# Firearms and Dangerous Weapon Policy

## AUTHORITY:

**Law:**

* 2011 Wisconsin Act 35 Effective November 1, 2022

**Regent Policy Document(s):**

* UW System Policy: Wisconsin Administrative Code UWS 18.10(3)

## RESPONSIBLE UW WHITEWATER PERSONNEL:

UWW Police Department

Any individual who observes a violator's refusal to adhere to this policy and UWS 18.08 should report the violator to the University Police. This policy may be enforced through citations issued by the UW-Whitewater Police Department, as applicable, through non-academic misconduct sanctions with respect to students, through cancellation of contracts such as housing contracts with students, and/or through appropriate disciplinary processes applying to employees.

## SCOPE:

This policy applies to all UW-Whitewater students, faculty, staff, and guests.

This Policy defines restrictions for firearms and dangerous weapons on UW-Whitewater property and in connection with UW-Whitewater activities.

The Wisconsin Administrative Code at UWS 18.10(3) prohibits a person from carrying, possessing, or using any dangerous weapon on university lands or in university buildings or facilities, unless it is for law enforcement purposes or the person receives written approval of the Chancellor. Chapter 18 permits police to confiscate and remove dangerous weapons from university lands.

On July 8, 2011, Governor Scott Walker signed 2011 Wisconsin Act 35 into law. Effective November 1, 2011, it is lawful in the State of Wisconsin for licensed individuals to be armed with a concealed weapon, or to carry particular weapons in an open or concealed manner, as long as there is no indication of a criminal or malicious intent. This law provides certain exemptions for schools and universities, however, which are implemented further in this policy.

## BACKGROUND:

UW-Whitewater is committed to maintaining a safe campus environment and to ensuring that it acts to the extent possible to shield its students and employees from harm, including from firearms and other dangerous weapons on university property and in connection with university activities and events.

## Policy Statement:

#### PROHIBITED BEHAVIOR AT UW-WHITEWATER

1. **No Firearms or Dangerous Weapons in UW-Whitewater Buildings**

Individuals are prohibited from carrying firearms and dangerous weapons into buildings or portions of buildings that are owned, occupied, or controlled by UW-Whitewater. UW- Whitewater shall place signs in prominent places near all of the entrances to UW- Whitewater buildings notifying the UW-Whitewater community and visitors of this ban. This ban on firearms and dangerous weapons inside UW-Whitewater buildings applies equally to Licensees.

1. **No Firearms or Dangerous Weapons by Employees**

Employees of UW-Whitewater, including student employees, are prohibited from carrying firearms or other dangerous weapons while engaged in any employment activity on behalf of UW-Whitewater, whether on or off campus.

This ban does not apply to firearms or other dangerous weapons carried solely in the employee’s own motor vehicle.

1. **No Firearms or Dangerous Weapons in Residence Halls**

No individual may possess firearms or any other dangerous weapons in the residence halls.

1. **No Firearms or Dangerous Weapons in UW-Whitewater Owned Vehicles**

No individual may possess firearms or any other dangerous weapons in UW-Whitewater owned or operated vehicles. UW-Whitewater may place signs in prominent places in UW- Whitewater vehicles as appropriate notifying the campus community of this ban.

1. **No Firearms or Dangerous Weapons at UW-Whitewater Special Events**

No individual may possess firearms or any other dangerous weapons at UW-Whitewater special events (see definition above), except in vehicles driven or parked in a parking facility in connection with the event. UW-Whitewater shall place signs in prominent places at UW-Whitewater events notifying the campus community of this ban.

1. **Exemptions to Prohibited Behavior**

The above bans on firearms and dangerous weapons do not apply to sworn law enforcement personnel. In addition, from time to time, the Chancellor or Chancellor’s designee may grant exemptions under unique, limited circumstances (e.g., if an unloaded firearm is required as part of an artistic performance or if a firearm or weapon is required in a laboratory by a research project). Persons seeking such an exemption should first consult with the UW-Whitewater Police Chief, who shall refer the request for an exemption along with the Chief’s recommendation to the Chancellor or Chancellor’s designee. Such an exemption must be obtained from the Chancellor or Chancellor’s designee in writing, in advance.

**Q1: What is the difference between firearms, guns, dangerous weapons, and concealed carry weapons?**

“Firearm” is defined as a weapon that acts by force of gunpowder. “Gun” is the same as firearm.

“Dangerous weapon” is defined as any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm; any ligature or other instrumentality used on the throat, neck, nose or mouth of another person to impede, partially or completely, breathing or circulation of blood; any electric weapon; or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm.

