



Policy: Property Policy: Firearms/Weapons Found in Student Possession

Volume: 4: Legal/Governance

Managing Office: Department of Public Safety

Effective Date: July 1, 2025

I. Purpose

Alabama A&M University (AAMU) has an ethical, legal, and operational obligation to maintain safety on its campus. In accordance with the AAMU Student Code of Conduct, any student found in the possession of a firearm or other deadly weapon on the University property will be subject to immediate disciplinary action, up to and including expulsion. AAMU has implemented this policy to ensure that any firearms or weapons seized by students are properly processed and documented once taken into custody by the Department of Public Safety's (DPS). This policy further details the procedures taken by DPS after a firearm or weapon is seized.

II. Definitions

For the purposes of this Policy:

- A. **Confiscate:** To seize property by authority of law.
- B. **Dangerous Weapon:** Any device that shoots or delivers a bullet, BB, pellet, arrow, dart, flare, electrical charge, airsoft ammunition, or other projectile, whether loaded or unloaded, including devices powered by CO2. Any explosive device, including fireworks. Any instruments/devices that are designed or may be used as a weapon to injure or threaten another individual, including non-culinary knives with a blade greater than four (4) inches.
- C. **Disposition:** The act of transferring something to another's care; relinquishing of property.
- D. **Firearm:** A pistol, handgun, rifle, or shotgun and any ammunition.
- E. **Indictment:** The formal act or process of preparing or brining forward such a written accusation.

III. Student Disciplinary Action

This policy encompasses all students enrolled at AAMU. As referenced in the Code of Conduct of the Student Handbook, possession of a firearm on campus is a serious violation that posts a direct threat to the safety of the University community. The following actions shall be taken:

- a) The firearm/weapon will be seized by the Department of Public Safety (DPS).
- b) The student will be immediately suspended pending the outcome of a formal conduct hearing.
- c) If the hearing confirms the violation, the student will be expelled from the University.

IV. Policy

1) Property Disposition

Following the seizure of a firearm or deadly weapon, the University and DPS shall adhere to the following policy to ensure legal and appropriate handling of the property:

- a. Seizure and Indictment Proceedings
 - i. Firearms and weapons that are seized and subject to indictment or other criminal proceedings shall be held and disposed of in accordance with the directives of the Madison County District Attorney's Office.
 - ii. The University will formally document DPS's actions and the chain of custody regarding such property.
 - iii. No property shall be returned until all criminal proceedings have concluded and written clearance has been provided by the District Attorney's Office.
- b. Conduct Proceedings
 - i. Firearms or weapons seized in connection with University conduct proceedings, not criminally indicted, do not become the property of Alabama A&M University by default.
 - ii. Once the conduct process is complete, the property may be released following the proper Property Retrieval Procedures.

2) Property Retrieval Procedures

- a. If Student is 19 or Older:
 - i. Student may retrieve the firearm/weapon in person only after expulsion is finalized.
 - ii. Student must present valid identification and sign a property release form.

- iii. Student is required to leave campus immediately upon retrieval. A DPS escort may be provided.
- b. If Student is 18 or Younger:
 - i. The firearm/weapon must be claimed by the student's parent or legal guardian.
 - ii. The parent/guardian must present valid identification.
 - iii. The parent/guardian must sign a property release form and leave campus immediately with the weapon. A DPS escort may be provided.

All retrievals must occur within 30 days of Conduct Proceedings. Failure to retrieve property within this window will initiate the abandoned property process outlined below:

- a. Abandoned Property
 - i. If the rightful owner or authorized parent/guardian fails to retrieve the weapon within 30 days of notification, the University can file a complaint pursuant to Ala. Code (1975) § 15-5-64 to declare the firearms/weapons abandoned property. The University will provide a complete inventory of all property proposed for abandonment.
- b. Court Award and Final Disposition
 - i. Upon receipt of a final court order awarding the firearm/weapon to the University, and the expiration of the appellate time-frame, the University may dispose of the firearm/weapon in a manner consistent with University disposal procedures, including destruction or sale of the firearm to a verified third party.

3) Documentation and Publication

- a. DPS will document all efforts to contact the rightful owner.
- b. Unclaimed weapons will be listed publicly for 30 days on the University website and a publication with general circulation in Madison County, Alabama for once a week for four consecutive weeks to fulfill notice requirements prior to abandonment proceedings.

V. Responsibilities

- A. The AAMU DPS will execute all arrests, seizing, and processing of all firearms or weapons.
- B. DPS will develop a Firearm/Weapon Confiscation Form for students to

complete at the time of weapon confiscation and a Release Form to be completed at the time of weapon release.

- C. DPS shall maintain internal procedures to properly catalog confiscation weapons and to evidence chain of custody.
- D. DPS shall appoint a point of contact within the department to serve as the custodian of records to provide firearm/weapon information to 3rd parties, upon request.
- E. DPS shall work in conjunction with the Office of Information Technology Services to host a webpage on the AAMU/DPS website that provides up-to- date postings of firearms/weapons that remain in custody after the expiration of the time-period to secure firearms.
- F. DPS will generate annual reports that detail confiscated weapons and disposition.

VI. Training

- A. DPS will receive and document the initial and refresher training of the Alabama laws and regulations regarding weapon seizure and disposal:

VII. Compliance

Failure to comply with this Policy and/or regulations promulgated hereunder will be deemed a violation of University Policy and subject to disciplinary action in accordance with the disciplinary guidelines as outlined in the Student Handbook, whichever one is applicable to the individual.

VIII. Revision History

- June 2025 Policy Developed (Board Approved as Policy)

IX. Authority: Executive Director, Chief of Public Safety & Emergency Preparedness

X. Responsible Office: Department of Public Safety

XI. Related Documents

XII. References: Ala. Code (1975) § 15-5-64