4-04/020.05 Search of Person and Property Entering the Courthouse

Inspection of hand-carried items are conducted using an x-ray device or by physical inspection of the item. If the x-ray displays an image of an explosive, incendiary, deadly or dangerous weapon, security personnel shall immediately advise their supervisor and appropriate action is to be taken. Notification should be accomplished as discreetly as possible. Security personnel shall maintain control of the item at all times, until the item has been cleared.

The search screening process consists of:

- Initial processing is conducted by security personnel using a walk-through metal detector. Prior to entering a walk-through metal detector, the person being screened is asked to remove all objects from their person, and then proceed through the metal detector. If the person being screened does not set off the alarm, either audibly or visually, the person is clear to proceed beyond the screening point. If the alarm is set off, the person must be reprocessed to determine the cause of the alarm prior to being cleared.
- Further screening is conducted by security personnel whenever individuals cannot be cleared after going through the metal detector a second time. A handheld metal detector is then used to determine and isolate the area of the individual that set off the alarm. Once isolated, a pat down search of their outer garments will be conducted.
- Pat Down searches should be done in an inoffensive, yet thorough manner and should be limited to the area of the individual's body which set off the alarm or prompts visual concern. The search is conducted only to the extent necessary to ensure the absence/presence of a weapon. In the event security personnel are unable to locate and identify the object, or there is reasonable suspicion to believe a weapon may be concealed on the person, a supervisor shall be advised.

Note: These searches, as a condition of entry into public buildings are allowed under the regulations of the General Services Administration of the United States. These searches are administrative in nature for the purpose of keeping a facility free from weapons related violence. The search is legal so long as it is reasonable, no more intrusive than necessary, conducted for a purpose other than the gathering of incriminating evidence, and the subject consents. All County courthouses have signs posted which read: "All persons, packages, and briefcases are subject to search at any time." (This is a notion of "Implied Consent", and concludes that when individuals entering a public building, after passing a sign that notifies the public that persons entering the facility are subject to search, they may reasonably be deemed to have consented to the search. Any attempt to bypass the screening process is a violation of section 602(y) of the California Penal Code.

- Any items that are carried shall be x-rayed to ensure that there is no false bottom, concealed compartments, or weapons hidden in them. If the x-ray is suspicious or presents an inconclusive result, a hand search of the item is required and shall be conducted in an organized systematic manner. All sections of a bag, including zipper compartments, must be opened and inspected until the item is cleared.

Modified forms of screening may also be appropriate under certain circumstances. For example, tradesmen such as a carpenter, electrician, plumber, or other maintenance personnel should have a visual inspection of the tradesmen’s tools. This should be done in a thorough yet unobtrusive manner. Independent contractors hired to perform contract work in the courthouses should be subject to the same procedures as the AOC and

county maintenance personnel, except that contract maintenance personnel should be escorted and monitored by court or tenant staff, depending upon the location where the maintenance work is being performed.

Note - regarding property: Once a person offers an item to be examined by the x-ray device the search of that item shall be completed. The person may not withdraw consent to search the item once it has been offered.