

WESTMORELAND COUNTY COURTHOUSE
SECURITY RULES AND REGULATIONS

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WESTMORELAND COUNTY COURTHOUSE

SECURITY RULES AND REGULATIONS

ORDINANCE OF THE COUNTY OF WESTMORELAND, PENNSYLVANIA, PRESCRIBING RULES AND REGULATIONS FOR THE PROMOTION OF SECURITY IN THE WESTMORELAND COUNTY COURTHOUSE, COURTHOUSE ANNEX, COURTHOUSE OFFICE BUILDING AND COURTHOUSE SQUARE EXTENSION, PROVIDING PENALTIES FOR VIOLATION OF SUCH RULES AND REGULATIONS, AND DESIGNATING THE ENFORCEMENT AUTHORITY, PURSUANT TO SECTIONS 509 AND 2326 OF THE COUNTY CODE, ACT OF AUGUST 9, 1955, P. L. 323, AS AMENDED.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of County Commissioners of the County of Westmoreland, Pennsylvania, as follows:

SECTION I. TITLE

This Ordinance shall be known as "Westmoreland County Courthouse Complex Security Rules and Regulations."

SECTION II. CONSTRUCTION

In the interpretation of the Westmoreland County Courthouse Complex Security Rules and Regulations, their provisions shall be construed as follows:

- A. Any term in the singular shall include the plural.
- B. Any term in the masculine shall include the feminine, neuter and hermaphroditic.
- C. Any requirement or provision of these rules and regulations relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act; or the permitting or the allowing of any minor in the custody of any persons, doing any act prohibited by any provision thereof.
- D. No provision hereof shall make unlawful any act necessarily performed by any County Security Personnel or employee of or contractor for the County of Westmoreland in the line of duty or work as such, or by any person, agents or employees, in the proper and necessary execution of the terms of any agreement with the County of Westmoreland.
- E. These rules and regulations are in addition to and supplement all State and Federal laws.

SECTION III. DEFINITIONS

As used in this ordinance, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

Bodily Injury: Impairment of physical condition or substantial pain (PA Crimes Code Section 2301.).

County Courthouse Complex: The Westmoreland County Courthouse Complex is the generic term for all the County Courthouse buildings in the Main Street area of Greensburg, PA. Specifically, this term includes: the "Old Courthouse" building, the Courthouse Annex, Courthouse Office Building (third and fourth floors of the South Wing of the Annex) and the Courthouse Square Extension.

County Courthouse Facility: The Westmoreland County Courthouse Facility comprises the "Old Courthouse" building and the Courthouse Annex and the Courthouse Office Building. The facility is contained in the block between North Main Street and Pennsylvania Avenue, and Otterman and Pittsburgh Streets Greensburg, PA.

County Courthouse Square Extension: The Westmoreland County Courthouse Square Extension is located west of (behind) the Courthouse Facility on North Pennsylvania Avenue Greensburg, PA.

County Security Personnel: Westmoreland County Park Police officers and Deputy Sheriffs; Westmoreland County Detectives; Westmoreland County Sheriff and Chief Deputies; and private security officers employed by a security firm under contract with the County of Westmoreland to provide security officers for the County Courthouse Complex, while such private security officers are on duty and in uniform.

Deadly Weapon: Any firearm, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or serious bodily injury, or any other device or instrumentality which, in the manner in which it is used or intended to be used, is calculated or likely to produce death or serious bodily injury (PA Crimes Code Section 2301.).

Explosive: Blasting powder, nitroglycerine, dynamite, TNT and any other form of high explosive blasting material, any fuse other than an electric circuit breaker, any detonator and other detonating agent, a chemical compound or mechanical mixture containing oxidizing or combustible units, or other ingredients, in such proportions, quantities or packing that ignite by fire, friction, concussion or other means of detonation of the compound or mixture or any part thereof which may result in the sudden generation and release of highly heated gases or gaseous pressures, and is capable of producing effects damaging or detrimental to or destructive of life, limb or property. An explosive does not include manufactured articles such as matches or cigarette lighters containing an explosive in such limited quantity that the collective and simultaneous detonation thereof is incapable of resulting in the sudden generation and release of highly heated gases or gaseous pressures capable of producing effects damaging or detrimental to or destructive of life, limb or property.

