

Courtroom Security

10005.1 GENERAL DUTIES

Security within the Orange County Court System is the primary responsibility of the Orange County Sheriff's Department, Court Operations Division.

- (a) Bailiffs shall comprehend and develop expertise in performing their duties and responsibilities to ensure effective security and responses to particular security hazards, such as prisoner escape, bomb threats, courtroom disruption, or tactical situations.
- (b) Although each court's emergency equipment and procedures may vary, bailiffs have the primary responsibility for working with their courtroom staff and instructing them on how to respond to various emergencies, including how to activate the court's emergency system and how to request assistance.
- (c) [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
- (d) If an inmate appears to have medical problems (e.g., heart attack, stroke, seizure, etc.) Bailiffs should:
 - 1. Ask the judge for a recess.
 - 2. Notify the bailiffs in adjacent courts and a supervisor.
 - 3. Direct court staff to call paramedics (in all, except very minor, medical occurrences).
 - 4. If possible, have all other inmates returned to detention.
 - 5. Maintain security of the other inmates inside the custody cage until Deputy assistance arrives and assist the victim if possible. (Bailiffs should always remove and secure their weapons prior to entering the custody cage.)
 - 6. If the inmate is to be transported to the hospital a Deputy will go with the inmate inside the ambulance.

NOTE: Bailiffs shall write casualty reports for all medical emergencies occurring within their courtrooms. The report will be submitted to their supervisor by the end of their shift unless directed otherwise by the supervisor.

10005.2 DAILY SECURITY ROUTINE

- (a) When en route to an assigned area or courtroom, bailiffs should be alert and observant for anything that is unusual or out of place.

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1. Report anything of concern to your supervisor (e.g., an unlocked door that should be locked, a suspicious package).
- (b) Allow sufficient time to conduct a thorough and complete courtroom search.
- (c) Test all emergency equipment, alarm systems, and communication devices.
 1. See the Court Security Plan for your facility for a detailed description and operating procedures of the alarm system.
- (d) Check adjacent holding areas/cells, test doors, lights, plumbing, etc...
- (e) Communicate with the courtroom staff about any situations that may be different or unusual.
- (f) Communicate with the judge regarding anything special that may be happening (e.g., dignitaries expected, ad-cases, attorney problems).

For information on security inspections for individual Justice Centers refer to CCOM Section 15003.1 – Security Inspections.

For information on facility alarms for individual Justice Centers refer to CCOM Section 15003.3 – Facility Alarms.

10005.3 COURTROOM INSPECTION

- (a) Before court begins the bailiff shall check the courtroom, judge's chambers (with the judge's permission), adjacent jury rooms, detention facilities, and other areas within their assigned area.
 1. If this search uncovers any suspicious article, the Deputy shall not touch or move the article but shall immediately notify their supervisor.
- (b) All persons not known to the Deputy found in the private hallways, judge's chambers, jury rooms and other private areas shall be questioned as to their identity and the reason for their presence in the area.
 1. If no logical explanation is given, the Deputy shall immediately notify their supervisor and detain said person for further investigation.
- (c) At the noon recess the bailiff shall make sure the courtroom is locked. Deputies assigned to courtrooms near or adjacent to private corridors, stairwells, emergency exits, etc. shall periodically check these areas in order to assure that everything is safe and proper.
- (d) At the end of the court day all Deputies shall make sure their area of responsibility including the jury room and holding area is secure before leaving.
 1. The Deputies shall inspect for court documents, exhibits, and personal property that may have been left.

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10005.4 SUPERVISOR NOTIFICATION - SECURITY

- (a) The bailiff shall notify a supervisor immediately of any unusual situation, circumstance, or hazardous situation, reported or observed crimes, and of any potential problems observed or anticipated in the courtroom or adjacent areas.
 - 1. The supervisor shall evaluate and determine a course of action and direct the preparation of any needed reports.
- (b) A supervisor will immediately respond to the scene in any of the following situations:
 - 1. A barricaded suspect
 - 2. A hostage is taken at the courthouse
 - 3. Shots are fired at or by Deputy/SSO on duty in the courthouse
 - 4. Death or serious injury to court personnel, a custody, or the public
 - 5. Any use of force.

