Chapter 2 - Courthouse Procedures

(Title page only, No content)

• 1-02/010.00 Sheriff's Response Team (SRT)

It shall be the responsibility of each Branch Court Supervisor to ensure that proper scheduling practices are in place to allow for an emergency response of an appropriate number of pre-designated Deputy Sheriffs, during any emergency, at any time throughout the work day.

A written plan shall be established for each Branch Court, detailing how and in what circumstance this quick response force shall be deployed. This plan should be brief and tailored to the specific needs of the individual Branch Court.

Unit level training shall be conducted on a regular basis regarding potential emergency situations. Branch Supervisors shall use their available resources in scheduling and training the Quick Response Force. No overtime shall be expended.

• 1-02/020.00 Transportation of Evidence by Department Personnel

The following procedures shall be followed by Sheriff's personnel who are assigned the task of transporting the exhibits (evidence):

- All items will be placed into a locked container, which will be provided by the court clerk.
- The court clerk is responsible for inventorying the contents and securing the container prior to personally handing it to a Sheriff's Department employee
- The court clerk will provide a form for the Department member to sign which acknowledges that the container was given to the Sheriff's Department employee
- Upon delivering the container to the property custodian at the specific Superior Court, the Sheriff's Department employee will have the custodian sign the receipt, acknowledging the container was received intact and locked
- The signed acknowledgment form will be returned by the Sheriff's employee to the originating court clerk as verification that the indicated container was delivered. A copy of the signed acknowledgment form will be kept on file in the Branch Office for 2 years

It is the Court Services Division Policy that:

- If the court clerk requests us to transport the exhibits, only Sheriff's Department personnel (i.e.; Court Services Specialists, Security Officers or Security Assistant, Deputy Sheriff's, etc.) will transport the container. Contract private security company employees shall not be used
- Transportation Bureau buses and/or personnel shall NOT be used.

• 1-02/030.00 Facility Closing Security Checks

The Unit Commander is responsible for ensuring each Branch Supervisor prepare a written procedure directing personnel to physically conduct a security closing inspection of their facility at the end of each court day upon closure, and to create a 'Security Check' form that identifies all locations to be searched. Branch Supervisors shall only designate authorized personnel, who have been appropriately trained, to conduct the closing inspection and complete the 'Security Check' form for their facility. The training and monitoring of all certified personnel shall be documented and maintained for inspection purposes.

The inspection shall identify all public and lockup areas to be cleared. All non-employee patrons and in-custody inmates shall be cleared from the facility before certifying an inspection has been completed. If a County agency is conducting business with a non-employee patron, that agency shall be notified that the Sheriff will note their interest in continuing business if desired, and advise the County agency that they are obligated to escort the patron out of the building upon conclusion.

The 'Security Check' form shall specify the task of physically checking every cell, courtroom, hallway, elevator, stairwell, restroom, office and any other area that an unauthorized person may possibly remain. In addition to all locations inspected, the authorized employee conducting the inspection and his/her time of inspection shall be included on the form.

Supervisors will ensure line personnel physically clear their areas of responsibility each day before the Sheriff's area of the courthouse is closed. Line personnel shall ensure all inmates are transported or released; their courtrooms are clear of all visitors and locked; all doors are locked or unlocked as appropriate; any safety hazards are identified and addressed; and ensure all areas are cleared of potential contraband or weapons.

After completing the 'Security Check' form, it shall be submitted, that evening, to the on-duty Branch Supervisor. The supervisor shall inspect and approve the 'Security Check' form prior to leaving the building, confirming all areas of the courthouse have been properly inspected.

In addition to approving the 'Security Check' form, supervisors shall regularly personally monitor their subordinate's compliance with these procedures to ensure they are aware of their responsibilities and perform the closing inspections accurately. A supervisor's failure to appropriately train, direct and regularly monitor their subordinate's compliance may result in discipline.

The facility closing security check procedure is mandatory. All forms shall be retained at the facility for a period of one year.

• 1-02/040.00 Handling Suspicious Packages / Letters Re: Bio-Hazard

Field Operations Directive (F.O.D.) 01-14, Handling Suspicious Packages/Letters Re: Biological Hazard has been adopted as Court Services Division Policy. It is the intention of this section to implement F.O.D. 01-14 forthwith.

When handling a suspicious package/letter refer to the table below for a list of CSD Supervisory equivalent:

Field Operation Title/Position	Court Services Division Counterpart
Watch Commander	Branch Sergeant
Watch Sergeant	Branch Sergeant
Field Sergeant	Branch Sergeant
Field Supervisor	Branch Sergeant
Station Desk	Desk Personnel

The Branch Sergeant (Watch Sergeant), in situations involving a suspicious package/letter, shall notify the Area Lieutenant.

• 1-02/050.00 Courthouse Security Data Entry

Entries into Courthouse Activity Log (CAL) must be made for each Security Incident involving contraband (drugs/weapons), an arrest, or an unusual event relating to courthouse security.

Branch Supervisors shall ensure that entries in CAL are entered timely and accurately.

The importance of reporting incidents relating to courthouse security cannot be overemphasized. Although a large number of incidents originate at weapons screening stations, “courthouse security” includes the entire court facility, except incidents occurring in the lockup or a courtroom. CAL is the primary source of information used to measure the need for courthouse security resources.

• 1-02/060.00 Use of the Court Security Alarm System (Ai-Phone)

The Court Security Alarm System (Ai-Phone) is an emergency alert system which provides quick, effective two-way communication from the Sheriff’s Office to courtrooms, detention areas, and building tenant offices. The system is made up of a speaker, microphone, and master console. In a typical courtroom, there are three concealed pushbuttons which can activate the system. The buttons are typically located at the judge’s bench, bailiff’s desk, and court clerk’s desk.