Firearm: Any 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.

Hand-held Scanner: A small battery operated hand-held device that detects the presence of metal. These

devices permit security personnel to scan entering personnel and hand-held items on a point basis rather than or in addition to using the walk-through or package scanner. The hand-held scanner may also be employed in the event of a malfunction of other scanning equipment.

Lawful Purpose of a Weapon: Any purpose or use of a weapon or instrument that can be considered legal. For example: The possession of an ice pick in the Courthouse Complex, although the owner has no reasonable purpose for an ice pick in the Courthouse Complex, this weapon has a lawful purpose per se, to break ice.

Loitering: Remaining idle in essentially one location, lingering aimlessly, walking about aimlessly, or loafing, while having no purpose of being on the premises.

Package: Any item brought into the facility.

Package Scanner: A conveyor driven x-ray system used to inspect the contents of opaque items including but not limited to briefcases, purses, bags, envelopes, boxes and coats.

Serious Bodily Injury: Bodily injury which creates a substantial risk of death or which causes serious, permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ (PA Crimes Code Section 2301.).

Unlawful Purpose of a Weapon: A weapon that serves no lawful or legal purpose. A weapon expressly designed or constructed for the infliction of serious bodily harm. For example: A baseball bat with exposed nails or spikes on the end.

Walk-through Scanner: A device designed to detect metal objects located on one's body when walking through a metal detecting sensor.

Weapon: Any instrument or implement by its design or use capable of inflicting serious bodily injury or bodily injury to one's self or another. This definition includes items with or without a common lawful purpose (See Appendix 1 for examples).

SECTION IV. PURPOSE

To establish formal security policies governing the operation and implementation of security in and around the Westmoreland County Courthouse Complex.

SECTION V. APPLICABILITY

These policies are applicable to all Westmoreland County employees, Court officials, contracted agents, law enforcement officers and the public. Law Enforcement officials transporting evidence for use in judicial proceedings are exempted from these provisions, but must identify themselves and sign in appropriate evidence

with the on-duty County Security Personnel located at the main entrance, Courthouse Annex.

SECTION VI. ENFORCEMENT AUTHORITY

Under the provisions of 16 Pa.C.S.A. Sections 2511 and 2512, Westmoreland County Resolution No. 22 of June 22, 1978 and Westmoreland County Ordinance No. 2 of December 7, 1989, Westmoreland County Security Personnel have been granted the authority to enforce all County Ordinances.

SECTION VII. VIOLATION OF THIS ORDINANCE

Any violation of this ordinance or the Pennsylvania Crime Code may result in criminal prosecution by the appropriate officers through the issuance of citations or the filing of criminal complaints with a district justice, confiscation of property, denial of entry, administrative action or verbal warnings.

SECTION VIII. PENALTIES

A person violating any of the provisions of this Ordinance and convicted of the same shall be liable to fine of not less than \$25.00 nor more than \$600.00.

SECTION IX. REPEALER

Any Ordinance or part of an Ordinance in conflict with any of the provisions of this Ordinance is hereby repealed insofar as the same is inconsistent with this Ordinance.

SECTION X. APPROPRIATE REFERENCES

Pennsylvania Criminal Code sections 907, 908, 6106 and Westmoreland County Ordinances.

SECTION XI. SEVERABILITY

The provisions of this ordinance shall be severable. If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the remainder of the ordinance, and the application of such provision to other persons or circumstances, shall not be affected thereby.

