
DAKOTA COUNTY POLICIES AND PROCEDURES MANUAL

Policy 5600 Point of Entry Screening

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Department: Risk Management

Board or Administrative: Administrative

Related Policies:

POLICY STATEMENT

In order to enhance the safety of Dakota County employees, State of Minnesota employees, and the general public, the Dakota County Board of Commissioners implements point-of-entry screening to prevent the introduction of prohibited items, which are hereby deemed to constitute a threat to persons conducting business in Dakota County courthouses.

DEFINITIONS

Courthouse: The Dakota County Judicial Center (JDC) in Hastings and those areas of the Northern and Western Service Centers that are accessible only by passing through point-of-entry security screening.

Packages: any purse, bag, briefcase, box, shopping bag or other hand-carried or wheeled container.

Prohibited Items:

- firearms unless carried by a licensed peace officer who is on active duty and on official business
- bladed instruments or cutting tools (any size)
- electronic incapacitation devices
- chemical incapacitation sprays
- explosives
- ammunition
- combustible or flammable liquid
- any other item designed or carried as a weapon capable of producing death or great bodily harm
- any replica or toy version of the above listed items
- any item prohibited by judicial order or district court policy
- any other items that point-of-entry screening personnel consider in their discretion to be a security threat, including, without limitation, chains, padlocks, handcuffs, handcuff keys, bats, blunt objects, pointed objects, and aerosol sprays

Contraband: any item which is illegal to possess under Minnesota law.

Great Bodily Harm: bodily injury which creates a high probability of death, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

SOURCE

Minn. Stat. §§ 375.18, subds. 2 and 3; 609.66, subd. 1g; 624.72

In re Possession of Firearms on Court Property within the First Judicial District, Order, dated July 3, 2017 (Dakota County Dist. Ct.), as may be amended or supplanted from time-to-time

PROCEDURES

1. Location and Time. Point-of-entry screening will be implemented at the public entrance to the courthouse at all times that the building is open to the public.
2. Persons Subject to Screening. All persons who enter the courthouse through the public entrance and who are not exempt will be required to submit to point-of-entry screening as a condition of entering the courthouse.
3. Persons Exempt from Screening.
 - a. County and court staff with a valid programmed access card, who enter through an employee turnstile.
 - b. Persons under contract to Dakota County or employed by an entity under contract to Dakota County to perform services for Dakota County, if such persons are accompanied into the courthouse in person by a County employee who has a valid programmed access card and enter through an employee turnstile.
 - c. Impaneled jurors who are accompanied by court personnel through an employee turnstile.
 - d. Licensed peace officers who are on active duty and on official business, provided that they have in their possession a badge and departmental identification.
 - e. First responders who are responding to an emergency.
4. Procedure for Screening of Persons.
 - a. Point-of-entry screening shall consist of a walk-through magnetometer and/or exposure to a hand-held magnetometer and/or pat-down search. Initially each person shall be asked to remove the person's belt and outerwear coat, to empty the person's pockets and to walk through the walk-through magnetometer. If the magnetometer is not activated, the person is not subject to further screening and may enter the courthouse. If the magnetometer is activated, the person may choose to leave the courthouse or be exposed to the hand-held magnetometer. If the person chooses to be exposed to the hand-held magnetometer and the magnetometer is not activated, the person is not subject to further screening and may enter the courthouse. If the hand-held magnetometer is activated, the person may choose to leave the courthouse or have the opportunity to remove any metal object(s) that may be activating the magnetometer and be re-exposed to the magnetometer. If the person chooses to be re-exposed to the hand-held magnetometer and the magnetometer is not activated, the person is not subject to further screening and may enter the courthouse. If the

magnetometer is activated, the person may choose to leave the courthouse or consent to a pat-down search conducted by a person of the same gender as the person being searched.

- b. If a person desires to avoid the walk-through or hand-held magnetometer, the person may consent to a pat-down search. When the person to be searched is of the opposite sex as the searching deputy, a reasonable effort should be made to summon a deputy of the same sex as the subject to conduct the search. When it is not practicable to summon a deputy of the same sex as the subject, the deputy should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

5. Procedure for Screening Packages and Contents of Pockets.

- a. All packages and contents of pockets will be subject to x-ray or hand search for prohibited items prior to their entry into the courthouse. Each person must place all packages and contents of pockets in a screening tray. If the presence of a prohibited item is detected by the x-ray scanner, the point-of-entry screening personnel shall search the package by hand in view of the person. Whenever a prohibited item is found, the owner will be given the opportunity to dispose of it or remove it from the courthouse. If consent is not given, or if the person declines to remove a prohibited item from the courthouse, the person shall be permitted to retain the prohibited item but shall not be permitted to enter the courthouse.
- b. If contraband is found in the search for prohibited items, it shall be retained by point-of-entry screening personnel and turned over to the Dakota County Sheriff.

6. Permit to Carry. If a person attempts to carry a firearm into the courthouse based upon actual possession of a permit to carry and notice to or consent of the Dakota County Sheriff, the person shall be informed that by Order of the Chief Judge of the First Judicial District, firearms (other than those carried by on-duty law enforcement officers or pre-approved for use in trial) are prohibited in all areas of the courthouse and the person shall be permitted to remove the firearm from the courthouse.

7. Option to Decline Screening. Notice of the point-of-entry screening shall be posted in such locations that persons seeking entry to the courthouse have the reasonable opportunity to decline participation in point-of-entry screening by not seeking entry into the courthouse. A person also may decline the point-of-entry screening at any time simply by leaving the courthouse, even if the point-of-entry screening process already has been commenced.

8. Disposition of Items.

- a. A receptacle with a secured lid will be placed outside of the point-of-entry screening station to enable persons seeking entry to the courthouse to discard items that they do not wish to carry through the point-of-entry screening station.
- b. A receptacle with a secured lid will also be placed inside of the point-of-entry screening station for use during the screening process.
- c. If any prohibited item is found during the point-of-entry screening process, the person will be permitted to dispose of the item or to remove the item from the courthouse.

d. In no case will point-of-entry screening personnel store or otherwise hold items of personal property for courthouse visitors.

9. Personnel. The Dakota County Sheriff has agreed to provide personnel to carry out point-of-entry screening.

10. Point-of-Entry Screening Not Required. This policy does not establish a duty to implement point-of-entry screening at any particular courthouse.

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Board Resolution or Manager Signature: /s/ Matt Smith; 06/07/2018