



ADMINISTRATIVE PROCEDURES

SECTION: 500 – Health, Safety and Security		PROCEDURE #: 502 - A
TITLE: Exclusion from County Owned Property and from Contacting the County by Telephone		IMPLEMENTS POLICY #: 502
SPONSORING DEPARTMENT/DIV: County Administrative Office		
EFFECTIVE DATE: 06/26/2012	REVIEWED:	REVISED: 02/28/2017

OBJECTIVE: To establish procedures for excluding persons who engage in certain disruptive conduct from County owned property or making telephonic contact with the County.

PROCEDURES:

1. Delegation of Exclusion and Telephone Authority:

The following persons are designated by the County Administrator with the authority to order the exclusion of persons from County owned property and/or to forbid persons from calling County telephone numbers for purposes of ORS 166.090, Telephonic Harassment:

- 1.1. Assistant County Administrator; and
- 1.2. Sheriff, District Attorney, Justice of the Peace, Department Director, and Parks Superintendent.

2. Exclusion from County Owned Property and Telephonic Contact:

2.1. A person is subject to immediate exclusion from a County owned building or property or prohibited from telephonic contact if that person is observed to be engaged in any of the following types of conduct:

- 2.1.1. Disorderly;
- 2.1.2. Riotous or violent or threatening;
- 2.1.3. Unreasonably loud or disruptive;
- 2.1.4. Disorderly or riotous assemblies;
- 2.1.5. Disruption of lawful meetings, events or work;
- 2.1.6. Obstructs access to government services;
- 2.1.7. Abusive language or conduct;
- 2.1.8. Visible intoxication;
- 2.1.9. Violation of County policies intended to maintain a safe, orderly and efficient work environment in public buildings, including the Workplace Violence Prevention Policy and the Harassment-Free Workplace Policy; and

- 2.1.10. Conduct that is otherwise disruptive to the efficient functioning of government affairs.
 - 2.2. A person in violation may be excluded for a period of up to six (6) months. During the exclusion period, the person may enter a specific County property, with prior notice to the County, to conduct necessary official business during normal business hours. Conduct of necessary official business shall require having a prearranged and verifiable meeting with a public employee or official.
 - 2.3. All exclusion orders shall be in writing and shall state the basis for the order and appeal information. The notice shall be served personally or mailed to the person by certified mail if a mailing address is available.
 - 2.4. The exclusion notice will be recorded and kept on file by the issuing department during the term of the exclusion.
 - 2.5. The exclusion will remain in effect for the specified period unless it is modified or rescinded due to an appeal.
 - 2.6. If a person who receives a notice of exclusion remains or returns to excluded properties without complying with section 2.2, that person may be subject to arrest on criminal trespass charges.
3. Appeal:
- 3.1. Any exclusion from a County property and any prohibition against calling County telephones may be appealed by filing a notice of appeal within five days after being served with the notice of exclusion or notice forbidding telephone contact. If a person accepts certified mailing, the date of acceptance of the mailing shall be the date of service for calculation of this appeal period. The notice of appeal shall be mailed to the Office of County Counsel, and will be considered timely only if postmarked or received within the five day period.
 - 3.2. The Office of County Counsel will arrange for a hearing on the issue in front of an impartial hearings officer within five days of receiving the request. The hearings officer may be a County employee so long as the employee has no personal involvement in the decision to exclude or prohibit telephoning. The review shall be informal.
 - 3.3. The Hearings Officer shall consider any evidence and argument that the hearings officer considers relevant to whether the exclusion or prohibition is consistent with this policy, ORS 166.090 or any other applicable law. This may include affidavits or declarations from involved persons.
 - 3.4. The decision of the hearings officer shall be issued within five days of the hearing and shall be final.