling Weapons.

All Colorado State University Employees, including faculty and staff, Students, and Visitors/Guests are prohibited from possessing, using, or displaying Weapons on Campus without written authorization from the Colorado State University Police Chief, whether or not a federal or state permit to possess or conceal the Weapon has been issued to the possessor.

2. Application of Policy.

The policy applies to all Employees, Students, and Visitors/Guests on Colorado State University owned or operated property that is within the jurisdiction of the Colorado State University

Police Department (“CSUPD”), and includes, but is not limited to, buildings, open space, residence halls, University apartments, parking lots, roadways, sidewalks and vehicles.

CSUPD officers have the authority to enforce state laws anywhere in Colorado and county ordinances anywhere within Larimer County. However, this policy is applicable only to those areas in which CSUPD is the lead and primary law-enforcement agency.

3. Exemptions.

Certified Law Enforcement Officers may wear their service firearm while on Campus in accordance with federal, state, local law and their department policy.

Persons in the United States military or enrolled in the Army or Air Force Reserve Officer Training Corps or members of a Colorado State University recognized ROTC drill team, to the extent they are otherwise legally permitted to possess Weapons in the jurisdiction in which they are allocated and only in accordance with their own policies, may do so on the Colorado State University Campus when performing their official duties or training.

The Colorado State University Police Chief (the “Chief of Police”) has the discretion to grant written permission to an individual to possess, use, or display a Weapon on Campus for educational purposes or for other special circumstances. Individuals seeking such an exemption must submit a written request to the Chief of Police with the following information:

1. Name and contact information of person requesting exception;
2. Detailed reason for request;
3. Exact description of Weapon under consideration;
4. Location where the Weapon will be present on Campus and for how long;
5. What security measures will be taken to ensure safety; and
6. For a concealed Weapon, proof that the applicant possesses a valid permit to carry a concealed Weapon in Colorado

A request for an exemption to carry a concealed Weapon on Campus other than for educational purposes or specific exempted purposes outlined in this policy must include the six categories of information listed above, and must also contain a detailed factual basis demonstrating the following:

There is a specific, serious and on-going threat to the applicant’s safety on Campus that can be reduced by carrying a concealed Weapon and is supported by a court order of protection, a written recommendation from another law enforcement agency or other similar document.

Holding a valid permit to carry a concealed Weapon is not a sufficient basis to grant an exemption. Likewise, an applicant’s general concern about safety on Campus, alone, is not grounds for an exemption. Any verbal request or written request lacking adequate factual detail will be denied.

Any written application seeking an exemption that is granted by the Chief of Police is valid only for the time period specified therein or for one year from the date of issue, whichever is shorter.

All decisions by the Chief of Police are final.

4. Storage.

Select Weapons for use by the ROTC program, hunting and sporting purposes, or for persons with a valid concealed carry permit may be stored with the CSUPD for safe keeping. Persons seeking to store a weapon should present themselves at the CSUPD in Green Hall prior to parking in any other location on Campus.

These Weapons and ammunition can be checked in and out of the CSUPD according to CSUPD procedures. A valid ID is required for check in/out. The CSUPD will perform a background check on both the weapon and the owner of the weapon prior to storage. Firearms and other Weapons must be unloaded and secured in a carrying case when presented to the CSUPD for storage. All Weapons must be claimed at the end of the school year. Weapons that are not claimed will be disposed of in accordance with procedures established by the Bureau of Alcohol, Tobacco and Firearms.

The Chief of Police has the discretion to grant written permission to an individual to store the applicant's Weapon in the applicant's vehicle while on Campus, provided that (a) if it is a concealed Weapon, the applicant has a valid permit to carry a concealed Weapon in Colorado, (b) the Weapon remains in the vehicle at all times, and (c) when the applicant is not in the vehicle, the Weapon must be kept in a locked compartment within the locked vehicle.

Individuals seeking such a storage exemption must submit a written request to the Chief of Police with the following information:

1. Name and contact information of person requesting exception;
2. Proof that the applicant has a valid permit to carry a concealed Weapon in Colorado;
3. Exact description of the handgun under consideration;
4. Location where the applicant's vehicle will be present on Campus and for how long; and
5. What security measures will be taken to ensure safety.

Any written application seeking a storage exemption that is granted by the Chief of Police is valid only for the time period specified therein or for one year from the date of issue, whichever is shorter.

All decisions by the Chief of Police are final.

