



Policy Prohibiting Firearms and Weapons on TMC Property

I. Statement of Purpose

Texas Medical Center ("TMC") hereby establishes this Policy Prohibiting Firearms and Weapons on TMC Property (the "Policy") pursuant to Section 30.06, Texas Penal Code (the "Texas Concealed Carry Act") and Section 30.07, Texas Penal Code (the "Texas Open Carry Act") and its enabling regulations.

As TMC is committed to providing a safe and secure environment for the entire TMC community, these restrictions on the ability to carry Firearms or Weapons, concealed or otherwise, on TMC Property (as defined below) have been developed and will be implemented in accordance with the Texas Concealed Carry Act and the Texas Open Carry Act (and other applicable laws) to best provide for a safe and secure environment.

II. Persons Covered by this Policy

This Policy applies to all parties on TMC Property excluding TMC personnel specifically designated for security and/or law enforcement functions.

III. Definitions

TMC Campus

"TMC Campus" includes all the land and improvements controlled by TMC, whether owned, leased, or licensed.

TMC Campus also includes any location that comes under the control of TMC, whether owned, leased, or licensed.

Firearm

"Firearm" means a loaded or unloaded device, by whatever name known, which is designed to expel a projectile or projectiles by the action of an explosion, expansion of gas, or escape of gas.

TMC Member Institutions

“TMC Member Institutions” include 56 members within the TMC Campus which work together to promote the highest standards of patient care, research, and education to transform the future of medicine.

TMC Property

“TMC Property” or “Property of TMC” includes any building or improvement, including, without limitation, offices and storage facilities, classroom, laboratory, medical clinic, hospital, artistic venue, or entertainment venue, including, without limitation, research venue, whether owned, leased or operated by TMC; any real property, including parking areas, sidewalks and common areas under the control of TMC; any TMC or Member Institution related property, whether leased or owned by TMC or the Member Institution; and any vehicles of any kind owned, leased or controlled by TMC.

Weapon

“Weapon” means any device, whether loaded or unloaded, that shoots a bullet, pellet, flare or any other projectile including those powered by CO², including, but not limited to, machine guns, rifles, shotguns, handguns or other firearm, BB/pellet gun, spring gun, paint ball or airsoft gun, flare gun, stun gun, taser or dart gun and any ammunition for any such device; any explosive device including, but not limited to, firecrackers and black powder; any device that is designed or traditionally used to inflict harm including, but not limited to, bows and arrows, any knife with a blade longer than three inches, hunting knife, fixed blade knife, throwing knives, dagger, razor, other cutting instrument the blade of which is exposed, blackjack, slingshot, billyclub, sandclub, sandbag, or metal knuckles; and any replica or facsimile of a device covered by the foregoing, including toys and anything which reasonably could be mistaken therefor.

IV. Prohibited Activities and Other Restrictions

A. Weapons or Firearms

To the fullest extent permitted by law, TMC maintains a Weapons and Firearms free campus. This means that no person covered by this Policy, unless authorized by law or specifically exempted by federal or state law or this Policy, is authorized to possess a Weapon or Firearm while on TMC Property or engaged in TMC-related business or activities or otherwise present in, on or about the TMC Property located on the TMC Campus.

Without limiting the foregoing, TMC expressly prohibits: (i) any person covered by this Policy from possessing a Weapon or Firearm while in, on or about the TMC Property located on the TMC Campus, even if that person has a valid federal or state license to

possess a Weapon or Firearm (pursuant to the signs prohibiting such possession posted on the TMC Campus); and (ii) any person covered by this Policy from displaying, brandishing, discharging or otherwise using any and all Weapons or Firearms, including concealed Weapons or Firearms, while in, on or about the TMC Property located on the TMC Campus.

TMC does not restrict the concealed carry of a Weapon or Firearm on an institution of higher education if that institution has not restricted the concealed carry of a Weapon or Firearm in accordance with Section 411.2031, Government Code.

B. Exceptions

The provisions of this Policy do not apply to the possession of Weapons or Firearms while in, on or about the TMC Property located on the TMC Campus to the extent that the possession of Weapons or Firearms is directly related to one of the exceptions set forth below, which exceptions are intended, consistent with applicable law, to be narrowly construed and applied:

(i) The Weapon or Firearm is carried, concealed or otherwise, by (a) a TMC public safety officer or a safety officer of a Member Institution who is required to carry a Weapon or Firearm as a condition of his or her employment; or (b) an enforcement officer from an external agency conducting official business on the TMC Campus.