SECTION XII. OPERATING PROCEDURES

A Specific Intent of This Ordinance:

The specific intent of this ordinance is to implement a security program that provides the employees of Westmoreland County, the court system and the public a safe and secure environment in which to conduct daily business. This program is directly aimed to reduce or eliminate the possession of weapons and explosives, thus significantly reducing the risk of personal injury or death to the occupants of the Courthouse Complex. This ordinance will enable County Security Personnel to effectively provide a safe and secure environment in which to conduct business.

B. Targeted Threat:

The targeted threat is defined as common types of offensive weapons and explosives that could be used to inflict serious bodily harm or bodily harm to oneself or another. Specific examples of weapons include but are not limited to: firearms, knives, straight razor blades, weighted pipes and martial arts weapons, ice pick. See Appendix I.

C. Access/Egress Areas:

1) Courthouse Facility: The Courthouse Facility (Old Courthouse and Courthouse Annex) will limit access and egress to only the following locations:

a) Main Public Entrance: The main entrance for public, employee and physically disabled is designated as the Courthouse Annex entrance adjacent to Main Street. This entrance and exit is designed to handle the largest flow of pedestrian traffic.

b) Limited Employee and Public Access Point: Employees authorized to park in the Lower Parking Garage on Pennsylvania Avenue, will enter the Courthouse Facility through the designated entrance/exit located in the Lower Park Lobby area near the elevators. This entrance is to be used only by the public in the event of an emergency. There will also be a device located outside the door to allow disabled individuals to summon County Security Personnel to gain entrance.

c) Director/Dignitary Access Point: Personnel authorized to park vehicles in the Upper Parking Garage will enter the Courthouse Facility through the designated entrance/exit located at the Upper Park Lobby near the elevators. Sheriff Department personnel transporting prisoners for judicial purposes will use their personal access control card to gain entry or exit at the restricted access door in the Upper Parking Garage.

2) Courthouse Square Extension: The Courthouse Square Extension will have one authorized entrance and exit located at the front of the building on Pennsylvania Avenue. All employees and public will enter and exit through these doors. Designated employees may use the loading dock door or the pedestrian door located at the rear of the building after obtaining clearance from Westmoreland County Security Personnel.

3) Restricted entrances/exits: No person shall knowingly enter or exit the County Courthouse Complex by any door designated by posted sign as "Emergency Exit Only", nor knowingly open or block open any such door so as to allow any person to enter or exit thereby unless permission is first obtained from County Security Personnel.

4) General: All authorized entrances of the Courthouse Facility and Extension will have warning signs prominently posted to warn all personnel entering the facility of the security procedures (Appendix 2). All other doors will have a crash-bar system to block entry but permit emergency exit. The opening of these doors will activate an audible and remote alarm alerting the Westmoreland County Control Center forces. Suitable warning signs will be placed on all emergency exit doors (Appendix 3).

D. Security Equipment Locations and Hours of Operation:

1) Main Entrance: The main entrance located within the Courthouse Annex will have two walk-through scanners and one package scanner. County Security Personnel, Monday through Friday, 1st shift, will operate and control access and egress at this security checkpoint. At all other times County Security will be on duty to control access to the facility and provide security.

2) Limited Employee and Public Access Point: The limited employee and public access point located in the Lower Parking Garage may have one walk-through scanner and may be manned by County Security Personnel during 1st shift hours, normal business days.

3) Director/Dignitary Access Point: Personnel assigned to this parking level may enter through the Upper Park Lobby or may enter through the other entry points for this complex. This access point may have one hand held scanner and one walk-through scanner and may be manned by County Security Personnel during 1st shift hours, normal business days. Scanning at this entrance shall be random or at the discretion of the Westmoreland County Park Police Chief or the Chief's designee.

4) Courthouse Square Extension Main Entrance: This entrance may have one walk-through scanner and may be manned by County Security Personnel during normal business hours. This station is capable of remaining in constant contact with the Courthouse Security by phone, radio and closed circuit television. During normal business hours all personnel entering the building may be screened by security personnel located within the lobby. If there are no County Security Personnel in the lobby the visitor will have to summon County Security Personnel by using the telephone by the entrance. All hand-held items may be scanned and if necessary opened and visually inspected.

