

# HARRIS COUNTY FREQUENT COURTHOUSE VISITORS PROGRAM POLICIES AND PROCEDURES

## **I. Purpose**

To create a uniform, secure medium for the identification and monitoring of individuals designated as Frequent Courthouse Visitors (FCV). To screen candidates for the FCV program for fitness to bypass the metal detectors and X-Ray machines to enter secure areas of Harris County Courthouse facilities. To insure compliance of the FCV Program's Policies and Procedures by FCV participants.

## **II. FCV Oversight Committee**

To administer the FCV Program, the Commissioners Court formed and authorized the FCV Oversight Committee on December 17, 1996. The purpose of the FCV Oversight Committee is to set FCV policy and insure ongoing compliance of the program.

The Executive Director of Central Technology Services will administer the FCV Program. The Executive Director may designate a representative to chair the FCV Oversight Committee and direct the FCV Program.

The FCV Oversight Committee consists of representatives from six Harris County Departments. Each Department listed below shall designate a representative to serve on the Committee:

District Court Judges  
County Court Judges  
Sheriff's Office  
Central Technology Services (Committee Chair)  
District Attorney's Office  
Constable Precinct 1

The FCV Oversight Committee will meet as needed to review the FCV Program and monitor the operation and policies of the program. The FCV Committee Chair, in conjunction with FCV Oversight Committee, Harris County Customer Service and Harris County Constable, Precinct 1 will review all applications and approve or deny applications based on the criteria set forth in the FCV Policy.

## **III. Qualification of Applicants**

An individual must meet the following requirements to apply for FCV Access or renewal of FCV Access:

- Applicants must demonstrate a level of frequency of entry into the Harris County Courthouse facilities to merit FCV access.
- Applicants must indicate a need that is of significant benefit to Harris County to warrant bypassing the metal detectors and x-ray machines.
- Applicants must pass a law enforcement background check completed by a Harris County Law Enforcement agency. (see Appendix C)
- Applicants must provide accurate, truthful information for the online FCV application.
- Applicants must submit valid FCV approved personal identification. (see Appendix B)

#### **IV. Disqualifying Offenses and Conducts**

The offenses and conduct listed below **disqualify** an applicant or participant from the FCV Program. Disqualifying offenses include felony and misdemeanor (above Class C) crimes listed below or their equivalents from any jurisdiction that results in a conviction, probation, deferred adjudication or confinement including attempts to commit said crimes, conspiracies to commit said crimes or soliciting the commission of said crimes.

- Any felony offense, any homicide, any assault, any weapon offense, any sexual offense, any offense that requires sex offender registration, and failure to register as sex offender
- Any crime involving obstruction or retaliation, any crime involving assault of a public servant, any offense involving harassment of a public servant, any offense involving interference with a public servant
- Any offense involving violation of a protective order or any offense involving violation of a court order
- Any theft or fraud offense involving a government document or a court document
- Any offense involving bribery, improper influence, tampering with a witness or gift to a public servant
- Any offense involving perjury or making a false report
- Any offense where the victim is a family or household member, child, an elderly person or a mentally or physically disabled person
- Any offense or conduct that involves a threat or injury to a Harris County public official or Harris County employee
- Any offense or conduct that involves damage, destruction or threat to the security of Harris County property or a Harris County facility
- Any offense or conduct that results in the issuance of a civil or criminal restraining order, protective order or no contact order
- Any conduct that results in a finding of contempt of court
- Any offense or conduct that involves a threat or injury to a witness, litigant, lawyer, judge, juror or court personnel
- Any offense or conduct that the FCV Oversight Committee deems a direct or indirect threat to the security of a Harris County courthouse or facility
- Any open warrant for any level of offense including Class C misdemeanors

#### **V. How to Apply for the FCV Program**

FCV applicants are required to complete the following steps during the online process:

- Submit valid FCV approved personal identification (see Appendix B)
- Sign Constable Precinct 1 Background Check Acknowledgement
- Submit to a Law Enforcement Background check (see Appendix C)
- Accurately complete the online FCV Program application
- Sign FCV Program Affidavit
- Pay the nonrefundable \$75 FCV Program Application fee

## **VI. How to Renew Your FCV Program Participation**

FCV Participation is valid for one year. FCV participants will receive notice to renew their FCV participation 90 days before expiration. Beginning July 1, 2019, the birthday of FCV participants will be the expiration date for annual FCV participation. The following steps are required during the online renewal process.