(ii) TMC's Chief Executive Officer, in his or her discretion, may grant a comparable exception to (i) above to an individual who has requested permission to carry, concealed or otherwise, a Weapon or Firearm when circumstances indicate such an exception is reasonably justified and its granting will not pose an unreasonable risk to health and safety (hereinafter referred to as a "Case-By-Case Exception"). A Case-By-Case Exception may be approved with such restrictions as deemed appropriate, including, but not limited to, the nature and number of Weapons or Firearms authorized, the Property of TMC and/or TMC Campus in, on or about which the Weapon or Firearm may be carried or the time the Case-By-Case Exception will remain in effect. An individual seeking a Case-By-Case Exception must submit his or her request in writing, and the request, at a minimum, must contain the individual's full name, address, and relationship to TMC, a description of the Weapon or Firearm desired to be carried, a statement explaining the basis for the request, and, if applicable, a copy of his or her concealed carry permit. The Chief Executive Officer of TMC, or his or her designee, may request any additional information he or she deems necessary or appropriate to evaluate the request. Anyone granted a Case-By-Case Exception will receive a letter so indicating from the TMC Chief Executive Officer, which he or she must carry within him or her while in, on, or about the TMC Property on the TMC Campus. TMC shall maintain a list of all Case-By-Case Exceptions granted and reserves the right to terminate any such grants of exemption.

C. Parking Areas

A Weapon or Firearm may be transported into an unrestricted TMC parking area on the TMC Campus within a vehicle only if the weapon or firearm and its ammunition remain locked in a case out of plain view within the parked vehicle. Parking areas on the TMC Campus shall be deemed unrestricted unless signage indicates that they have been designated as areas where Weapons and Firearms are not permitted.

TMC reserves the right to make and change such designations from time to time in its sole discretion.

For purposes of this section "case" shall mean (i) a glove compartment or console that completely encases the weapon or firearm and its ammunition; (ii) the trunk of the vehicle; or (iii) a weapon or firearm carrying box, shipping box or other container.

The Weapon or Firearm may only be removed and may only be concealed in the immediate area surrounding his or her vehicle within the unrestricted parking lot for the limited purpose of storage or retrieval from within the trunk of the vehicle; provided that the Weapon or Firearm has first been unloaded before removal from the vehicle.

D. Public Right of Ways

An individual carrying a concealed Weapon or Firearm shall not be deemed to be in violation of this Policy while he or she is traveling along a public right of way that touches or crosses the TMC Campus if the concealed firearm is being carried in accordance with the provisions of the Texas Concealed Carry Act or is being transported in a vehicle in accordance with the Texas Concealed Carry Act and all other applicable provisions of law.

V. Signage

TMC shall determine the exact placement of clearly and conspicuously posted signs at all building entrances and any restricted parking area entrances indicating that concealed and open carry Firearms are prohibited, and shall be responsible for the placement and maintenance of signage at building entrances and restricted parking area entrances where vehicles containing Weapons or Firearms are prohibited, all in accordance with the Texas Concealed Carry Act and Texas Open Carry Act. Signs shall be in accordance with the design approved by the Texas State Legislature.

VI. Enforcement

Any individual, including those visiting or conducting business on the TMC Campus, found to have carried a Weapon or Firearm in, on or about the Property of TMC located on the TMC Campus knowingly, or found to be carrying a Weapon or Firearm under circumstances in which the individual should have known that he or she was in possession

of a Weapon or Firearm, may be removed from and/or banned from the TMC Campus for such time and extent as TMC determines appropriate.

Any student found to have carried a Weapon or Firearm in, on or about the Property of TMC located on the TMC Campus knowingly, or found to be carrying a Weapon or Firearm under circumstances in which the student should have known that he or she was in possession of a Weapon or Firearm, may, in accordance with applicable TMC policies, also be removed from and/or banned from the TMC Campus for such time and extent as TMC determines appropriate, after consultation and coordination with the student's primary educational institution.

Any employee found to have carried a Weapon or Firearm in, on or about the Property of TMC located on the TMC Campus knowingly, or found to be carrying a Weapon or Firearm under circumstances in which the employee should have known that he or she was in possession of a Weapon or Firearm, may, in accordance with applicable TMC policies, be subject to discipline up to and including, but not limited to, immediate termination of employment. If a Member Institution employs the individual, TMC will consult with and coordinate the disciplinary outcome in conjunction with the employer/member institution.

In addition to any other action, violations of this Policy may result in referrals to external law enforcement agencies.

Non-compliance by any of the above may also result in arrest where a criminal violation has occurred.

FREQUENTLY ASKED QUESTIONS

1. When the new law takes effect on January 1, 2016, will everyone be carrying guns on the TMC Campus?

No. After thoughtful review and consultation with our Member Institutions, Firearms and other Weapons are banned at specified areas throughout the TMC Campus by TMC policy and in accordance with state law, with the exception of people who hold certain concealed carry permits. Once the law takes effect, the only people you should see carrying a gun in **restricted areas** are uniformed security officers.

Security officers are fully trained, certified and qualified to provide armed safety and security services to our campus.

2. How does the new law change things?

Previously, the Texas statutes guaranteed all persons the right to own and carry Firearms, subject to the Legislature's power to enact reasonable restrictions on practices

such as the carrying of concealed Weapons. The Legislature has now established policies for the carrying of Weapons on public and private colleges and university campuses.

TMC will prohibit the possession of Firearms and Weapons at designated locations by this policy.