E. After Business Hours Access:

All personnel wishing access to the Courthouse Facility after normal business hours, on weekends or holidays must be processed at the main security desk. Each person will register at the security desk and be screened by walking through the metal detection scanners. All hand-held items will be scanned and if necessary opened and visually inspected. The following are general procedures for each entrance:

1) Main Entrance: All after hours entry and exit to the Courthouse Facility is encouraged through this entrance. Employees or other authorized personnel wishing access will contact security personnel at the main desk through the use of an external buzzer. Security personnel will permit entry or exit through the main lobby

doors and screen entering personnel prior to access.

2) Limited Employee and Public Access Point (Lower Parking Garage): Employees wishing entry or exit to or from the Courthouse Facility using this point after normal business hours and on weekends and holidays will be required to use their access control card to enter or exit either the garage by vehicle or the pedestrian door on Pennsylvania Avenue. After business hours and on weekends and holidays, employees wishing access will be required to use their access control card to gain access to the Lower Parking Garage Lobby and proceed directly to the main entrance via elevator to be processed and screened by security.

3) Director/Dignitary Access Point (Upper Parking Garage): Employees wishing entry or exit to or from the Courthouse Facility after normal business hours and on weekends and holidays using this point will use their access control card to first enter the Upper Parking Garage by vehicle. After gaining access to the Upper Parking Garage area authorized personnel will be required to use their access control card to enter the Upper Park Lobby. Upon entry after hours, the employee will be required to directly proceed to the main entrance via elevator to be processed and screened by security.

4) Courthouse Square Extension Main Entrance: After business hours and on weekends and holidays, entry or exit at this point will be gained by employees using their assigned access control card. Employees not working within the extension and all expected visitors will use the remote access phone system located at the Pennsylvania Avenue entrance. The visitor will contact the employee via remote phone and the employee will verify the identity of the visitor and permit access by remotely unlocking the entrance door.

F. Entry of Unauthorized Individuals Through Director/Dignitary Access Point: Employees having access to the Director/Dignitary Access Point shall not allow individuals who are not authorized entry into the Upper Parking Garage to enter into the Upper Parking Garage or to the Courthouse Facility through the Director/Dignitary entrance or through the Otterman Street man door entrance.

G. Security Equipment Sensitivity:

The Chief of the County Park Police or his designated representative will determine the pre-set level of sensitivity for the metal detecting scanners (walk-through and package scanners). Periodic threat assessments will be conducted by the Chief to justify increased or decreased sensitivity levels for all scanners. Sample criteria for adjustment of the scanners' level of sensitivity could include but are not limited to:

- 1) Highly publicized or controversial court trials.
- 2) Specific threats of violence directed to the facility, or individuals or employees of the County or County Facilities.
- 3) Current national, regional or local events or occurrences.
- 4) Unacceptable inconvenience or delays to the visiting public or employees.

H. Weapon Confiscation Criteria:

Weapons will be confiscated from owners if the weapon is deemed to be obviously prohibited by law or capable of being used as an offensive weapon. Any weapon identified through the scanning process or voluntarily

surrendered will be confiscated by security to protect the owner and others from bodily harm. All gun weapons confiscated will be logged and secured in proper lock box by the County Park Police (Appendix 4). The owner will be given a receipt. All other weapons will be tagged for identification and a receipt given to the owner. This receipt will identify the item seized, date, time, officer, location and a brief explanation of the release procedures and criteria (Appendix 5).

