



FIREARMS AND DANGEROUS WEAPONS POLICY

No: SAAP 10-6

Authority: 2011 Wisconsin Act 35
Wisconsin Statutes §§ 175.60,
943.13, 947.01, 948.605
Wisconsin Administrative Code Section UWS 18.10(3)

Date: December 2020 (revised)
November 1, 2011 (original)

Initiator: Chancellor and Provost

Responsible Party: UWM Police Department

Purpose: Defines restrictions for firearms and dangerous weapons on UWM property and in connection with UWM activities.

Contact Information: Chief, UWM Police Department

I. Background

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, the person receives written approval of the Chancellor, or is otherwise exempted under Wisconsin State Law. Chapter 18 permits police to confiscate and remove dangerous weapons from university lands.

On July 8, 2011, Governor 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, that are implemented further in this policy.

II. Definitions

- A. 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 defined in Wis. Stat. 941.295(1c)(a), or a billy club. (Wis. Stat. 175.60(1)(j))
- B. 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))

- C. Firearm** means a weapon that acts by force of gunpowder. (Wis. Stat. 167.31(1)(c))
- D. 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))
- E. 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))
- F. Special event** means an event that is open to the public, 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))

III. Statement of Policy

UWM 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.

It is the intent of UWM and purpose of this policy to prohibit firearms and dangerous weapons in university buildings and on university grounds, and in connection with university activities and events, to the maximum extent required and/or permissible under the law. This policy provides additional details about implementation of the applicable laws at UWM.

IV. Prohibited Behavior at UWM

A. No Firearms or Dangerous Weapons in UWM Buildings

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

This ban does not apply to firearms or dangerous weapons carried solely within motor vehicles that might be parked in UWM parking facilities except as provided in IV.B of this Policy.

B. No Firearms within 1000 Feet of Schools

Individuals are prohibited from possessing firearms, except for a handgun carried in a concealed manner by a Licensee, outside of UWM buildings, on any portion of UWM buildings or grounds that falls within 1,000 feet of any school (defined above)

(e.g. Hartford Elementary School), including within vehicles parked in UWM parking facilities within this zone. These areas are known as “Gun-Free School Zones.” Maps showing the Gun-Free School Zone surrounding Hartford Elementary School and other schools nearby UWM buildings are attached as Appendix A.

C. No Firearms or Dangerous Weapons by Employees

Employees of UWM, including student employees, are prohibited from carrying firearms or other dangerous weapons while engaged in any employment activity on behalf of UWM, 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. Note, however, that the gun-free school zone does not permit firearms in vehicles on school grounds.

D. No Firearms or Dangerous Weapons in Residence Halls

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

E. No Firearms or Dangerous Weapons in UWM Vehicles

No individual may possess firearms or any other dangerous weapons in UWM owned or operated vehicles, including in housing, parking, and other shuttles.

F. No Firearms or Dangerous Weapons at UWM Special Events

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

G. 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 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 UWM Police Chief, who shall refer the request for an exemption along with the Chief’s recommendation to the Chancellor. Such an exemption must be obtained from the Chancellor in writing, in advance.

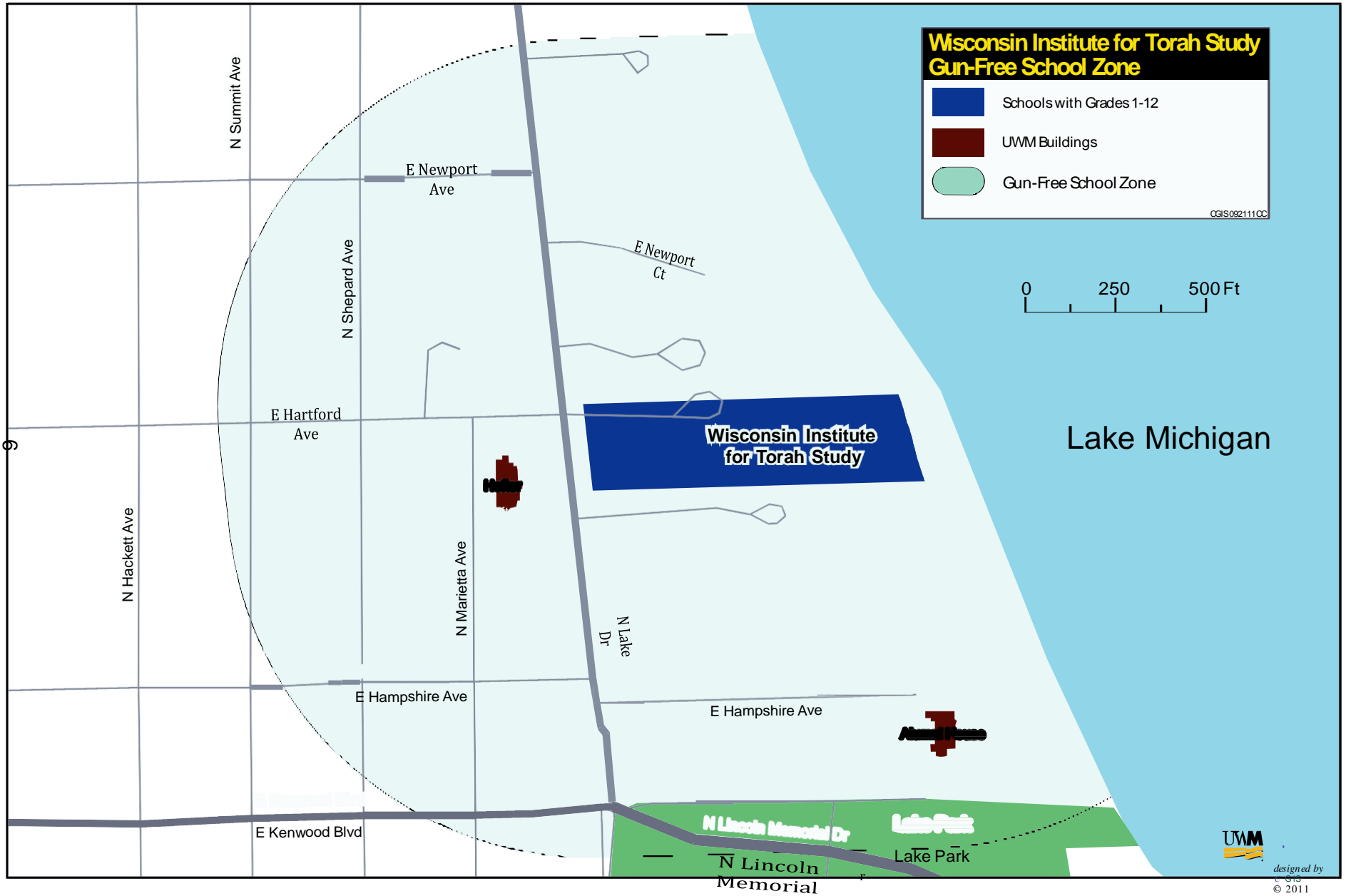
V. Enforcement

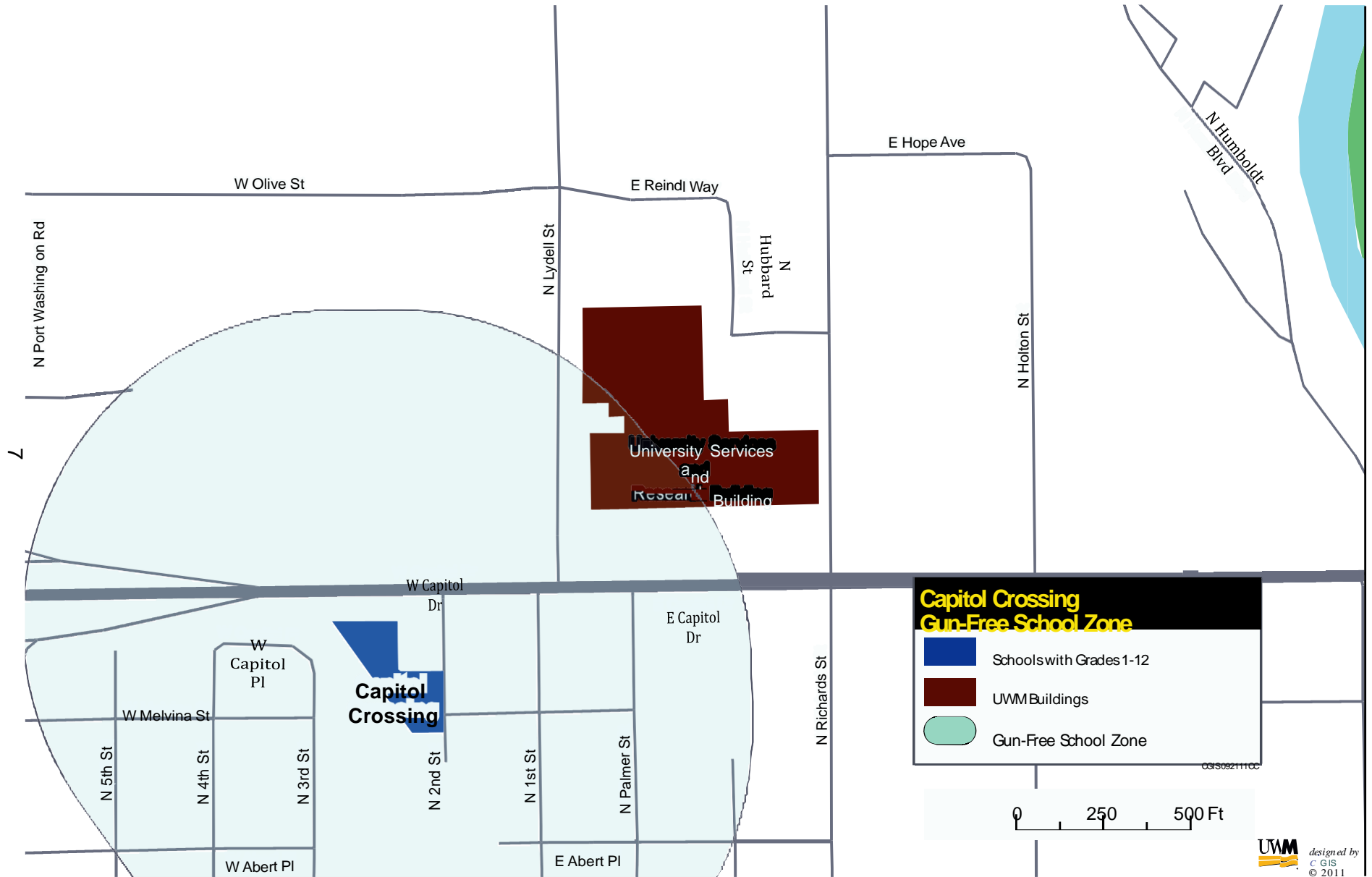
Any individual who observes a violator's refusal to adhere to this policy and UWS 18.08 should report the violator to the University Police.

This policy may be enforced through citations issued by the UWM 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. UWM Police may also enforce the cited laws through arrest as deemed necessary and appropriate.

Hartford Avenue University Gun-Free School Zone*







UWM FAQs on Firearms and Dangerous Weapons
Updated October 13, 2011

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, or a billy club.

UWM’s use of different terms in the UWM Policy on Firearms and Dangerous Weapons is intentional. See also the chart attached to these FAQs for further explanation on the different treatment of firearms and dangerous weapons.

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, or a billy club.

Q4: Where are firearms (guns) prohibited?

Firearms are prohibited in UWM buildings, or portions of buildings owned, occupied, or controlled by UWM, including dormitories, and at special events (see Q13 below). Firearms are also prohibited outside of UWM buildings where that property falls within 1000 feet of Hartford Elementary School, 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 UWM, on or off campus, except in personal vehicles.

Q5: Where are dangerous weapons prohibited?

Dangerous weapons are prohibited in UWM buildings, or portions of buildings owned, occupied, or controlled by UWM, including dormitories, and at special events (see response to Q13 below). Dangerous weapons are also prohibited outside UWM buildings on UWM grounds where that property falls within 1000 feet of Hartford Elementary School, 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 UWM, on or off campus, except in personal vehicles.

Q6: What is a “gun-free school zone” and how does this affect UWM?

Under Wisconsin law (948.605), individuals (except for Licensees) may be subject to additional penalties for carrying firearms¹ on any public property within 1,000 feet of a school, which area is known as a “gun-free school zone”. Also, it is a felony for anyone to knowingly, or with reckless disregard for the safety of others, discharge or attempt to discharge a firearm within a gun-free school zone. Given the central location of Hartford Elementary School on UWM’s Kenwood Campus, most of that campus falls within the zone. See the map attached as Attachment 1 to the Firearms and Dangerous Weapons Policy.

Q7: What is a “school” for the purposes of the “gun-free school zone”? “School” means a public school, parochial or private school, or tribal school, 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.

Q8: 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 UWM.

Q9: Can instructors or faculty bring firearms or dangerous weapons to class?

No. UWM employees are subject to the same bans on firearms and dangerous weapons that apply to all other individuals in UWM buildings. In addition, employees are barred from carrying firearms and dangerous weapons while in the course of performing duties for UWM, on or off campus, except that any individual may store firearms or dangerous weapons in their personal vehicles (however, only Licensees may store firearms in their vehicles in the 1,000 foot gun-free school zone).

Q10: Can student residents or visitors or employees bring firearms or dangerous weapons into the dormitories?

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

Q11: Can employees or students have firearms or dangerous weapons in their vehicles?

Under Wisconsin law, UWM does not ban firearms or dangerous weapons in vehicles. Note, however, that the 1,000 foot gun-free school zone also created by state law (948.605(2)(3.a.b.)) does not provide an exception for vehicles, unless the weapon is unloaded and encased or locked in a firearms rack on a motor vehicle.

Q12: Can employees, students, or visitors possess firearms or dangerous weapons in UWM owned or operated vehicles?

No. Employees, students and visitors may not possess firearms or dangerous weapons in any UWM owned or operated vehicle, including in housing, parking, and other shuttles.

¹Note, however, that Licensees may NOT carry firearms in schools or on school grounds.

Q13: Can employees, students, or visitors bring firearms or dangerous weapons to UWM 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, 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.

Q14: If I need to bring a firearm or dangerous weapon into a campus building for a specific UWM 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 UWM Police Chief, who will forward the request along with his or her recommendation to the Chancellor. Such permission must be obtained from the Chancellor in writing and in advance.

Q15: Do the prohibitions apply to law enforcement?

No. Sworn law enforcement officers, including UWM police officers, are exempt from the prohibitions.

Q16: Can I get special permission to bring a firearm or dangerous weapon to UWM if I am licensed and have had appropriate training?

No. Exceptions will not be made on this basis.

Q17: Will signs be posted explaining the prohibitions?

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

Q18: 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 UWM buildings, or portions of buildings owned, occupied, or controlled by UWM, including dormitories, and at special events (see response to Q13 above). They also are prohibited outside UWM buildings on UWM 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 UWM, on or off campus, except in personal vehicles. Law enforcement is not subject to the prohibitions on electric weapons.

Q19: 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>.

Attachment 1 to the FAQs Summary of Weapons and Firearms Rules

Location or Activity	Firearms ² and Dangerous weapons ³ permitted?
On UWM owned, controlled or occupied property, outside of any building, within 1000 feet of any school grounds	Licensees ⁴ only
On UWM owned, controlled, or occupied property, outside of any building, and outside 1000 feet of any school grounds	Licensees only
In UWM owned, controlled, or occupied buildings, or portions of buildings, including dormitories	No
At UWM special events ⁵	No
By UWM employees, while engaged in any employment activity, except in personal vehicles (see below)	No
In personal vehicles within 1000 feet of any school grounds	Licensees only ⁶
In personal vehicles outside of 1000 feet of any school grounds	Yes
In UWM owned or controlled vehicles	No
By law enforcement, anyplace on UWM owned or controlled property, or at UWM activities	Yes
In connection with special circumstances, with written permission of the Chancellor	Yes

² **Firearm** means a weapon that acts by force of gunpowder.

³ **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.

⁴ **Licensee** means an individual holding a valid license to carry a concealed 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 weapon in another state. Licensees may only carry a concealed handgun, electric weapon, or billy club.

⁵ **Special event** is an event that is open to the public, 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.

⁶ Dangerous weapons are not prohibited in a gun-free school zone (within 1,000 feet of a school).