3. What is a "weapon" under Texas law?

For purposes of the concealed weapons laws, the definition of a "weapon" can be found in the Texas Penal Code, Chapter 46.

4. Who can carry a concealed firearm on the TMC Campus?

Only those persons who have been issued a permit to carry a concealed firearm or a duly sworn law enforcement officer.

Firearms must be kept concealed at all times.

5. Will guns be allowed everywhere on campus?

No. TMC, in cooperation and coordination with our Member Institutions, will identify and designate areas where Firearms and Weapons will be prohibited. Those areas will be clearly marked and identified by signage as required by Texas state statute.

6. What safety precautions is TMC taking to deal with these changes?

TMC is implementing a number of security measures to ensure that it remains safe for employees, students, patients, guests and visitors. These include enhanced security measures at locations where Firearms are prohibited, and retraining and redeploying our security officers.

7. If someone has a concern about someone who is carrying a gun, who should he/she notify?

Anyone with a concern can call TMC Police and Security Services at 713.791.000, or the Houston Police Department at 713.884.3131 with concerns.

8. What procedures does TMC have to deal with someone who has a gun and is exhibiting threatening behavior?

It is a criminal act to exhibit threatening behavior with a gun, whether or not one has a concealed carry permit. When a crime is committed, TMC security officers are authorized to detain the suspect and hold the individual for arrest by law enforcement officers. TMC also employs off duty police officers as members of our security team. Those officers are

authorized to place individuals under arrest when a criminal offense has been committed.

TMC also works closely and in conjunction with our Member Institutions, as well as city, county, state and federal law enforcement officers, to ensure a coordinated and well thought-out, proactive and reactive response to these and many other situations. The TMC Police and Security Services department operates using the same training, standards, and policies and procedures used by many law enforcement agencies across the state. We have an excellent working relationship with local law enforcement, all of whom have jurisdiction on the TMC Campus and are available to respond to on-campus incidents.

In addition, violations of this policy will be addressed accordingly. Anyone - employee, student, patient, guest or visitor-found responsible for this type of violation could receive sanctions ranging from removal from the TMC Campus to criminal prosecution.

9. Will TMC security officers receive Firearms training?

Yes. All TMC officers who are authorized to carry Firearms, must do so in accordance with state law and training requirements, which include in-service training as mandated by statute.

10. Will TMC have more security officers carrying guns?

TMC will make enhancements to our security profiles which may include more licensed, uniformed and armed officers.

11. Does TMC offer security escort services?

Yes. Please call TMC Call Center @ 713.791.6161 to request a security escort. There are also emergency telephones available at several locations across the TMC Campus.

12. Is TMC safe?

Safety is of utmost importance to TMC. We continuously review our procedures and protocols, in collaboration with our Member Institutions and local, State and Federal law enforcement authorities to ensure we are on the forefront of providing enhanced safety and security services.

We believe that maintaining a safe and secure environment involves a close partnership among our members, law enforcement and those who work, study or visit our campus. All of us must take a proactive role in our own safety. TMC will continue discussing and advocating proactive safety and security tips in various mediums (TMC Pulse, News,

campus-wide emails, safety alerts, local news, community organizations, etc.) to our community and in on-going safety training, drills and simulations.

13. Does the law require handguns to be concealed when someone has a permit to carry?

No. Under the new Texas law, any individual with a handgun permit may openly carry a handgun, provided they are not on private property where proper signage prohibits such open carry. TMC Property is private property, and where proper notice of prohibition is allowed, TMC is prohibiting both Concealed and Open Carry on the TMC Campus to the extent allowed under Texas law.

14. Can TMC or its Member Institutions prohibit contractors and their employees from carrying guns on the TMC Campus?

TMC restrictions apply to contractors. TMC will also require contractors to prohibit their employees from carrying Weapons on the job.

15. TMC leases or rents space to other organizations or community groups for business operations, meetings, or performances. Will the TMC rental agreements and leases include a ban on the carrying of any Weapons?

TMC will continue to restrict or limit the possession of Firearms and Weapons when possible, in accordance with State laws and statutes.

16. What if an employee sees another person with a weapon in his or her possession in one of our buildings? If an employee sees a visitor carrying a pistol, is he or she expected to ask to see a permit?

No. The employee should contact TMC Police Security Services at 713.791.000 or the Houston Police Department at 713.884.3131.

17. There are several childcare centers around TMC. Are guns prohibited from those childcare centers?

Our Member Institutions operate those childcare centers. Those institutions will identify and post the requirements and restrictions for those facilities.

20. What about Debakey High School?

Firearms are not permitted in, or in certain areas around, that building, pursuant to the Texas Concealed Carry Act and the Texas Open Carry Act. However, other activities that may bring school children on to the TMC Campus do not affect the operation of the new law, pursuant to which TMC must permit holders of concealed carry permits to carry concealed Weapons in unrestricted areas.

21. Where are Weapons prohibited?

TMC will provide a comprehensive map identifying all locations where Weapons are prohibited to all persons, including holders of concealed carry permits.