5. Definitions.

1. Campus. "Campus" means all Colorado State University owned and operated areas under the jurisdiction of the CSUPD, including Main, Rampart, South, Foothills, the Agricultural Research Development and Education Center (ARDEC), and the University Center for the Arts. This policy is applicable only in those areas in which the CSUPD is the lead and primary law enforcement agency.
2. Certified Law Enforcement Officer. "Certified Law Enforcement Officer" means a person who (a) is an employee of a federal, state or local governmental agency, (b) authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for any violation of law, and (c) is authorized by the agency to carry a Weapon.
3. Employee. "Employee" means any individual who is employed at the University in any capacity and includes faculty, staff, hourly workers, and other individuals whether they are serving in a full or part-time capacity.
4. Student. "Student" means any individual who is enrolled or registered to attend classes regardless of full or part-time status.
5. Visitor/Guest. "Visitor/Guest" refers to all individuals who may come to the Campus in an official or unofficial capacity, whether invited or not, to attend events, volunteer, meet with members of the University community on a temporary basis, or any other reason.
6. Weapons. "Weapons" for purposes of this policy shall include:
 - a) firearms, such as handguns, shotguns, rifles, bows, crossbows, pellet guns or machine guns.
 - b) however, "weapons" does not include toy guns, such as Nerf guns, that are clearly identifiable by the manufacturer's logo, and other markings, as a toy.
 - c) Any device that shoots a bullet, pellet, flare, dart, arrow, bolt or other projectile whether loaded or unloaded and whether or not it has been modified, disabled or secured such that it is not capable of being fired or used.
 - d) explosives, such as bombs, grenades, blasting caps, detonators, timers, incendiary wire and other containers containing explosive substances including fireworks and black powder.
 - e) other equipment, material, and devices that, in the manner they are used/could ordinarily be used, are readily capable of causing serious bodily injury. This includes, but is not limited to, knives (blade length that exceeds 3.5 inches), swords, foils, tear gas, pepper spray in amounts greater than one ounce, chemical substances, brass/metal knuckles, clubs, chains and martial arts devices.
 - f) ammunition, which includes cartridges, bullets, pellets, flares, arrows, bolts, darts or other projectiles capable of being projected by a Weapon.
 - g) A harmless instrumentality designed to look like a Weapon which is used by or is in the possession of a person with the intent to cause fear in or assault to another person is expressly included within the meaning of a Weapon.
 - h) Any object that could reasonably be construed as a Weapon.

This definition does not include objects that are authorized, designated and used in accordance with University policies for operational, academic and/or recreational purposes (e.g., cutlery used in dining services operations, tools used in facilities services operations, props modified for use in the theatre department, fencing equipment modified for use in athletics) unless used in a way that is intended to harm or threaten another person or property.

Additionally, the University recognizes that many common objects and tools are designed for uses other than as a Weapon but may be used or may be modified for use as a Weapon. In considering whether a particular common object or tool shall be considered to be a Weapon under this policy, University officials will consider the time, place, and other circumstances surrounding the possession of the common object including the explanation for its possession and whether the object has been modified or otherwise altered to make a more effective Weapon in making their determination.

6. Procedures and Responsibilities.

The CSUPD is responsible for the enforcement of this policy and will take into account the facts and circumstances of each situation, including actions taken in self-defense.

Any member of the Colorado State University community, including Employees and Students, who violates this policy shall be notified of the violation by the CSUPD and may be subject to disciplinary sanctions under applicable University policies, including the Student Code of Conduct and the Faculty and Administrative Professional Manual.

Any Visitor/Guest who violates this policy shall be notified of the violation by the CSUPD and asked to comply. If the individual does not comply, the individual may be removed from Campus and will be subject to all legal penalties, including criminal trespass provisions under applicable Colorado Revised Statutes. Violations in this category may also result in exclusionary documentation banning the individual from the Campus.

Colorado State University expects all members and guests to help maintain safety and security at the institution and at University sponsored events. All Employees, Students, and Visitors/Guests who have knowledge of Weapons on Campus have an obligation to report that knowledge promptly to the CSUPD.

7. References and Cross-references

Student Code of Conduct
Faculty and Administrative Professional Manual
Residence Life Handbook

8. Forms and Tools. (optional)

Please visit the CSUPD website for more information about storing a Weapon with the CSUPD or applying for an exception to this policy.

Approved by Cabinet

Effective:

Revised:

