

ABC Ambulance/Rescue Service

Policy Template

CONCEAL CARRY POLICY

I. PURPOSE:

1. The purpose of this policy is to outline common expected procedures for intervening with patients and/or their families who under the law may be carrying a concealed deadly weapon. The intent is to reduce the potential risk of injury to emergency responders, healthcare personnel and the public. This policy aims to mutually respect the rights of citizens who lawfully carry a concealed weapon as well as to provide safety for emergency responders and healthcare providers.

II. POLICY:

1. The ABC EMS policy is that EMS personnel who have a Conceal Carry Weapon permit shall not knowingly bring any firearm onto any prohibited area.

2. At no time shall open carry ("OC") &/or Conceal Carry Weapon ("CCW") be permitted when on official EMS business, to include, meetings, emergency response, training or any other function of ABC EMS or on any ABC EMS organizations' properties. The only exception to this is if the EMS provider is a sworn law enforcement officer that is on duty at the time.

3. It is further the policy of ABC EMS that patients and visitors shall not have weapons on their persons while on any and all EMS property which also includes transport and/or non-transport vehicles.

4. ABC EMS employees may keep a handgun in their vehicle while on work premises as long as they have obtained the appropriate permit, the vehicle is locked, and the firearm is not visible (26 M.R.S. §600)

III. APPLICABLE SCENARIOS

- A. Conscious patients willing to relinquish a weapon
- B. Conscious patients unwilling to relinquish a weapon
- C. Patients with altered levels of consciousness
- D. Family members and/or friends of a patient who have weapons and want to be with the patient in emergency response vehicles
- E. Chain of custody transfer between emergency responders and medical facilities

IV. GENERAL GUIDELINES:

- A. Emergency responders and healthcare personnel should always assume that all firearms are loaded.
- B. Optimally, weapons should be safely secured by the patient at their residence and not be transported with the patient or family/friend in an emergency response vehicle or to a healthcare facility.
- C. Optimally, a weapon carried by a patient away from their residence should be handled by local law enforcement. The goal is for the EMS provider to minimally handle any weapon.

D. All ABC EMS personnel who are licensed to carry a concealed weapon and doing so at the time of a call should secure their weapon either at home or in their personal vehicle prior to entering the station, entering response equipment or entering a scene.

E. For EMS personnel with a CCW arriving on scene from home, the weapon must remain secure in their personal vehicle. Privately remove the weapon and place the weapon in the lock box in their personal vehicle. Place the key in a pocket until the weapon has been retrieved after completion of the call.

F. For the purposes of this policy, knives and tools that are considered routine EMS job performance devices are not defined as weapons.

F. Patients with an altered level of consciousness, severe pain, or with difficulties in motor control should not be encouraged to disarm themselves. When possible, involve local law enforcement in the procurement of the weapon. If necessary, an emergency response or healthcare worker may need to obtain control of the weapon for the safety of responding personnel, the public and the patient. Caution should be used at all times when handling a weapon. Emergency response and healthcare workers should not attempt to unload a firearm. Regardless of a person's familiarity with firearms, there is no way to know if the gun is in proper working order.

G. It is illegal to possess a firearm in the following places:

- Courthouses (17-A M.R.S. § 1058)
- State Parks (12 M.R.S. § 1803(6), (7) and Bureau of Parks and Lands Rules Chapter 1)
- Acadia National Park (12 M.R.S. § 756)
- Schools (20-A M.R.S. § 6552)
- Federal buildings (18 U.S.C. § 930)
- State Capitol area (25 M.R.S. § 2904 & DPS Rule Chapter 41)
- Private property when prohibited by the property owner (Including Hospitals)
- Establishments licensed for on-premises consumption of liquor, if the premises are posted. Note that even if there is no posted prohibition, it is illegal to carry on these premises while under the influence of intoxicating liquor or drugs. (17-A M.R.S. §1057)
- Wildlife Sanctuaries (as listed in 12 M.R.S. § 12707)
- Labor disputes and strikes (32 M.R.S. § 9412(5))
- [Baxter State Park \(as prohibited by Rules\)](#)
- [Allagash Wilderness Waterway \(as prohibited by rules\)](#)

H. ABC EMS is a weapons-free organization. No-carry signage is clearly posted in vehicles and facilities. Law enforcement shall be called if patients insist on carrying weapons in our emergency vehicles or facilities. (This language can only be used by private EMS agencies; Municipal/Public agencies cannot prohibit weapons that are carried legally. Check with your legal counsel)

I. Under no circumstances should an emergency responder or healthcare worker compromise his/her safety in regards to these guidelines. When in doubt about a patient with a weapon or the weapon itself, emergency responders and healthcare personnel should contact local law enforcement. Law enforcement officers will make the decisions regarding disarming the patient and the weapon.

V. Conscious Patient Willing to Relinquish a Weapon

A. Patients who are alert and oriented and for whom the emergency response is occurring at their place of residence should be asked to leave their weapons in a secure location at home prior to transport. Patients should be told that EMS vehicles are no carry zones (If applicable). (If you are a municipal service, use this language: “Patients should be told that weapons are prohibited at the Hospital, and they will have to surrender their weapon when you arrive at the hospital.)

B. Patients for whom the emergency response is occurring away from their residence may relinquish their weapon to a law enforcement officer on scene if one is available.

C. If a patient is not at their residence or if a law enforcement officer is not available, emergency response personnel should do the following:

(This is sample language if your service chooses to have “lock boxes” available on the ambulance.)

1. Place weapon into the “Lock Box.”
2. Secure the Lock Box with a numbered security seal and place the Box in a locked exterior vehicle compartment for transport.
3. Complete and have the patient sign the Chain of Custody Form (Attachment A).
4. Conduct a thorough secondary survey.
5. If additional weapons are found, begin again at step (1). If no additional weapons are found, load the patient into the vehicle and transport to an appropriate medical facility.
6. While en route, emergency response personnel shall notify the receiving facility that a Lock Box weapon is being transported with the patient.
7. The medical facility security personnel or local law enforcement (depending on hospital policy) shall meet the transport vehicle at the medical facility doors to take control of the weapon. Emergency response personnel shall hand over the Lock Box with numbered locks in place.
8. Medical facility and emergency response personnel shall document the transaction on the Chain of Custody Form.
9. Medical facility personnel shall give an empty replacement box to the emergency responders (or transfer the weapon to a hospital security box).

VI. Conscious Patient Unwilling to Relinquish a Weapon

A. Emergency responders should engage alert and oriented patients in calm discussion about the rationale to secure the weapon prior to transport. Simple explanations can be given including that the weapon will have to be relinquished once they arrive at the hospital.

B. If the patient continues to refuse to relinquish the weapon, emergency responders should involve local law enforcement.

C. EMS Providers should be suspicious of ill or injured patients unwilling to relinquish weapons.

D. Law enforcement shall be called to intervene in the situation whenever possible.

E. If the situation becomes threatening, emergency responders should evacuate the scene to a secure rendezvous point a safe distance away and notify law enforcement.

VII. Patients with Altered Levels of Consciousness

A. Emergency responders must use extreme caution when approaching patients with altered levels of consciousness.

B. If a weapon is found on an awake patient with an altered level of consciousness, emergency responders should not attempt to have the patient hand over the weapon. EMS personnel should not attempt to remove a weapon from a patient whose level of consciousness could precipitate use of that weapon against them. Law enforcement should be called to assist in disarming these patients. If a weapon is removed by a law enforcement officer, the officer will maintain possession of the weapon.

C. If the patient is unconscious and requires emergent care but law enforcement is not on the scene, emergency medical services (EMS) personnel will need to carefully separate the weapon from the patient prior to transport. Optimally a firearm should be removed from the patient while still in the holster. If removing the holster and weapon together jeopardizes the safety of the patient or emergency response personnel, or it is physically impossible to remove the holster and firearm together, the weapon may be removed without the holster. Once removed, emergency response personnel shall:

1. Handle all weapons carefully as they will most likely be loaded and may not have an engaged safety.

2. Place the weapon or weapon-in-the-holster into the Lock Box (If available).

3. Secure the Lock Box with a numbered security seal and place the Box in the locked exterior vehicle compartment for transport.

4. Complete the Chain of Custody Form.

5. Conduct a thorough secondary survey.

6. If additional weapons are found and removed, begin again at step (1). If no additional weapons are found, load the patient into the vehicle and transport to an appropriate medical facility.

