

# OGDEN POLICE DEPARTMENT

## POLICY 51: Francom Public Safety Center Access and Control

Subject	Effective Date
Francom Public Safety Center Access and Control	July 23, 2025
Department	Replaces Policy Dated
Police	July 7, 2025
Division	Review Date
Department Personnel	July 2028

NOTE: This rule or regulation is for internal use only and does not enlarge an officer's civil or criminal liability. It should not be construed as creating a higher standard of safety or care concerning third-party claims. Violations, if proven, form the basis of an internal administrative complaint only.

### I. PURPOSE

To establish guidelines and procedures for the use, care, and security of the Francom Public Safety Center in compliance with all applicable legal standards.

### II. POLICY

The Ogden Police Department will ensure the security and proper use of department-owned and operated facilities, clearly define access permissions, and maintain safety and operational integrity within these areas.

### III. LEGAL CONSIDERATIONS

The Francom Public Safety Center is a nonpublic forum. Any restriction on access to a nonpublic forum must be viewpoint neutral and reasonable "in light of the purpose served by the forum". See *Cornelius v. NAACP Legal Defense and Educational Fund, Inc.* 473 U.S. 788806, (1985).

The access and conduct restrictions outlined in this policy were designed to align with the constitutional limits governing nonpublic forums and are viewpoint neutral, reasonable, and narrowly tailored to facilitate our legitimate governmental interest in performing essential public safety functions, safeguarding security and privacy, and maintaining an environment conducive to the facilitation of offered services.

### IV. DEFINITIONS

**Assembly:** For purposes of this policy, assembly is defined as the gathering of individuals for the purpose of conducting demonstrations, protests, rallies, or similar group activities.

**Authorized Personnel:** Individuals who require and have been granted unrestricted, unescorted access to all secure areas at the Francom Public Safety Center, to include, but not limited to, sworn law enforcement officers, civilian staff, contracted service staff, and volunteers.

**Identification and Access Card:** Credential issued after successful background clearance, permitting unescorted access to restricted-access areas at the Francom Public Safety Center.

**Designated-Access Area:** Areas within the Francom Public Safety Center (such as the services lobby) accessible to the public for limited and specific purposes during operating hours. Access to these areas is subject to time, place, and manner restrictions as defined by building schedule and by policy, and may be limited or revoked by when necessary to protect and ensure privacy, security, and/or operational efficiency.

**Legitimate Business:** A specific and verifiable purpose for entering or remaining in designated-access areas of the Francom Public Safety Center, which includes, but is not limited to: reporting a crime, requesting police assistance, seeking victim or witness support services, filing or obtaining a police report, attending a scheduled appointment with department personnel, or accessing other authorized services offered in the facility.

**Disrupting:** For purposes of this policy, disrupting is defined as the act of remaining on or in the property of the Francom Public Safety Center without a clearly defined or legitimate purpose, when such presence disrupts normal operations, impedes public access, or disrupts the safety or efficiency of government operations.

**Nonpublic Forum:** Government-owned property that is not traditionally open to public expression or assembly and has not been intentionally designated for such use. Subject to reasonable and viewpoint-neutral restrictions on speech, conduct, and access consistent with intended use and operational purpose.

**Police Department Supervisor:** Sworn Ogden Police Department officer holding the rank of sergeant or higher.

**Restricted-Access Area:** Any physical space within or immediately surrounding the Francom Public Safety Center that is not open to the public and to which access is limited to authorized personnel only. These areas are often identified by the presence of, among other things, physical barriers, signage, electronic access controls, or verbal/administrative directives.

**Visitor Pass:** Temporary identification issued to individuals who are not authorized personnel, but who have been granted temporary, conditional, and unescorted access to restricted-access areas at the Francom Public Safety Center.