I. Return Policy for Weapons:

Prohibitive offensive weapons without a lawful purpose will not be returned to owners under any circumstances and may result in criminal prosecution (Appendix 1). Prohibitive offensive weapons will be destroyed on an as needed basis. Each weapon destroyed will be listed on a formal written record. The destroying of a weapon shall be witnessed by two County Park Police, one being a supervisor. Weapons having a lawful purpose may be returned to the owner upon exiting the Courthouse Facility or Extension based upon the discretion of the Park Police Officer. Suggested criteria considered for immediate return can be but is not limited to:

- 1) Voluntary identification of the weapon prior to scanning.
- 2) The character, demeanor and apparent emotional state of the owner.
- 3) The type and purpose of the weapon.

If a weapon with a lawful purpose is temporarily held (not surrendered by County Park Police upon exit), the owner can petition the release of the weapon by requesting in writing to the Westmoreland County Park Police Chief. The purpose of temporarily holding the weapon is to provide immediate security in and around the premises of the Courthouse Complex.

J. Firearm Possession:

All legally possessed firearms must be checked-in and secured by the County Security Personnel at the main Courthouse entrance. The firearm must be registered and placed in a locked container, with the key given to the owner. Exceptions to this policy include:

- 1) On duty County Security Personnel.
- 2) On duty uniformed Sheriffs and Sheriff Deputies.
- 3) Municipal or State Police officer when not in attendance in a Courtroom.
- 4) Westmoreland County Detectives authorized by the District Attorney's Office as its employees in the course of their duties.

K. Hand-Carried Items Inspection:

All hand-carried items such as handbags, purses, briefcases, packages, bags, lunch-pails, large envelopes or any container that could contain a weapon will be inspected by security personnel prior to granting entry of the owner into the Courthouse Square or Courthouse Extension. The inspection will be performed through the use of the package scanner located in the main entrance of the Courthouse and if necessary through a physical visual inspection of the item by security personnel. Persons refusing to surrender their items to security for inspection will

be refused entrance to the facility.

L. Loading Dock Inspections:

Items entering the Courthouse Complex through the loading dock areas will be visually inspected by security personnel if available. In situations where security personnel are not available due to other commitments, an employee of the Purchasing Department (Courthouse loading dock), Records Management (Courthouse Extension loading dock) or Courthouse Maintenance will visually inspect the items. All incoming items and boxes are subject to random x-ray or physical inspection by security. In situations where the length of the delivery vehicle restricts the closing of the exterior loading dock door, security personnel will monitor the open door until completion of the delivery. In no event will the exterior loading dock doors be left open without security personnel on-site.

M. Loitering:

- 1) No person shall at any time loiter in the County Courthouse in a manner as to:
 - a) Create or cause to be created a danger of a breach of the peace;
 - b) Create or cause to be created any disturbance or annoyance to the comfort and repose of any person;
 - c) Obstruct the free passage of any person;
 - d) Obstruct, molest, harass, intimidate, threaten or interfere with any person lawfully present in the County Courthouse.
 - e) This section shall include the making of unsolicited remarks of an offensive, profane, indecent, obscene or insulting nature or which are calculated to annoy or disturb the person to, or in whose hearing, they are made.

N. Disorderly Conduct:

- 1) No person shall in the County Courthouse or upon the grounds appurtenant thereto:
 - a) Assault, hinder, harass, intimidate, threaten, or obstruct any person, agent or agency in the enforcement of this ordinance or conducting official County business.
 - b) Disturb the peace or use profane, indecent or obscene language.
 - c) Endanger the safety or health of any person by any conduct or act.
 - d) Throw, discharge or cause to be discharged any missiles or projectiles.
 - e) Engage in fighting or threatening, violent or tumultuous behavior.
 - f) Make unreasonable noises.
 - g) Create a hazardous or physically offensive condition by any act which serves no legitimate purpose to the actor.
 - h) Appear manifestly under the influence of alcohol or a controlled substance, as defined in the act of April 14, 1972 (P.L. 233, No. 64), known as the Controlled Substance, Drug, Device and Cosmetic Act, to the degree that the individual may injure himself or herself or

other persons or property, or annoy persons in his or her vicinity.

