

ADDRESS TO THE WOODBURY COUNTY SUPERVISORS.

BRENT NELSON
2900 ISABELLA ST
STOKES CITY, IN
51103

Citizen
concerns
2-13-18

BOARD MEMBERS

I would like to take a few minutes to address the Board regarding my concerns about the screening process at the north Courthouse door and perhaps offer a way to somewhat address the issue in a manner acceptable to all. If acceptable, I would like to list my concerns ^{first} and then suggest some solutions.

I am sure you are aware of the correspondence that has gone on between Sheriff Drew and myself about this issue; I believe that you were all CC'd on those e-mails.

Please accept a letter from my attorney and a number of e-mail printouts that may help explain this issue.

Before I start; Please note the February 1 letter from my attorney indicating that I am acting in a private manner as a private person and not as a City employee or City official. My statements regarding this issue are mine. They do not reflect City Council policy nor do they promote any City agenda. The City Manager has nothing to do with this issue nor with my objections to billfold searches at the north door. Any concerns regarding my comments about the billfold searches should be aimed solely at me; they are mine.

First, as I have said numerous times, I will be the last person to object to running my phone, tablet, keys, scanner etc. and myself with my billfold in my back pocket through the "walk through" metal detector. However, I strenuously object to taking my billfold out, placing it in the "dish", and running it through the x-ray machine so that deputies can see what is inside and potentially allowing them to rummage through it and inspect items inside it. What is inside my billfold is private and as Americans, we should have the right to privacy in matters such as this. If something in my billfold sets off the alarm, all bets are off and I will gladly open my billfold for full inspection. There is nothing in my billfold that could even potentially be used as a weapon and nothing metallic either.

I honestly and truly believe that the billfold searches are unjust. They are simply wrong; they are both unwarranted and unreasonable. Law enforcement officials have no cause to assume that I am carrying a weapon in my billfold and no one – at least in the United States - has the right to perform arbitrary searches under the guise of securing an administrative, non-judicial, portion of a public building. No law enforcement official has the right to violate my privacy by rummaging through my billfold.

Sheriff Drew likes to point out that, no one searches through wallets. I beg to differ. I have had my billfold searched. Sheriff Drew also likes to point out that, "Anyone that enters the Court House goes through the metal detector and scanner. Everyone is asked to empty out their pockets and place all items in the bowls. This includes billfolds." Please note the letter from my Attorney, apparently that statement is not true either; not everyone has to place their billfold in the dish and have it x-rayed.

Second, on January 25, while this issue was playing out I received the attached e-mail from Sheriff Drew: "After reviewing the enclosed video, your implication that we rummaged through your billfold is troubling to me, and so is your attitude. As public sector workers, I would expect that there would be a mutual understanding and respectfulness, and, I'm sure your supervisors do as well. After reviewing the video and your tone in your email, you're not allowed in the courthouse until I hear from your

Also - please review his letter - he has a much better grasp of the English language than I do.

supervisor. Your supervisor was cc'd on the email because you are a representative of the City of Sioux City and not acting as a private citizen."

I didn't realize I could be banned from the Courthouse for a bad attitude. Further, though I am obviously here, I still have not received notice from the Sheriff that I am allowed back in the Courthouse.

Now - Such bannishment involves more than just a petty spitting match between the Sheriff and myself. If the Sheriff can ban me from the courthouse (for something other than threatened or actual criminal behavior), he can ban anyone - and for all I know maybe has. The Woodbury County Board, like all Boards, Councils, Commissions etc. in the State of Iowa operates under the Iowa Open meetings law which (21.4.1b notes) "Each meeting shall be held at a place reasonably accessible to the public..." If someone can be banned from the building where a public meeting is being held - thus making it very inaccessible to at least that member of the public, can the Board be absolutely sure it is holding an open meeting and thus complying with the "Open Meetings Law". In no way at all am I suggesting that the Board is doing anything wrong; to the best of my knowledge, you are trying to do everything right. Never-the-less, people who may wish or need to attend Board meetings may be banned from doing so through no action of the Board, and the Board probably won't even know those people are banned.

As I understand it, Iowa Code tasks the County Attorney's Office with ensuring that the Board follows the Open Meetings Law, I would assume the County Attorney's Office would ensure that the Board is able to follow the Open Meetings Law as well.

The same issues would apply to the administrative, non-judicial, offices in the Courthouse, people that have done nothing wrong should be able to access the Recorder's Office, Auditor's Office, Assessor's Office and other administrative offices as well as Board meetings themselves, and access them without being subject to unreasonable searches.

It seems to me that the best way to address these issues would be as follows:

1-As I understand it, the Courthouse Security Committee will hold a meeting to review Courthouse security measures in the near future. The members of the Board assigned to that Committee (I am not sure who they are) should attempt to urge an end to the practice of running billfolds through the x-ray machine. Going through the "walk through" metal detector should be enough, and that was the protocol until relatively recently.

2-Consider moving some Board meetings out of the Courthouse to other locations in Sioux City (similar to the Board's practice of holding meetings in some of the County's smaller towns). In this way, citizen can attend Board meetings without the billfold searches.

3-Consider moving some of the administrative functions out of the Courthouse so patrons will not have to go through the billfold searches as a condition to doing administrative business at the Courthouse.

4-Finally with regard to banning people from the Courthouse. Iowa Code 331.502 gives general custody of Courthouses to the County Auditor. The Board should consider censuring the Sheriff under Iowa Code Section 331.301. Please refer to my attorney's letter on that issue.

I do not expect the Board to move meetings or administrative functions out of the Courthouse anytime soon. I know that your budget is tight. But that is not the point. If the Board is to move administrative functions as well as Board meeting to areas not subject to unwarranted searches you must start with

Mr. Widman
if you could consider
what I am about
to say, it might
be good. No need
to respond unless
you want to.

Setting
aside the deject
stupidity of
banning some
one for a bad
attitude...

also

& if banning someone from the courthouse
does not deserve a censure, nothing does.

consideration of that action and go from there. Just like anyone that wants a large oak tree must start with a tiny acorn and let the process move from there.

I would ask that you take action on the issues with the Security Committee and the censure issue as soon as you feel appropriate.

As for the rest,

~~Finally~~, I am only asking for your consideration. All of these items have many issues associated with them. I am familiar with one. You are familiar with all. So if you consider these issues and then do what you believe is appropriate – no one could ask for more.

Thank you