

SAN MATEO COUNTY HEALTH SYSTEM  
BEHAVIORAL HEALTH AND RECOVERY SERVICES

DATE: September 8, 1995

BHRS POLICY: 95-05  
SUBJECT: Weapons Management  
AUTHORITY: Divisional  
AMENDED: February 15, 2005; Technical Edits January 20, 2011

PURPOSE:

To develop a policy that will be protective of clients, staff, and the community-at-large, under the circumstances of a voluntary surrender of a weapon to a clinician.

ATTACHMENT: Voluntary Relinquishment of Firearm or Other Deadly Weapon

POLICY:

Under no circumstances may weapons be stored in a county mental health clinic or in sites operated by community mental health agencies.

Any client presenting a weapon to a mental health staff member will be assessed by a licensed clinician for dangerousness to self and/or others. Community mental health agency staff must consult with lead or supervisory staff about the dangerousness of the client presenting a weapon.

When an individual is judged dangerous to self or others:

- 5150 procedures will be instituted for anyone found to be at risk of danger to self and/or others because of a mental illness.
- If dangerousness to others involves a specific threat to another, Tarasoff procedures will be instituted immediately (see MH Policy 93-08, Duty to Warn...).
- When executing the 5150 procedure for a client who has a weapon, police back up must be called and the police notified of the circumstance of the presence of weapons.

When an individual is judged not dangerous to self or others:

- The individual will be told that the weapon cannot be stored at the mental health site, but will be given to the local police jurisdiction.
- Barring any legal considerations that would mandate identifying the owner, the owner may choose to have the weapon given anonymously to the police. The client shall be told that this will preclude return of the surrendered weapon by the police to the owner.
- If the individual agrees to surrender the weapon, the clinician will call the local police authority to come to the clinic to accept the weapon.
- The individual will be asked to sign the attached form, which explains the circumstances of the removal of the weapon.
- If the individual refuses to surrender the weapon under these terms, the clinician will take no physical steps to secure the weapon. The clinician will attempt to use therapeutic persuasion to convince the individual to respect his/her own judgment to surrender the weapon.
- If the individual leaves the clinic in possession of the weapon, the clinician will immediately notify the local police. The police should be requested to assist in evaluating the seriousness of the risk and may be asked to participate in “Welfare Checks” or other measures as indicated and agreed upon during this consultation.
- Document the incident completely in the mental health record.
- Send Critical Incident Report to the Mental Health Director.
- The individual must negotiate directly with the police authority for return of the weapon. The ultimate decision about return or retention of the weapon will reside with the police jurisdiction involved.

Approved: Signature on file  
Louise Rogers, Director  
Behavioral Health and Recovery Services