2) Whenever the presence of any person in the County Courthouse is causing any of the conditions enumerated in subsections L. and M., any County Security Personnel may order that person to leave the County Courthouse. Any such person who shall knowingly and deliberately fail or refuse to leave after being ordered to do so by any County Security Personnel shall be guilty of a violation of this section.

EFFECTIVE DATE

This Ordinance shall become effective and be in full force and effect beginning February 2, 2015.

ORDAINED AND ENACTED by the Board of Commissioners of the County of Westmoreland, Pennsylvania, this ___ day of _____, 2015.

COUNTY OF WESTMORELAND
BOARD OF COMMISSIONERS

ATTEST:

Chief Clerk

APPENDIX 1.

Sample Classification of Weapons:

Below listed are examples of different types of weapons that will be confiscated. Refer to definitions (section V.1.) for further explanation.

A. Weapons having a lawful purpose:

1. Firearms, either loaded or unloaded, operational or non-operational.
2. Knives (knives are defined as any instrument with a blade capable of cutting).
3. Utility knives with a retractable razor blade.
4. Martial arts weapons.
5. Hammers.
6. Crow-bars and pry-bars.
7. Any type of mace or tear gas.
8. Any type of glass containers.
9. Ice Pick

B. Weapons that do not have a lawful purpose (prohibited offensive weapons PA Crimes Code 908.)

1. Explosive devices.
2. Blackjacks (law enforcement officers exempted).
3. Metal knuckles.
4. Two edge knives (daggers).
5. Automatic, mechanical opening knives (switch blades).
6. Weighted pipes.

APPENDIX 2.

Entrance Warning Sign

NOTICE

All persons entering this facility must pass through a metal detector. All packages, briefcases, bags, boxes and purses will be opened, inspected or passed through an x-ray machine.

County Park Police are authorized to remove weapons, potential weapons or threatening offensive material without a lawful purpose in this Facility and to prosecute to the full extent of the law.

Please identify weapons to the County Park Police Officer prior to entering the metal detectors.

All personnel movement will be monitored by video surveillance cameras.

APPENDIX 3.

Emergency Exit Door Warning Signs

NOTICE

Emergency Exit Only!

If this door is opened
an alarm will sound
and the County Park Police
will respond immediately.
Failure to heed may
result in prosecution.

APPENDIX 5.

Weapon Tag/Receipt

WESTMORELAND COUNTY PARK POLICE DEPARTMENT
106 COURTHOUSE SQUARE * GREENSBURG, PA. 15601
1-800-442-6926 OR 412-830-3567

NO. 1234

DATE

BADGE#

LOCATION:

TYPE WEAPON:

ANNEX MAIN LOBBY KNIFE
 ANNEX LOWER PARK MACE
 EXT. BUILDING

SCISSORS
 OTHER

COUNTY OF WESTMORELAND WILL NOT BE RESPONSIBLE*
FOR ANY ITEMS LEFT OVER 30 DAYS.

THE WEAPONS TAG/RECEIPT FORM IS A TWO PAGE FORM. FIRST PAGE WHITE, THE SECOND PAGE YELLOW. WHEN AN ITEM IS CONFISCATED, THE OFFICER WILL MARK THE PROPER BLOCKS, THEN GIVE YELLOW COPY TO THE OWNER OF THE CONFISCATED WEAPON. THE WHITE COPY ALONG WITH THE CONFISCATED ITEM WILL BE PLACED IN A PLASTIC CONTAINER AND THEN PLACED IN THE PROPER SECURITY HOLDING BOX. NO CONFISCATED ITEM WILL BE RELEASED WITHOUT A RECEIPT. THE YELLOW COPY OF WEAPONS RECEIPT WILL BE KEPT BY COUNTY PARK POLICE DEPARTMENT, TO VERIFY WEAPONS RETURNED. A YEARLY WEAPONS LOG WILL BE KEPT BY WESTMORELAND COUNTY PARK POLICE DEPARTMENT AND MONTHLY TOTALS WILL BE RECORDED.