10005.5 HIGH PROFILE/HIGH RISK TRIAL AND DEFENDANTS

This section contains guidelines regarding the advanced planning for preparing for a High Risk / High Profile Trials and Defendants at the various Justice Centers.

- (a) Officer Awareness
 - [REDACTED]
 - [REDACTED]
- (b) Primary Objectives
 - 1. Provide for the safety and security of all in attendance.
 - 2. Deter criminal activity.
 - 3. Allow all persons to exercise their right to free speech.
- (c) High Profile / High Risk Defendants
 - 1. Well known individuals or incidents that have had a high level of media coverage that appear in court as defendants may necessitate the use of additional personnel for security and crowd control.
 - i. The bailiff should notify their supervisor when it is learned that a high profile defendant has a trial or hearing so that a plan may be developed to secure adequate personnel.
 - 2. Cases involving murder, three-strike defendants, state prisoners, death row inmates, and persons on parole are among those considered to be high-risk defendants.
 - i. High-risk defendants feel that the courtroom is the weakest link in prisoner security.
 - ii. Additional personnel should be considered in any of these cases.

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3. Do not assume that an inmate is not a high-risk defendant just because they have not been categorized as one.
4. Inmates appearing on lesser charges often have extensive felony records and violent tendencies.

(d) Tactical Considerations

1. Tactical Considerations include but are not limited to:

- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]
- [REDACTED]

2. Location for the Incident Command Post (ICP).

(e) Additional Considerations

1. Ground photographs of the Justice Center.
2. Photograph or layout of the courtroom.
3. Additional E.R.T activation(s).
4. Staging area for Fire/Paramedics – ambulance.
5. Locate and list all cameras within the Justice Center and note if they are DVR or analog.

(f) Mandatory Notifications

1. Notify the Court Sergeant and Lieutenant.
2. Notify the Division Commander
3. Notify the Presiding Judge
4. Contact both the Court and Sheriff's Department Public Information Officers.
5. Court Security Services Officer
6. Notify Department Commander.
 - i. Patrol resources – OCSD or outside agencies.
 - ii. Tactical communication needs – frequency clearance, alternate channel etc...


(g) Outside Agencies

1. Should it be necessary to call on outside agencies, Mutual Aid will be requested through the Department Commander.

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2. Additionally, should Fire/Paramedics be needed, they will also be requested through the Department Commander.
- (h) Protesters/Petitioners
1. During a High Risk / Profile trial, protesters may show-up at the Justice Center to exercise their right to free speech.
 - i. Protesters will be given an area away from the entrance outside the Justice Center to peacefully protest and voice their opinion.
 2. The protest area will be designated by the Incident Commander.
- (i) High Profile/High Risk Courtroom Entrance Screening
1. 
 2. The main purpose of the courtroom entrance search is to provide additional security measures to prevent weapons, explosives, or other potentially dangerous articles from entering the courtroom.
 - i. This is done by searching all persons with the possible exception of properly identified court attachés, attorneys, police officers, and members of the news media wanting access into the courtroom.
 3. When a bailiff believes a courtroom entrance search may be necessary, they shall seek approval from the court supervisor.
 - i. The Sergeant will notify the Justice Center Lieutenant
 4. The Sergeant/Deputy will inform the judge assigned to the case of the particular circumstances of the case that establish the need for a search.
 5. Courtroom entrance searching shall not be done without the judge's knowledge and permission.
 - i. If possible obtain a written order from the judge authorizing the search and post it in a conspicuous place at the screening location.
 6. Searches should be done in a professional, inoffensive, yet thorough manner.
 - i. Persons carrying packages should be instructed to deposit them elsewhere.
 - ii. Those persons refusing to be searched will not be admitted into the courtroom.
 - iii. Arrests for minor offences detected by the search are subject to supervisory approval.
 - iv. Set up the screening area in such a position as to facilitate maximum control.

