

**MARION COUNTY
ADMINISTRATIVE POLICIES AND PROCEDURES**

Sponsoring Department:
Sheriff's Office

SUBJECT: EXCLUSION OF PERSONS FROM COUNTY BUILDINGS AND PROPERTY

1.0 Purpose

To establish a policy and procedure for excluding disruptive persons from County buildings and property.

2.0 General Policy

A person who engages in certain disruptive conduct in County buildings or on County property shall be subject to immediate exclusion.

3.0 Policy Guidelines/Procedures

- a. A person shall be subject to immediate exclusion from County buildings or property if that person is observed to be engaged in any of the following types of conduct:
 - 1) Fighting, threatening behavior, disorderly conduct
 - 2) Interfering with court/county business
 - 3) Making unreasonably loud or disturbing noise
 - 4) Damaging County property or vandalism
 - 5) Abusive or offensive language
 - 6) Attempting to enter, entering or being in confidential, private or unauthorized area
 - 7) Introducing or attempting to introduce illegal drug paraphernalia or dangerous narcotics into a jail or juvenile facility
 - 8) Possessing a dangerous or deadly weapon in a public building (unless allowed by statute)
 - 9) By order of a judge
 - 10) Conduct that is disruptive to the functioning of government affairs
- b. For the purposes of this policy, the persons in charge of County buildings and property are the Marion County Sheriff and the Chief Administrative Officer or their designees. All designated "persons in charge" are delegated the discretion to exclude persons pursuant to this policy. Factors to be considered in determining the extent of

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the exclusion are: type of disruptive conduct, level of threat, past behavior, risk of violence or likelihood of repeated conduct. Marion County shall also honor the exclusion of persons from Courthouse Square in downtown Salem by the person in charge as designated by Salem Area Transit.

- c. A person who has received notice that he or she is excluded from County buildings or property and subsequently remains or returns to that building or property, may be arrested on criminal trespass charges pursuant to ORS 164.245.
- d. This policy applies to buildings and property owned or leased by the County but does not apply to the county's parks. Persons excluded from the Courthouse Square building in downtown Salem are not considered excluded from retail spaces, the transit center or transit mall at that location.
- e. Persons excluded pursuant to this policy may obtain necessary County services during the exclusion period by scheduling to meet with staff in the building at pre-arranged times. An excluded person may communicate by phone or mail in order to obtain services, or may use an agent to obtain services. When an excluded individual arrives for a pre-arranged meeting, the person must register with any security checkpoint, main building reception or departmental reception.
- f. Excluded persons may request reconsideration by delivering a written request and explanation within 10 days of the exclusion to the Sheriff's Office – Court Security Sergeant. The request must include a mailing address and contact phone number. Upon receiving a reconsideration request, the Undersheriff for the Enforcement Division and the Chief Administrative Officer (or their designees) shall review the exclusion for consistency with county policy. Review shall be completed within 30 days after request is delivered and the excluded person shall be informed of the determination. The exclusion order remains in effect unless changed or rescinded upon reconsideration.

Adopted: 3/10/04