

WEAPONS SCREENING PROCEDURES

STANDARD NO(S):

NYSSA CS # 32, 38-39

DATE:

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REFER TO:

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I. OBJECTIVE:

To insure the safety and security of all persons within the Seneca County Courthouse to include the Judge, Court Employees, and the general public, by screening all persons entering the courthouse for weapons and/or contraband.

II. POLICY:

It is the policy of the Seneca County Sheriff's Office, Court Security division, to screen all parties entering the Seneca County Courthouse for weapons and/or contraband, in an effort to insure the safety and well-being of all persons in the courthouse.

III. DETAILS:

A. Weapons Screening Station -

1. Location: A walk-through weapons screening station is located at the South entrance to the Seneca County Courthouse. All other entrances are closed to the public.
2. Hours of operation: Normal hours of operation for the weapons screening station are Monday through Friday, 8:00 am through 5:00 pm. Hours of operation may be extended for jury trials, training purposes, and other activities authorized by the Sheriff and/or Chief Clerk.

NOTICE: Magnetometer and hand-scanner searches have the potential to cause temporary interference of a pacemaker output or the delivery of inappropriate therapy from an ICD. For that reason, persons with such medical devices should be screened by means of a pat down search conducted by an officer of the same gender in a non-public area.

B. Equipment - The weapons screening station will consist of the following equipment:

1. Walk-through magnetometer hereinafter referred to as magnetometer;
Package X-ray machine;

2. Two hand-held scanners;
 3. Trays or small containers;
 4. Gun lockers;
 5. Other weapons and dangerous instrument locker;
 6. Property receipts.
- C. Staffing - The weapons screening station shall be staffed by at least one (1) Court Security Officer.
1. The weapons screening station shall be manned during all hours of operation by a minimum of one (1) Court Security Officer.
 2. The Court Security Officer assigned to the weapons screening station shall not leave their assigned post until properly relieved.
 3. During peak hours, or at jury assembly, additional Court Security Officers will be assigned to the weapons screening station to assist the Court Security Officer assigned to that post.
- D. Screening/Searches -
1. Using the magnetometer, Court Security Officers shall routinely scrutinize people entering the court facility for any indication that they are carrying contraband, weapons, or dangerous instruments. A hand-held metal detector shall be available as back-up to the magnetometer, or when the magnetometer is not available.
 2. By courteous verbal instructions, the Court Security Officer will control passage of the public through the magnetometer.
 3. The Court Security Officer will instruct individuals to remove all metal objects from person, and place such objects in the tray or container provided.
 4. When the individual steps through the magnetometer, if metal is detected, repeat instructions that metal objects be removed and request the individual to step back through the magnetometer.
 5. If metal is again detected, the Court Security Officer will use the hand-held scanner to scan the individual and to identify the cause of detection. If object is innocuous, return property and allow entry.
 6. If a weapon is either produced, or discovered, control of same shall be retained by the Court Security Officer.

7. If a firearm is discovered, the individual shall be requested to produce a valid pistol permit listing said weapon. If possession is authorized, then individual will be required to secure the pistol in the weapons locker located in the security closet.
 8. If an unauthorized weapon/firearm is discovered, then the Court Security Officer shall take possession of the weapon. An arrest will be made if appropriate. An incident report shall be filed with SCSO, and an "Unusual Occurrence" report filed with the State.
 9. All policies for evidence handling and report filing shall be followed in the arrest of any individual and the taking of any evidence.
 10. Exceptions to the screening process may be made for properly identified law enforcement officers, attorneys (with proper "Secure Pass" I.D.), employees of the building, and others approved by the Sheriff and/or Chief Clerk.
 11. No exceptions will be allowed for any person (police officer, attorney, building employee, etc) entering the courthouse for personal business. Such person shall be subject to all screening procedures for the general public.
 12. Police officers reporting to the courthouse for the purposes of testifying in any judicial proceeding will be requested to secure his/her firearm in the gun locker.
 13. Handicapped individuals, who cannot climb stairs, shall enter the building through the handicap entrance. This is located to the east of the main entrance, on the south side of the building. At the handicap door, the individual can activate an intercom system to contact the court security station at the main entrance. The Officer answering the intercom will instruct the individual to wait until an officer can respond to that door to escort them to their destination. The individual will be subjected to screening by the hand-held magnetometer, and a physical search of any bags/packages will be conducted. When escorting a handicapped individual, only the person requiring the use of the elevator, and one person to assist that individual (if appropriate), will be allowed entry through this point, any others accompanying the individual shall be instructed to enter through the main entrance.
- E. The Court Security Officer will insure that no one enters the building with displays of photographic, written or printed matter, in any form, including matter printed or otherwise displayed on an article of clothing, that relate to a pending or on-going trial. Individuals will be asked to remove such matter from public view, and upon failure to do so, may be removed from the facility.
- F. The Court Security Officer will maintain direct supervision of any individuals that are remanded by the Judge, and are awaiting transport to the Seneca County Correctional Facility, when there is no transport officers present in the courthouse.

G. It should be clearly understood that protection against unreasonable searches does not extend to members of the public who have elected to attend a court proceeding. The larger issue is public safety and, like the airline passenger, a courtroom spectator may expect to be subjected to close inspection (see *People v. Alba*, 81, AD2nd 345). Doubt on the part of Court Security Officers shall be resolved in favor of inspecting hand-carried items, and if necessary, persons seeking to enter the courtroom may be examined using the hand-held scanner. At the discretion of the officer, property may be seized and/or secured for return to its owner at the court adjournment. The search of persons seeking to enter the courthouse at a time when the premises are under the security cognizance of the SCSO is strictly one by consent. If an individual will not consent to a screening, or if warranted, searched, admittance will be denied and the person shall be permitted to leave the premises. Also, an individual can stop the screening/search at any time and leave of his/her own accord.