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- v. Searches should never be conducted within sight or hearing of the prospective or impaneled jurors assigned to the case.
- vi. The screening area will usually be staffed with two Deputies/SSOs (preferably one male and one female).
- vii. If a "pat down" search is deemed appropriate after the initial electronic screening, when possible, "pat down" search should be conducted by a person who is the same sex as the person being searched.

(j) Enforcement

- 1. OCSD Court Operations will deploy a minimum of one (1) E.R.T. during the Operational Period.
 - i. The Deputies will provide visible patrol, provide for the safety of all in attendance, deter criminal activity and take swift enforcement action on any violations of law.

(k) Reference

- 1. CPC 148(a) (1) - Every person who willfully resists, delays, or obstructs any public officer, peace officer, or an emergency medical technician, as defined in Division 2.5 (commencing with Section 1797) [1] of the Health and Safety Code, in the discharge or attempt to discharge any duty of his or her office or employment, when no other punishment is prescribed, shall be punished by a fine not exceeding one thousand dollars (\$1,000), or by imprisonment in a county jail not to exceed one year, or by both that fine and imprisonment.
- 2. CPC 166.(a) - Except as provided in subdivisions (b), (c), and (d), [2] a person guilty of any of the following contempt's of court is guilty of a misdemeanor:
 - i. Disorderly, contemptuous, or insolent behavior committed during the sitting of a court of justice, in the immediate view and presence of the court, and directly tending to interrupt its proceedings or to impair the respect due to its authority.
 - ii. Behavior specified in paragraph (1) that is committed in the presence of a referee, while actually engaged in a trial or hearing, pursuant to the order of a court, or in the presence of any jury while actually sitting for the trial of a cause, or upon an inquest or other proceeding authorized by law.
 - iii. A breach of the peace, noise, or other disturbance directly tending to interrupt the proceedings of the court.
 - iv. Willful disobedience of the terms as written of any process or court order or out-of-state court order, lawfully issued by a court, including orders pending trial.
 - v. Resistance willfully offered by any person to the lawful order or process of a court.

(l) Other

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If additional information is needed, the Court Sergeant or their designee may contact the Orange County Intelligence Assessment Center (OCIAAC) Analytical Unit (714-628-3024) and have them run the subject(s) through their data bases for possible additional information. Retrieved from "<http://banksia/wiki/index.php/10005.5>"

10005.6 DISSIDENT GROUPS, PASSIVE RESISTORS, AND DEMONSTRATORS

- (a) Cases based on crimes or litigation by or against individuals or groups can evolve into numerous types of demonstrations. Anytime the bailiff becomes aware of a case involving opposing factions whose participants or their following are highly emotionally charged they shall notify their supervisor who will assist in evaluating the need for additional personnel.
- (b) "Any person who pickets, or parades in or near a building which houses a court of this state with the intent to interfere with, obstruct, or impede the administration of justice or with the intent to influence any judge, juror, witness, or officer of the court in the discharge of his duty is guilty of a misdemeanor." (P.C. section 169 [1])

10005.7 JUDICIAL THREATS

- (a) Any member of this department who receives a threat of any kind, written, verbal, or physical against a judge, commissioner, or other court personnel, shall immediately contact a supervisor. No judicial threat shall be taken lightly.
- (b) If the threat is in person, the individual shall be detained and further investigation shall be conducted.
- (c) Any judicial threat should be reported to a Sergeant immediately. The Sergeant receiving the threat will make the following notifications:
 - 1. Justice Center Lieutenant
 - 2. Justice Center Supervising Judge
 - 3. Presiding Judge
 - 4. Judicial Protection Unit (JPU)

10005.8 EMERGENCY PROCEDURES

For information on safety and emergency procedures for individual Justice Centers refer to CCOM Section 15006 – Safety and Emergency Procedures.