“Concealed Carry Weapons” or “CCWs” are those weapons that a Licensee may carry in a concealed fashion, except as prohibited in certain locations. CCWs are: a handgun, electric weapon, a knife other than a switchblade knife, or a billy club. UW-Whitewater use of different terms in the UW-Whitewater Policy on Firearms and Dangerous Weapons is intentional.

**Q2: Who is a concealed carry licensee or “Licensee”?**

A “Licensee” is an individual holding a valid license to carry a concealed carry weapon issued in Wisconsin, or an individual who is not a resident of Wisconsin, who is 21 years or over and who holds a valid license to carry a concealed carry weapon in another state.

**Q3: What weapons are Licensee’s permitted to carry?**

A handgun, electric weapon, a knife other than a switchblade knife, or a billy club.

**Q4: Where are firearms (guns) prohibited?**

Firearms are prohibited in UW-Whitewater buildings, or portions of buildings owned, occupied, or controlled by UW-Whitewater, including residence halls, and at special events (see Q11 below). Firearms are also prohibited outside of UW-Whitewater buildings on all UW-Whitewater grounds, except for a handgun carried in a concealed manner by a Licensee, and except in personal vehicles. All employees, including those who are Licensees, are barred from carrying firearms while in the course of performing duties for UW-Whitewater, on or off campus, except in personal vehicles.

**Q5: Where are dangerous weapons prohibited?**

Dangerous weapons are prohibited in UW-Whitewater buildings, or portions of buildings owned, occupied, or controlled by UW-Whitewater, including residence halls, and at special events (see response to Q11 below). Dangerous weapons are also prohibited outside UW-Whitewater buildings on UW-Whitewater grounds, except for CCWs that are carried in a concealed manner by a Licensee, and except in personal vehicles. All employees, including those who are Licensees, are barred from carrying dangerous weapons while in the course of performing duties for UW-Whitewater, on or off campus, except in personal vehicles.

**Q6: Can students bring firearms or dangerous weapons to class?**

No, as long as the class is held in a building owned, occupied, or controlled by UW-Whitewater.

**Q7: Can instructors or faculty bring firearms or dangerous weapons to class?**

No. UW-Whitewater employees are subject to the same bans on firearms and dangerous weapons that apply to all other individuals in UW-Whitewater buildings. In addition, employees are barred from carrying firearms and dangerous weapons while in the course of performing duties for UW-Whitewater, on or off campus, except that any individual may store firearms or dangerous weapons in their personal vehicles.

**Q8: Can student residents or visitors or employees bring firearms or dangerous weapons into the residence halls?**

No. Student residents, visitors, and employees may not bring firearms or dangerous weapons into residence halls that are owned, occupied, or controlled by UW-Whitewater; violations can result in contract terminations or other discipline.

**Q9: Can employees or students have firearms or dangerous weapons in their personal vehicles?**

Under Wisconsin law, UW-Whitewater does not ban firearms or dangerous weapons in personal vehicles.

**Q10: Can employees, students, or visitors possess firearms or dangerous weapons in UW-Whitewater owned or operated vehicles?**

No. Employees, students and visitors may not possess firearms or dangerous weapons in any UW-Whitewater owned or operated vehicle.

**Q11: Can employees, students, or visitors bring firearms or dangerous weapons to UW- Whitewater special events?**

No, except in vehicles driven or parked in a parking facility. A “special event” is an event that is open to the public, indoor or outdoor, is for a duration of not more than 3 weeks, and either has designated entrances to or from the event that are locked when the event is closed or requires an admission.

**Q12: If I need to bring a firearm or dangerous weapon into a campus building for a specific UW-Whitewater purpose (e.g. a theatre event involving use of an unloaded weapon, or a research project), can I get special permission to do so?**

Special requests should be directed to the UW-Whitewater Police Chief, who will forward the request along with his or her recommendation to the Chancellor or Chancellor’s designee. Such permission must be obtained from the Chancellor or Chancellor’s designee in writing and in advance.

**Q13: Do the prohibitions apply to law enforcement?**

No. Sworn law enforcement officers, including UW-Whitewater police officers, are exempt from the prohibitions.

**Q14: Can I get special permission to bring a firearm or dangerous weapon to UW- Whitewater if I am licensed and have had appropriate training?**

No. Exceptions will not be made on this basis.

**Q15: Will signs be posted explaining the prohibitions?**

Yes. Prior to the effective date of the new law, UW-Whitewater will post conspicuously post signs stating the prohibitions at the entrances to all UW-Whitewater buildings.

**Q16: Are stun guns or Tasers permitted on campus?**

Stun guns and Tasers are both electric weapons that are considered to be within the definition of “dangerous weapons.” They thus are prohibited in UW-Whitewater buildings, or portions of buildings owned, occupied, or controlled by UW-Whitewater, including residence halls, and at special events (see response to Q11 above). They also are prohibited outside UW-Whitewater buildings on UW-Whitewater grounds except when carried in a concealed manner by a Licensee, and except in personal vehicles. All employees, including those who are Licensees, are barred from carrying stun guns and Tasers while in the course of performing duties for UW-Whitewater, on or off campus, except in personal vehicles. Law enforcement is not subject to the prohibitions on electric weapons.

**Q17: Is pepper spray permitted on campus?**

Pepper spray that is lawful in Wisconsin is not considered to be a dangerous weapon. As long as it is not misused, it may be carried on campus by employees, students, and visitors. For more information about lawful pepper spray in Wisconsin, see the information published by Wisconsin’s Bureau of Consumer Protection at: http://ww2.wisconsin.gov/san/agency/upload/doa/consumer/pepsp157.pdf.

## Procedures:

UW-Whitewater Policy on Carrying Weapons or Firearms

Office of the Vice Chancellor for Administrative Affairs

<https://www.uww.edu/policies/policy-on-carrying-weapons-or-firearms>

Alcohol, Drugs and Weapons

UW-Whitewater Campus Police

https://www.uww.edu/adminaffairs/police/parents-visitors#alcohol-drugs-tobacco-and-weapons

Firearms and Weapons

UW-Whitewater University Housing

<https://www.uww.edu/housing/policies#firearms>

For more information related to the *Firearms and Dangerous Weapon Policy* please contact UW-

Whitewater Chief of Police at 262-472-4660.

## Definitions:

**Concealed Carry Weapon or CCW** is a weapon that a Licensee may carry in a concealed fashion, except as prohibited in certain locations as detailed in this policy. CCWs are: a handgun, electric weapon, a knife other than a switchblade knife, or a billy club. (Wis.Stat. 175.60(1)(j))

**Dangerous Weapon** means any firearm, whether loaded or unloaded; any device designed as a weapon and capable of producing death or great bodily harm; any ligature or other instrumentality used on the throat, neck, nose or mouth of another person to impede, partially or completely, breathing or circulation of blood; any electric weapon as defined in Wis. Stat. 941.295(1c)(a); or any other device or instrumentality which, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm. (Wis. Stat. 939.22(10))

**Firearm** means a weapon that acts by force of gunpowder. (Wis. Stat. 167.31(1)(c))

**Licensee** means an individual holding a valid license to carry a concealed carry weapon or CCW issued in Wisconsin, or an individual who is not a resident of Wisconsin, who is 21 years or over and who holds a valid license to carry a concealed weapon in another state. (Wis. Stat. 175.60(1))

**School** means a public school, parochial or private school, or tribal school, as defined in Wis. Stat. 115.001(15m), which provides an educational program for one or more grades between grades 1 and 12 which is commonly known as an elementary school, middle school, junior high school, senior high school, or high school. (Wis. Stat. 948.605(1)(b), 948.61(1)(b)

**Special event** means an event that is open to the public, indoor or outdoor, is for a duration of not more than 3 weeks, and either has designated entrances to or from the event that are locked when the event is closed or requires an admission. (Wis. Stat. 943.13(1e)(h))An annual report by the University, the ASFR informs the University community about important procedures, policies, and crime prevention programs, including crime statistics for the previous three years for reported Clery crimes that occurred on campus property, non-campus property, or public property of the University (see definitions below). The ASFR is available online and can be printed out, or a printed copy may be obtained in person from the University Police Department.

### Policy History

[**Last**](https://www.wisconsin.edu/uw-policies/uw-system-administrative-policies/medical-withdrawal-policy/#B.PolicyTimeline) **review:** *08/15/2022*

**Scheduled Review for Student Handbook**

Next review: *07/01/2023* | Dean of Students

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| **POLICY RESPONSIBILITY INFORMATION** |
| **Division:**  | Administrative Affairs |
| **Department:**  | Office of the Vice Chancellor | UWW Police Department |
| **Contact Information:** | Chief of Police | 262-472-4660 |
| **Original Issuance Date:** | Historical information unavailable |
| **Effective Date:** | August 2022 |
| **Revised Date:** | August 2022 |