- Submit valid FCV approved personal identification (see Appendix B)
- Review and update application information
- Sign Constable Precinct 1 Background Check Acknowledgement
- Submit to a Law Enforcement Background check ( see Appendix C)
- Accurately complete the online FCV Program renewal application
- Sign FCV Program Affidavit
- Pay the nonrefundable \$75 FCV Program Annual Fee

## **VII. Approval of Application or Renewal for FCV Program Participation**

The FCV Program will notify new applicants and renewal applicants via email of **approval** to participate in the program. Approved applicants must go to Harris County Customer Service; 1310 Prairie St; Suite 140; Houston, TX 77002 where staff will take a digital photo of all applicants. New applicants will receive their FCV Card. Renewal applicants will continue to use their FCV Card.

Whenever the FCV program adopts **new technology** to identify FCV Program participants to permit bypass of the metal detectors and X-Ray machines to enter secure areas of Harris County Courthouses Facilities, FCV new applicants and renewal applicants are required to enroll in the new FCV technology program. **Failure to enroll in any new FCV technology program will result in revocation of FCV privileges.**

## **VIII. Denial of an FCV Program Participation - Appeal**

- The FCV Program will notify new applicants and renewal applicants via email of **denial** to participate in the program. The notice will state the reason for the denial.
- Denied applicants may appeal the decision with Harris County CTS Customer Service via email address [fcvappeals@cts.hctx.net](mailto:fcvappeals@cts.hctx.net). The appeal must include the necessary documentation indicating special circumstances not previously stated in their denied application that would warrant reconsideration.
- The FCV Appeal Committee will review the requests for appeal and render a decision to the applicant within 60 days. Representatives to the FCV appeal committee shall consist of the individual members of the FCV Oversight Committee or their designees. Designees will have the same authority to vote on appeals as the member of the FCV Oversight Committee member who designates them to participate on the FCV Appeal Committee. The granting or denial of appeals requires a majority vote of FCV Appeal Committee members or their designees. Applicants will receive the decision via email. Appeal decisions are final.
- Denied applicants may reapply for FCV Program participation one year after denial of appeal.

### **IX. Display and Presentation of the FCV Card**

FCV participants are required to carry their FCV card at all times while in Harris County Courthouse facilities. FCV Program participants shall present and clearly display their FCV Card upon request by Harris County Courthouse security personnel and peace officers. Failure to display your FCV Card upon request will result in denial of access to the building through the FCV portal and/or removal from secure part of the Harris County Courthouse facilities and/or revocation of FCV privileges.

### **X. Use of FCV Card**

FCV participants shall not allow another individual to use their FCV Card. **To do so may result in revocation of FCV privileges for at least one year.**

### **XI. Lost or Stolen FCV Card**

If a participant's FCV card is lost or stolen, follow the listed procedure to obtain a new card:

- Immediately report to Harris County Customer Service that their FCV Card has been lost or stolen.
- Sign an affidavit that their FCV Card has been lost or stolen at Harris County Customer Service.
- Pay the non-refundable FCV Card replacement fee of \$50.

### **XII. Weapons Policy**

FCV participants are **prohibited** from carrying or possessing any firearm, knife, explosive device, electronic conducting weapon (commonly known as a taser or stun gun) or any other weapon in Harris County Courthouse facilities. **Violation of this rule will result in permanent revocation of FCV privileges.**

### **XIII. Policy Regarding an FCV Participant and Civil Litigation and Criminal Charges and Convictions.**

For purposes of this policy and the FCV Program, Civil Litigation includes any non-criminal litigation including but not limited to civil, family, and probate matters regardless of jurisdiction where the FCV Applicant or FCV Participant is a party. For purposes of this policy and the FCV Program, Criminal Charges and Convictions include any pending criminal charge or criminal conviction for a criminal offense (above a Class C misdemeanor) regardless of jurisdiction where the FCV Applicant or FCV Participant is a defendant.

