The purpose of these regulations is to establish regulations and procedures for security in Harris County courthouses. The authority to promulgate and enforce such regulations and procedures is granted to the Harris County Commissioners' Court by the Constitution and laws of the State of Texas, particularly Chapter 291 of the Local Government Code.

DEFINITIONS

"County property" and "County building" as used herein, shall mean property and buildings owned by Harris County or occupied by Harris County agencies or employees in the regular performance of their official duties and in which are located one or more magnetometers and/or x-ray machines, installed thereat or at the direction of and with the approval of Harris County Commissioners Court.

"Personal search," as used herein, means a search of a person through the use of a hand-held metal detector being moved by hand near the person. If the presence of a metal object is detected thereby, a patdown search in the area of the person's body indicated by the hand-held metal detector will be conducted. A male shall conduct a patdown search of a male, and a female shall conduct a patdown search of a female.

"Prohibited weapon," as used herein, means a firearm; a knife having a blade greater than three inches in length; any explosive or incendiary device, whether real or hoax; or any thing designed, made or adapted for the purpose of inflicting bodily injury.

APPLICABILITY

These rules and regulations apply to all county property as defined above and to all persons entering in or on such property except those persons expressly exempted hereafter.

ADMISSION SEARCHES

Any person desiring to enter County property as defined above other than an employee of Harris County possessing a valid electronic identification card or a peace officer as that term is defined by Article 2.12 of the Texas Code of Criminal Procedure who is acting in the course and scope of his or her official duties as a peace officer or a guard employed by a penal institution as that term is defined by Section 1.07(25) of the Texas Penal Code shall pass through the designated entrance or entrances to the building and shall be required to pass through a magnetometer, i.e., a metal detector, if one is present. Any person who activates a magnetometer shall be free to leave the County building without further search or questioning. Any person who activates a magnetometer and still desires to enter a County building may remove metal objects from their pockets or on their body and pass through the magnetometer a second time. If the magnetometer is again activated, the person will not be allowed to enter the County building unless the person gives express consent to a personal search, a personal search is conducted, and all prohibited weapons are surrendered.

The Building Superintendent shall provide safe storage for items surrendered by persons entering the building when the continued possession of the items would be a bar to entry to the building under these regulations. Those items shall be returned to the person who surrendered them unless possession of the items is in itself illegal.

An exception to the requirement of the immediately preceding paragraph in this section may be made by a Harris County employee or official supervising the operation of the magnetometer in the exercise of his or her reasonable discretion for any person having a surgically implanted metal item in his or her body, a person wearing a prosthetic device or using a device designed to assist the person's mobility, including wheelchairs and motorized carts, which is difficult to remove or the removal of which deprives the person of the mobility needed to move through a magnetometer.

Employees of Harris County possessing a valid electronic identification card desiring to enter a County building may enter through the designated employees' entrance or entrances of the building and shall pass their personally unique electronic identification card through the electronic card reading mechanism and receive an acceptance therefrom before entering. The Building Superintendent shall issue a valid and unique electronic personal identification card to each Harris County employee who works in one or more county buildings having entrances keyed by entry by use of such electronic identification cards as soon as possible after the employee begins working for the county.

INSPECTION

All packages, briefcases, and other containers in the immediate possession of persons entering County property as defined above shall be subject to inspection. No person other than those persons exempted from passing through the magnetometer by the provisions of the immediately preceding paragraph shall be permitted to carry a package, briefcase or other container into a County building unless such package, briefcase, or other container has been inspected by authorized personnel to determine that it does not contain a prohibited weapon. Inspection of packages, briefcases, or other containers may be carried out by authorized personnel by visual inspection of the interior of such containers or by x-ray or other electronic survey of the contents thereof.

EXPLOSIVES

No person entering or while on County property shall carry or possess explosives, or items intended to be used to fabricate an explosive or incendiary device, either openly or concealed, except for official purposes.

WEAPONS PROHIBITED

No person shall carry or bring a prohibited weapon into a County building. The immediately preceding sentence shall not apply to judges, to peace officers as that term is defined by Article 2.12 of the Texas Code of Criminal Procedure, to guards employed by a penal institution as that term is defined by Section 1.07(25) of the Texas Penal Code, or to unloaded firearms and prohibited weapons which are to be introduced into evidence or used for demonstrative purposes in a trial or legal proceeding scheduled in the building into which it is brought.

NOTICE

One or more signs shall be posted at each designated public entrance to a County building in a location and of a size and design reasonably calculated to draw the attention of persons entering the building and identifying it as a designated public entrance. At all other entrances to a County building one or more signs shall be posted in a prominent place in a location and of a size and design reasonably calculated to draw the attention of persons attempting to enter the building through that entrance and notifying such persons that no public access is permitted at that entrance.

One or more signs shall be posted at each entrance to County buildings in a location and of a size and design reasonably calculated to draw the attention of persons entering the building and giving notice that:

1. No weapons or explosives may be brought into the building;
2. All persons entering the building are subject to search for weapons or explosives; and
3. All packages, briefcases, and other containers are subject to search prior to entering the building.

SEVERABILITY

In the event any paragraph, sentence or word of these regulations and procedures shall be held invalid, such invalidity shall not affect the remaining paragraphs, sentences or words of these regulations and procedures.

[Revised January 15, 1993]