## **V. PROCEDURE**

### **A. Restricted-Access Areas**

1. Restricted-access areas within the Francom Public Safety Center shall be clearly identified by physical barriers, signage, and/or electronic access control systems to distinguish them from open or designated-access areas.
2. Restricted-access areas at the Francom Public Safety Center include, but are not limited to:
  - (a) personnel offices;
  - (b) records management and data systems rooms;
  - (c) evidence and property storage rooms;
  - (d) interview and interrogation rooms;
  - (e) armory or weapons storage areas;
  - (f) conference or meeting rooms;
  - (g) physical fitness facilities and locker rooms;
  - (h) secure employee parking lot (including access driveways); and
  - (i) all internal hallways or other passages connecting restricted-access areas.
3. Entry into restricted-access areas is limited to authorized personnel who possess the requisite access credentials and a legitimate need to enter or remain. The requirements for permitting conditional visitor entry into restricted-access areas are enumerated in Subsection C, *Visitors, Pass & Escort Requirements*.
4. All restricted-access area entry points must remain secured at all times. Department personnel shall ensure doors, gates, or other entry mechanisms are not propped open, bypassed, or otherwise compromised.
5. Department personnel who discover access point vulnerabilities must immediately notify a supervisor. Department supervisors are responsible for ensuring compliance with access control measures and shall promptly report any security deficiencies, unauthorized entries, or suspicious activity.
6. Civilian personnel should never attempt to confront, detain, arrest, or forcibly remove unauthorized individuals in a restricted-access area. Civilian personnel who encounter unauthorized personnel in restricted areas should immediately notify a supervisor.
7. An individual's unauthorized presence in or refusal to leave a restricted-access area may constitute reasonable cause for detention, arrest, and/or removal in accordance with municipal, state, and/or federal law necessary to maintain the area's safety and intended use. Intervention efforts will only be carried out by sworn department personnel.

**B. Designated-Access Areas**

1. Designated-access areas at the Francom Public Safety Center are open to the public for the limited purpose of conducting legitimate business during normal operating hours.
2. Designated-access areas at the Francom Public Safety Center include, but are not limited to:
  - (a) public services lobby;
  - (b) Records reception counter;
  - (c) sex offender registration counter;
  - (d) animal licensing counter;
  - (e) the property and evidence release window; and
  - (f) the public parking lot.
3. Use of these areas is subject to time, place, and manner restrictions as outlined in this and other policies.
4. An individual's assertion that they are conducting—or intend to conduct—legitimate business does not, by itself, sufficiently demonstrate a genuine need/basis for remaining in a designated-access area. Department personnel may require additional information or context to reasonably verify the legitimacy of the claimed purpose.
5. Individuals in designated-access areas must conduct themselves in a manner that does not disrupt government operations, threaten public or individual safety, or unreasonably jeopardize the privacy of others.
6. Disruptive, threatening, confrontational, or otherwise harassing behavior in a secure or designated-access area is prohibited and will serve as grounds for removal.
7. Assembly in or disrupting a designated-access area is prohibited and will serve as grounds for removal.
8. A police department supervisor may, at any time, limit, revoke, restrict, or close access to designated-access areas if determined reasonably necessary to maintain the security, safety, and operational efficiency of the Francom Public Safety Center. This authority is granted regardless of posted signage, previous access permissions, or an individual's verified need to conduct legitimate business.
9. If a supervisor limits, revokes, or restricts, or closes access to a designated-access area at the Francom Public Safety Center, the supervisor must also:

- (a) whenever possible, clearly articulate the parameters and duration of the access restrictions; and
- (b) ensure the individuals upon whom the restrictions are placed are provided reasonable alternatives for conducting legitimate business.

10. An individual who refuses to leave a designated-access area upon lawful order by a police officer, may be in violation of municipal, state, or federal law and subject to detention, arrest, and/or removal to maintain the area's safety and intended use.

#### **C. Visitor Requirements, Restricted-Access Areas**

The operational needs of a police department occasionally require individuals to be granted temporary, conditional, and unescorted entry into restricted-access areas.

1. Visitors who have been granted temporary, unescorted access to secure areas at the Francom Public Safety Center must obtain and maintain possession of a visitor pass. Visitor passes will only be issued with the approval and at the request of authorized personnel.
2. Visitor passes are distributed at the Records reception counter in the public services lobby.
3. Individuals requesting a visitor pass will be required to identify themselves by presenting a valid government identification.
4. The issuance of a visitor pass will be documented (by the issuing employee) in a visitor log. Log entries will include, at a minimum, the individual's name, reason for visit, and the name of the visitor's assigned escort.
5. The visitor pass must be worn so that it is clearly visible at all times while in restricted-access areas.
6. Visitors are required to surrender their pass upon their departure from the Francom Public Safety Center.

#### **D. Care of Facilities**

1. All employees are responsible for maintaining cleanliness, order, and care of assigned and common areas, including desks, lockers, mailboxes, and equipment storage.
2. Employees shall promptly report to their supervisor—or any supervisor in the event their supervisor is unavailable—any incidents involving facility damage, unsafe conditions, hazards, equipment malfunctions, or other concerns that may impact the safety, security, or operational integrity of the police department or its facilities.

3. Supervisors shall promptly assess any reported damage, hazard, malfunction, or safety/security concern. If the issue cannot be resolved immediately, the supervisor shall initiate appropriate corrective action, which may include, but is not limited to: securing the affected area, notifying their chain of command (when necessary and appropriate), contacting the city's Facilities department, and documenting the issue along with the steps taken to address it.

**E. Identification and Access Cards**

1. Identification and access cards will only be issued to those individuals who have been subject to a criminal history background review.
2. Individuals will be disqualified from obtaining an identification and access card if:
  - (a) they are on probation or parole for a criminal offense;
  - (b) their criminal record contains any felony conviction;
  - (c) their criminal record contains any misdemeanor conviction in the last 4 years;
  - (d) they have a pending criminal charge;
  - (e) they have been convicted of a drug-related crime in the past 5 years; or
  - (f) they have been convicted of any crime committed against the government or government employees.
3. If an individual is disqualified from obtaining an identification and access card for any of the reasons listed in subsection (2), they may request consideration for a waiver from the Chief of Police. All decisions relating to disqualification waivers rest solely with the Chief of Police. Waiver requests will be communicated to the Chief of Police through the Records Bureau supervisor.
4. Prior to the issuance of an identification and access card, the applicant must voluntarily submit to fingerprinting and sign a Utah Criminal Justice Information System (UCJIS) User Agreement. Refusal to do so will result in disqualification.
5. Individuals issued an identification and access card shall be designated as authorized personnel and are permitted unescorted entry into restricted-access areas of the Francom Public Safety Center. Such access shall be strictly limited to locations and timeframes directly related to the performance of their official duties or contracted responsibilities. Unauthorized use or access beyond the scope of assigned functions is strictly prohibited and may result in revocation of access privileges.
6. The Ogden Police Department reserves the right to suspend or revoke an individual's identification and access card at any time. Grounds for revocation include, but are not limited to:

- (a) termination of employment or contract;
- (b) a change in employment status, role, or assigned duties that no longer require access to restricted-access areas;
- (c) violation of department policies or procedures related to facility access or security;
- (d) unauthorized use or attempted misuse of card or access privileges;
- (e) any new criminal charge or conviction that would disqualify the individual under subsection (2);
- (f) failure to maintain good standing with contractual or employment obligations; or
- (g) security concerns raised by the initiation of an internal affairs investigation, supervisory personnel, or external law enforcement agencies.

7. Revocation decisions shall be made by the Chief of Police or a designee and may be issued with or without prior notice, depending on the nature and urgency of the concern. All revoked cards must be surrendered to the department immediately upon notification.

**F. Weapons**

1. Weapons are prohibited in the Francom Public Safety Center except as outlined elsewhere in the Ogden Police Department Policy Manual.

**VI. SHARED FACILITY CONSIDERATIONS**

The Francom Public Safety Center is a multi-agency facility jointly occupied by the Ogden Police Department, the Ogden Fire Department, and Weber Area 911 Dispatch. While the Ogden Police Department maintains responsibility for implementing and enforcing its own security protocols under this policy, it does not possess exclusive authority over access control policies established by other tenant agencies.

Accordingly, the department recognizes that individuals granted by the fire department or dispatch may enter restricted access areas under conditions not governed by this policy. In such cases, the Ogden Police Department will act in good faith to coordinate with tenant agencies and uphold the overall security and integrity of the facility. Department employees shall remain vigilant in monitoring secure areas and are expected to report any behavior or activity that appears unauthorized or inconsistent with established access standards, regardless of agency affiliation.

Nothing in this section shall be construed as a waiver of the department's authority to enforce its own access control procedures or to take appropriate action when departmental security protocols are threatened or compromised.

## **VII. ACCOUNTABILITY**

Any Ogden Police Department employee found to have knowingly, intentionally, or negligently acted in violation of this policy will be subject to remedial and/or disciplinary action, up to and including termination, in accordance with the processes outlined in Ogden Police Department Policy 01A: Remedial and Disciplinary Procedure.

## **VIII. FINAL AUTHORITY**

The Chief of Police retains final operational and decision-making authority in matters related to this and all other departmental policies. Decisions or actions enacted by the Chief are final, subject to all applicable legal and regulatory constraints.