

	ROSENBERG POLICE DEPARTMENT	
	General Order 11.01 Municipal Court Operations	
	Effective Date: 5-13-2013	Replaces: N/A
	Approved:  Chief of Police	
	Reference: TBP 11.01, 11.02, and 11.03.	

I. POLICY

Proper security and decorum in the Municipal Court is necessary for the proper administration of justice and for the protection of court personnel and the public. Regardless of the level of offense, court hearings can be emotionally charged and proper restraint must be maintained. The department provides officers to serve as Bailiffs for the Municipal Court and to ensure the proper security and protection of court personnel.

II. PURPOSE

The purpose of this order is to establish guidelines and procedures for security of the Municipal Court.

III. ORGANIZATION AND STAFFING

- A. The Police Department is responsible for Municipal Court security when in session. The department is also responsible for the emergency operation plans for incidents occurring in the Court.
- B. An officer is assigned as Bailiff when Court is in session. The on-duty supervisor will ensure the Bailiff reports for court session as required. Only officers that have been trained in Bailiff operations and this policy should serve as Bailiff.

IV. OPERATIONS (TBP: 11.01)

- A. The assigned Bailiff attends all sessions of the Court (unless dismissed by the Judge) to ensure the following:
 - 1. See that all defendants, witnesses and observers are seated prior to the entrance of the officers.
 - 2. Explain Court procedures to defendants and witnesses, and answer questions before each session of Court.

3. Perform opening ceremonies of the Court and announce the Judge as requested.
 4. Enforce the rules of the Court (posted at the entrance of each courtroom). Preserve order and decorum while Court is in session.
 5. Maintain proper procedures during jury trials, maintaining security of the jury room, and seeing to the needs of jurors and witnesses.
- B. During judiciary proceedings, the assigned Bailiff may be directed by the presiding Judge to place an individual under arrest. The use of physical restraints to affect such custodial detentions is at the discretion of the Bailiff.
- C. In cases where high-risk persons are brought to the courtroom for any reason, such persons may be restrained as necessary or directed by the Judge. The Bailiff carries handcuffs during Court sessions.
- D. The Bailiff also ensures the security of the Court operations by:
1. Conducting daily inspections of the duress alarms, prior to the time court convenes.
 2. Conducting daily inspections of the fire equipment.
 3. Conducting a physical inspection of the courtrooms prior to each session and after the last session of each day.
 4. Securing the courtroom when the Court is in session.
 5. Being familiar with the daily schedules of the Judge in case special security is warranted.
 6. Make a walk-through of the building, assisting with the security of the Court Clerk's office areas.
- E. The Municipal Court Judge has indicated that only sworn law enforcement officers may be armed in the courtroom. Any other persons wishing to carry weapons in the courtroom must obtain express permission of the Judge.
- F. The Municipal Court Judge has ordered that no person appearing as a defendant or witness in the courtroom shall appear in any restraints unless so ordered by the Judge. If prisoners are brought to the courtroom in restraints by law enforcement officers, the officers will have sufficient staff to control the individual and shall remove any restraints before the beginning of the court session.

V. COURT SECURITY PLAN

- A. Facilities and Equipment (TBP: 11.02)
1. The Municipal Court Judge and Court Clerk has access to a telephone located in the courtroom.
 2. The Bailiff is equipped with a portable police radio.
 3. The Bailiff has access to a flashlight in case of a power failure.
 4. A duress alarm is installed at the Judge's bench.

5. Fire extinguishers and flashlights are maintained the courtroom, the Court Clerks area, and the building lobby.

B. Pre-session Inspection

1. The Bailiff arrives at least 30 minutes prior to the court convening.
2. The Bailiff conducts a physical inspection of the courtroom prior to and after court and ensures the following:
3. The courtroom is free of weapons and contraband;
4. The duress alarms and telephones are in working order;
5. Restraining devices are present and concealed;
6. Emergency doors in the courtroom are free of obstructions;
7. Lighting is adequate (emergency lights are activated in the event of a power failure);
8. All public entrances are open and free of obstructions; and
9. All communications equipment is checked.

C. Courtroom Operations

1. Judges enter and exit the courtroom through the entrance behind the bench.
2. The public enters and exits the courtrooms only through the main doors leading into the gallery.
3. Prisoners are only brought into or taken out of the courtrooms only after all persons present are seated, or when the courtroom is empty.
4. The Bailiff remains in the courtroom at all times unless otherwise directed by the judge.
5. Bailiffs and peace officers are the only persons authorized to carry weapons in the courtroom. If a person refuses a search in this manner, they must leave the courtroom. During particular trials, or during periods of security concerns, the Judge may request all persons entering the courtroom be checked for weapons.
6. Contraband taken into the courtroom for evidence purposes remains in the possession of the testifying officer unless otherwise directed by the Judge.
7. At the discretion of the presiding Judge, or at the discretion of the Bailiff, briefcases and purses may be searched.
8. Prisoners will be seen by the Judge using the installed Closed Circuit Audio/Video conference system, allowing the prisoners to remain in the Jail and not have to be physically moved to the Municipal Court for any communications.

