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Court rooms, law enforcement center will be at discretion of judges, sheriff

By ROBERT PIERCE

• Leader & Times

Monday, Seward County commissioners approved a resolution that would allow the carrying of concealed weapons in all county buildings with a couple of exceptions.

Prior to the discussion, Kansas Representative Reid Petty and USD No. 480 Board member Tammy Sutherland-Abbott spoke to the commission about what they would like to see done.

“I would also like to encourage you to take down all the signs and not spend an extra \$100,000 of taxpayer money, which in my opinion would go against the Second Amendment as well,” Petty said.

The \$100,000 the legislator referred to is money the county had budgeted to put in place adequate security measures for the Seward County Courthouse.

Sutherland-Abbott agreed with Petty, saying the county needs to be careful with taxpayer dollars.



"I, too, encourage you to always be steadfast with your protection of our citizens, but also be quite resolved in how you spend our community's money," she said. "Every entity in Liberal raised taxes, and I'm concerned that number one, being a strong Second Amendment supporter, having a concealed carry license and member of the NRA, that our citizens will be concerned about their Second Amendment rights, but also the amount of money that we're spending on this."

County administrator April Warden said there is currently no security in the courthouse itself.

"There were some issues brought forward for the safety of the employees and the judges and the district court employees that work up front," she said. "There's absolutely no barriers between them and the public. We don't have metal detectors. We don't have security guards."

Warden said it was at the commission's discretion as to whether they would like to allow concealed carry in all buildings.

"We do have a security plan that we have put in place that we can move forward with that we can send to the attorney general's office to ask for an exemption for the courthouse," she said. "The law enforcement center is covered under the law for concealed carry."

Warden said attorneys and some other people have access to judges' quarters in the courthouse, and she called this an obvious safety hazard.

“We’ve been very fortunate that there hasn’t been something happen,” she said. “A lot of it is the number of entrances and exits that we have. Some of it’s because we have all of the juveniles and adult corrections in the building now.”

Warden said the proposed money from the county budget would allow measures to be put in place that are not currently in the courthouse.

“We don’t have the panic buttons and stuff should they have things that happen,” she said. “It would be installing panic buttons and things like that.”

County counsel Dan Diepenbrock said a clause in the resolution would give the commission the ultimate authority in deciding where to allow concealed carry.

“I think it’s sufficient to have in the resolution a provision that just says nothing shall prohibit the board from restricting conceal carry of employees by personnel policy,” he said. “You can expand it to vehicles as well. That should be in the personnel policy.”

Diepenbrock said the county was trading on new territory, but he said state statute clearly defines adequate security measures.

“We would be required to comply with the definition which may be open to interpretation,” he said. “It says ‘Adequate security measures means the use of electronic equipment and personnel at public entrances to detect and restrict the carrying of any weapons into a state or municipal building, including but not limited to metal detectors, or other equipment.’”

Diepenbrock said he believes what is adequate for a particular building in a community is subjective.

“That’s up to this board ultimately to decide what that is, but it does need to comply with the statute,” he said. “I think it has to have some level of personnel and electronic detection.”

Diepenbrock said if concealed carry were allowed in all county buildings, by statute, district judges would still have the authority to limit weapons in courtrooms, and the resolution the commission passed has a clause to that effect.

“It says, ‘Nothing in this section shall limit the chief judge of the district to prohibit the carrying of concealed hand guns by any person into courtrooms within the district provided that other means of security are employed such as armed law enforcement or armed security officers,’” he said. “The judge can still prohibit it, but there will have to be armed security guards.”

Warden said many counties throughout the state have asked the Kansas Attorney General for a four-year-extension from the state law passed this year which allows for concealed carry in all buildings simply because of financial issues.

“Right now, it’s not affordable for people to be able to put in what they are defining as adequate security,” she said. “They don’t have the money to properly secure those places, so they’re allowing concealed carry.”

Diepenbrock said a decision regarding concealed carry was of the utmost urgency Monday because it is the last regular scheduled meeting for the commission for 2013.

“Because of the Dec. 31 deadline and to attempt to avoid a special meeting, I would suggest that we attempt tonight to adopt a resolution on this issue,” he said.

Diepenbrock said the resolution passed by the commission would allow concealed carry in all county buildings with an exemption for the authority of the sheriff and the district judge.

The commission voted unanimously to pass the resolution as read by Diepenbrock.

County opens all buildings to concealed carry, with 2 exceptions

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