FCV applicants are required to reveal during the FCV Application process whether they are a party to a pending Civil Litigation and/or a defendant in a pending Criminal Charge or have Criminal Conviction. **Failure to report oneself as a party to pending Civil Litigation or a defendant with pending Criminal Charges or prior Criminal Convictions during the FCV Application process will result in denial of FCV privileges.**

FCV participants who become a party to Civil Litigation, or who become a defendant in a new Criminal Charge or who are Convicted of a criminal offense are required to immediately notify Harris County Customer Service, [fcv@cts.hctx.net](mailto:fcv@cts.hctx.net). **Failure to report becoming a party to Civil Litigation or new Criminal Charges or Convictions will result in revocation of FCV privileges.**

The FCV Committee chair may deny, continue, suspend or revoke FCV Access depending on the nature and circumstances of Civil Litigation, Criminal Charge or Criminal Conviction.

#### **XIV. MISCELLANEOUS**

**THE FCV PROGRAM WILL UPDATE THE LAW ENFORCEMENT BACKGROUND CHECK PERIODICALLY SO LONG AS A PERSON IS AN FCV PARTICIPANT.**

**COMPLETION OF THE ONLINE APPLICATION DOES NOT GUARANTEE APPROVAL TO PARTICIPATE IN THE FREQUENT COURTHOUSE VISITORS PROGRAM.**

**THE FREQUENT COURTHOUSE VISITORS PROGRAM RESERVES THE RIGHT TO TERMINATE FCV PRIVILEGES AT ANY TIME.**

**SHOULD THERE BE ANY CHALLENGE BY AN FCV PARTICIPANT OR APPLICANT TO THE VALIDITY OF THE LAW ENFORCEMENT BACKGROUND CHECK, THE FCV PROGRAM AND HARRIS COUNTY CONSTABLE PRECINCT 1 RESERVE THE RIGHT TO REQUIRE THE FCV PARTICIPANT OR APPLICANT TO SUBMIT FINGERPRINTS BY A PROCEDURE APPROVED BY THE FCV PROGRAM AND HARRIS COUNTY CONSTABLE PRECINCT 1 TO RESOLVE THE CHALLENGE.**

**THIS DOCUMENT SUPERSEDES AND REPLACES ALL PREVIOUS VERSIONS OF FCV PROGRAM POLICY.**

#### **Appendix A – FCV Program Fee Waived**

The following class of applicants are not required to pay the annual FCV fee:

- Child Advocate Volunteer
- Commissioner’s Court Appointees to Boards and Committees
- Criminal Investigator assigned to Harris County District Attorney’s Office
- Current Municipal, County or Federal Elected Official
- Floating Court Reporters
- Former Judges and Associate Judges
- Harris Center Forensic Services Division employee
- Harris County Appraisal District Legal Services and Special Audit Depts.
- Harris County Dispute Resolution Center employee
- Harris County Protective Services employee
- Houston Forensic Science Center or Crime Lab testifying witness
- Intern for Harris County Judge, Elected Official or Agency Head
- Law Clerk for Harris County Courts
- Second Administrative Judicial Region IV-D Court staff
- Tax Court Master
- Texas Attorney General employee
- Texas Court System employee with office in Criminal Justice Center
- Texas Department of Family and Protective Services employee
- United States Attorney assigned to Harris County District Attorney’s Office
- Volunteer for Harris County Court Program

**[Download Intern/Volunteer/Law Clerk Authorization Form](#)**

#### **Appendix B – Approved Forms of Personal Identification**

- State issued valid driver's license with current home address and recognizable photo.
- State issued valid non-driver ID card with current home address and recognizable photo.

**Appendix C – Criminal History defined for purpose of the FCV Application-** All applicants are required to disclose criminal history during the application process. **Criminal history** includes any non-expunged arrest, charge or conviction in any jurisdiction regardless of the age of the case and regardless of the outcome of the case including, but not limited to, dismissals, deferred adjudication, probation, confinement and non-disclosed cases.

Revisions approved by FCV Oversight Committee 10/4/2018.

Harris County Commissioners Court approve revised FCV Policy 11/13/2018.

Revised FCV Policy will take effect 11/15/2018.