7. While en route, emergency response personnel shall notify the receiving facility that a Lock Box weapon is being transported with the patient.

8. The medical facility security personnel or local law enforcement (if the hospital does not have security staff) shall meet the transport vehicle at the medical facility doors to take control of the weapon. Emergency response personnel shall hand over the Lock Box with numbered locks in place.

9. Medical facility and emergency response personnel shall document the transaction on the Chain of Custody Form.

10. Medical Facility personnel shall give an empty replacement box to the emergency responders (or transfer the weapon to the hospital lock-box).

VIII. Family members and friends who have weapons and want to be with patients in emergency response vehicles.

A. The decision to transport family members and/or friends with the patient solely rests with responding EMS following ABC EMS policies.

B. Crews that permit family/friends to accompany the patient shall:

1. Ask the family member/friend to declare if they have a concealed weapon.
2. Explain that no unsecured weapons may be transported in the emergency vehicle (if you are a private service. If you are a municipal service, let them know that the weapon will be confiscated at the Hospital)

C. If a family member/friend discloses a concealed weapon AND the patient's condition is such that the emergency medical personnel deem it in the best interest of the patient to transport the family member/friend with them:

1. The family member/friend should be instructed to leave the weapon in a secure place at the home. If the family member/friend refuses, emergency response personnel have the prerogative to decline transport of the family member/friend with the patient. No family member/friend should be transported with an unsecured weapon.

D. If the scene is not at the family member's/friend's residence, or circumstances prevent the weapon from being secured in the home:

1. Have the family member/friend place the weapon into the "Lock Box."
2. Secure the Lock Box with a numbered security seal and place the Box in a locked exterior vehicle compartment for transport.
3. Complete and have the family member/friend sign the Chain of Custody Form (Attachment A).
4. While en route, emergency response personnel shall notify the receiving facility that a Lock Box weapon is being transported with the patient.
6. The medical facility security personnel or local law enforcement (if the hospital does not have security staff) shall meet the transport vehicle at the medical facility doors to take control of the weapon. Emergency response personnel shall hand over the Lock Box with numbered locks in place.
7. Medical facility and emergency response personnel shall document the transaction on the Chain of Custody Form.
8. Medical facility personnel shall give an empty replacement box to the emergency responders, or transfer the weapon to the hospital lock box.

IX. ACTIVITIES WHICH SHALL RESULT IN IMMEDIATE LICENSURE DISCIPLINE

A. Attempting to engage a "safety" or undoing a "safety" on a handgun, stun gun or pepper spray.

- B. Treating a gun as if it were not loaded.
- C. Unloading a gun.
- D. Failure to place weapon in lock box.
- E. Showing off a weapon or flashing a weapon
- F. Making remarks about violence with a weapon.
- G. Bringing a weapon into a prohibited area while on duty.

ABC Ambulance/Rescue

ATTACHMENT "A"

CONCEALED WEAPON CHAIN OF CUSTODY FORM

DOCUMENTATION OF WEAPON(S)

Firearm(s) Cutting Blade(s) Electroshock Weapon Other _____

How Many & type(s) of each indicated above _____

CONFINEMENT OF WEAPON(S)

Patient/ Other (Circle one) Signature of Release to secure weapon: _____

Lock Box Snap Lock Number(s) (If applicable)

Placed by _____ on _____

Witness _____ on _____

DELIVERY OF WEAPON(S) FROM EMS TO HOSPITAL

Patient/ Other (Circle one) Signature of Release to Secure: Weapon _____

Lock Box Snap Lock Number(s)

Given by _____ on _____

Received by _____ on _____

DELIVERY OF WEAPON(S) FROM EMS/HOSPITAL TO LAW ENFORCEMENT

Patient/ Other (Circle one) Signature of Release to Secure
Weapon _____

Lock Box Snap Lock Number(s)

Given by _____ on _____

Received by _____ on _____

RELEASE OF WEAPON(S) FROM HOSPITAL TO OWNER

Patient/ Other (Circle one) Signature of Release to Secure
Weapon _____

Lock Box Snap Lock Number(s)

Given by _____ on _____

Received by _____ on _____

Patient Name:

Proof of Identification:

DOB:

Proof of CCW Permit:

Patient ID #: