

# Shining a Light on Weapons in Public Libraries

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PLEASE NOTE: This document is intended as a guideline for summarizing the law as it currently stands. This document is not intended to provide legal advice. When developing policy or procedures around weapons in public libraries, you should always work with your organizations legal counsel.

ORS 166.370 already prohibits possessing ‘firearms and dangerous weapons’ in a ‘public building.’ ORS 166.360(9) defines “public building” [to] mean “a hospital, a capitol building, a public or private school, as defined in ORS 339.315 (Report required if person has unlawful firearm or destructive device), a college or university, a city hall or the residence of any state official elected by the state at large, and the grounds adjacent to each such building. The term also includes that portion of any other building occupied by an agency of the state or a municipal corporation, as defined in ORS 297.405 (Definitions for ORS 297.020, 297.230, 297.405 to 297.740 and 297.990), other than a court facility.”

For many, the first step is determining whether or not you are a municipal corporation.

Type of entity you are:	Are you a municipal corporation?	Are CHL holders exempt (can they carry)?
City Library	Yes	Yes
County Library	Yes	Yes
Law Library	Maybe, depending on how your entity is set up.	Maybe, depending on where you are located.
Special District Library	Yes	Yes
Nonprofit Library 501(c)3	No	Maybe, depending on who owns your building.
For Profit Library Service Company	No	Maybe, depending on who owns your building.

After you know whether or not you are a municipal corporation, the next step is determining if you are in a ‘public building.’ Depending on who owns your facility, it may or may not be considered a public building.

Building Features	Are you a public building?	Are CHL holders exempt?
Part of a city facility	Yes	Yes
Part of a county facility	Yes	Yes
Part of a court facility	Yes	NO
Part of a special district facility	Yes	Yes
Part of a school or education service district facility	Yes	Yes

<b>Building Features</b>	<b>Are you a public building?</b>	<b>Are CHL holders exempt?</b>
Privately owned facility (by 501(c)3, private commercial entity, or private individual)	If your library entity above would be considered a municipal corporation, then yes. If not, then no.	The private building owner may choose to prohibit ALL firearms, including those carried by CHL holders. The best way is through a provision in the lease.
For Profit Library Service Company	If you own the facilities you operate, then no. Otherwise, go by building ownership above.	If you own the facility, you may prohibit ALL firearms, including those carried by CHL holders. If not, then go by building ownership above.
Located within a municipality that already bans weapons and/or firearms.	n/a	Yes. Municipalities cannot regulate CHL holders, they can only regulate open carry.

## Resources

[\*The Gift of Fear: Survival Signals That Protect Us from Violence\*](#) by Gavin de Becker. This book encourages you to learn to listen to your intuition appropriately and recognize the signs of potential violence in others.

*Active Shooter Awareness Training* by City of Plano, TX. (<https://youtu.be/7nyE2WPXTDM>). This is a video filmed at a training for the public from City of Plano police, 911, and fire staff on how to increase your chances of surviving an active shooter situation. The training reflects how EMS agencies are now working differently when encountering these situations and what we can expect from them when they arrive on scene, how we as humans move through response to threatening situations, and very specific things we can do to help ourselves and EMS staff if faced with such an event.

[\*“Verbal De-escalation of the Agitated Patient: Consensus Statement of the American Association for Emergency Psychiatry Project BETA De-escalation Workgroup”\*](#) by Janet S. Richmond, et al. While this article is geared towards clinical staff working with psychiatric patients, the “General De-escalation Guidelines” section provides a wealth of information in to approach people in crisis in a way that can lead to de-escalation of behavior. Not every recommendation is suitable to library work, but many of them are. If you are not familiar with de-escalation techniques generally, there are also a number of books and trainings available.