D. Unusual Occurrences

1. In the event of an unusual occurrence, the Bailiff or ranking police officer assumes control and requests additional police, fire, or medical assistance as the circumstances require.
2. Medical Emergencies in the Courtroom
 - a. A first aid kit is kept in the in the City Hall/Courtroom complex.
 - b. All requests for medical assistance or additional security call in to 9-1-1 or to the dispatch center.
 - c. In the event of a medical emergency, the Judge orders all proceedings stopped.
 - d. If the medical emergency involves a person who is in custody, the Bailiff maintains security and requests medical assistance and additional police officers.
 - e. If the medical emergency involves a court participant or spectator, the Bailiff maintains security of any prisoners that are present and provides any assistance possible. The Bailiff contacts the dispatch center via radio and requests the proper assistance.
 - f. If other police officers are present, the ranking officer assumes control and directs the actions of the Bailiff, responding officers, and other personnel.
 - g. The City's fire department ambulance service or first responders provide emergency medical service.
 - h. The Bailiff is responsible for all police reports necessitated by a medical emergency.
3. Fire Evacuation Plan
 - a. Prior to court convening, the Bailiff conducts a physical inspection to ensure that all doors are functioning and free of obstructions.
 - b. In the event of a fire in the courtroom or City Hall complex, the Bailiff assumes control of the courtroom evacuation.
 - c. Those persons present in the courtroom are instructed to exit through the nearest exit door and out the building through the nearest public entrance.
 - d. All calls for fire emergencies are made to 9-1-1 or directly to the dispatch center.
 - e. A Fire Evacuation Chart is posted at the rear of the Courtroom near the exit. (TBP: 11.03)
4. Bomb threats

- a. In the event of a bomb threat, the Bailiff notifies police dispatch immediately and evacuates the Court. The Bailiff ensures that the Court Administrator is notified of the situation.

5. Hostage Situations

- a. The Judge sounds the duress alarm,
- b. The Bailiff notifies police dispatch, attempts to isolate the actor(s) and, if possible, evacuate and secure the area.
- c. Field personnel are dispatched to establish and secure a perimeter until arrival of tactical personnel.

6. High-risk Trials

- a. The Municipal Court has jurisdiction only over Class C misdemeanor offenses. The majority of business conducted relates to traffic offenses.
- b. Persons in custody are not normally brought to the Court Building, and trial defendants are not in police custody. If a trial or arraignment should pose a possible threat to the Judge, jury, or participants in a proceeding, the Judge or prosecutor notifies the Bailiff to take additional precautions. If the Judge deems a trial to be high risk, the Bailiff consults with the Division Commander and assesses the need for further staffing.

7. Prisoner Handling

- a. In the event a prisoner is moved from the holding facility to the courtroom, the prisoner is taken through the rear courtroom entrance near the Judge's bench. Normal foot traffic is halted until the prisoner is in the courtroom. All prisoners are restrained during the movement to and from the courtroom.
- b. For short distances, detainees are handcuffed with hands behind the back until seated in the courtroom. Juveniles are not normally handcuffed unless they present a high risk of injury or extreme aggression.
- c. Handicapped persons may be restrained as appropriate to the circumstances.
- d. Once the person is in the courtroom, the Bailiff removes the restraints before the jury enters.
- e. The Bailiff replaces the restraints after jury departs.

- f. Should the prisoner need to be removed from the courtroom, movement is made through the rear entrance near the Judge's bench. The Bailiff returns prisoners to the holding facility if their removal is for an extended time. All prisoners are searched prior to their court appearance and upon their return to the holding facility.

VI. ANNUAL REVIEW OF COURT OPERATIONS

- A. An assigned Bailiff and the Court Administrator conduct an annual security inspection of the Municipal Court facilities. If a structural change in the building occurs, an additional inspection is required. The inspection includes, but is not limited to, the existence, adequacy, and working condition of: Alarms; Communications equipment; Fire extinguishers; Medical emergency items; Emergency light sources; Exterior lighting; Emergency exits, and Emergency Evacuation Plan.
- B. The Assigned Bailiff and Court Administrator also review the Fire Evacuation and other emergency operations plans with all court employees. (TBP: 11.03)
- C. A copy of the inspection and training is forwarded to the Municipal Court Judge and the Chief of Police.