When a pushbutton is depressed, an alarm sounds at the master console that is monitored by Sheriff’s personnel in the Sheriff’s Office. The master console shall be staffed by Sheriff’s personnel at all times. A light and/or tone will indicate the affected area (lockup, courtroom, etc.). Upon activation, the Sheriff’s personnel monitoring the master console will activate the microphone for the affected area and listen. If the nature of the emergency is quickly established, the appropriate number of personnel shall be dispatched to the affected area and while en route, be advised of the type of emergency. If the nature of the activation cannot be determined, personnel shall be dispatched and advised that it is unknown why the emergency system was activated. In addition, personnel monitoring the console shall attempt to contact the affected area by radio or telephone in order to determine the nature of the activation. Any additional information obtained will then be communicated by radio to the responding Deputies.

Verbal communication between the area affected and Sheriff’s personnel working as monitors should not occur via the console. In the case of an accidental activation, immediately using the system to communicate with the court could disrupt ongoing court proceedings.

In the case of an actual emergency, using the console to communicate to the courtroom could alert the person, or persons causing the emergency, that they are being monitored. Giving such a notice could jeopardize the safety of the court staff and/or responding Deputies. Additionally, the console person communicating to the courtroom over the system could prevent and override possible incoming emergent communication from the courtroom to the console. Until the cause for the emergency activation can be determined, the console employee shall use the concealed courtroom microphone to listen in on courtroom activity in an attempt to obtain additional information for responding Deputies.

Personnel who have access to the system should be trained regarding the location of the emergency buttons and the procedures that follow after their activation. After the light or tone comes on, the person should be prepared to speak in plain English into the speaker/microphone indicating the reason for the emergency activation. Example: “There is a fight in Department 3.” The person activating the system should also try and provide as much information as possible, indicating who and how many are involved, and if there are any weapons. The person activating the system may have to surreptitiously indicate the nature of the emergency, so as not to jeopardize the safety of anyone involved. Example: “Put down that gun,” or, “You don’t need that knife in here.”

The intent of the Court Security Alarm System is to alert Sheriff’s Department personnel of any emergency occurring within or near the courthouse. The master console shall be staffed by Sheriff’s personnel at all times. Sheriff’s personnel monitoring the console shall immediately dispatch sufficient personnel to such emergencies and shall provide additional information, if available, as Deputies respond. Monitors should listen and not attempt to make verbal contact with the concerned court via the console. The safety of everyone involved will be greatly enhanced if the aforementioned guidelines are strictly adhered to.

• 1-02/065.00 Superior Court's General Order Definition

The Superior Court of the State of California issued a General Order that describes prohibitive activity within 100 feet of any doorway to all courthouses.

The General Order shall be posted at the entrance to all court facilities. It can also be found on the CSDNet Home page in the green bar at the left of the page, under Policy and Procedures > General Order.

• 1-02.065.05 Procedure for Violations of General Orders

When a violation of the General Order is occurring and observed by any Sheriff’s personnel, the Branch Supervisor shall be immediately notified. The Branch Supervisor shall respond to the location to observe the activity and to confirm that a violation of the General Order is in fact occurring. The Branch Supervisor shall advise the Area Lieutenant of the circumstances. The Area Lieutenant shall monitor the situation and notify the Unit Commander.

At the direction of the Unit Commander, the Branch Supervisor or designee shall make contact with the person(s) violating the General Order. The Branch Supervisor shall advise the involved person(s) that they are in violation of the General Order, and that they must comply with the requirements of the General Order. Additionally, the Branch Supervisor shall provide the person(s) with a copy of the General Order and request compliance.

Note: The emphasis of this policy is to gain compliance with the General Order.

If the Branch Supervisor gains compliance, he or she shall advise the Area Lieutenant of the results of their contact. The Area Lieutenant shall advise the Unit Commander, who will determine if notice to the site judge is warranted.

The Branch Supervisor shall complete an entry into the Courthouse Activity Log (CAL), documenting the incident.

If the person(s) refuses to comply with the request of the Branch Supervisor, the Branch Supervisor shall contact the Area Lieutenant, who will advise the Unit Commander. The Area Lieutenant, Unit Commander, or another Lieutenant from within Court Services Division shall respond to the courthouse and assume command of the situation.

The Lieutenant shall initiate contact with the person(s) and a video recording of the contact shall be made to document the violation. During this contact, the Lieutenant shall once again solicit compliance with the General Order. The Lieutenant will also reiterate the Civil Code violation to the person(s) committing the violation, and clearly convey to the person(s) that there is a potential for arrest, and/or Court imposed sanctions of up to $1,500, if they continue to violate the General Order.

If the person(s) now complies and ceases violating the General Order, the Lieutenant shall notify the Unit Commander, an entry into the Branch's CAL report shall be made, a Chief's Memo shall be written to document the incident, the video tape shall be placed in the Branch's safe, preserved for one year, and a reference number will be assigned.

If the person(s) again refuses to comply with the General Order, the Lieutenant shall advise the Unit Commander that all possible efforts have been made to gain compliance with the General Order. The Unit Commander shall notify the Area Commander, who will advise the Chief of the situation.

At the direction of the Unit Commander, after consultation and concurrence with an Area Commander or the Chief, the onsite Lieutenant shall contact the Superior Court Director of Security at work or the Los Angeles Superior Court Counsel and advise them of the situation.

At this point, the site judge shall be advised of the situation and no further action shall be taken until the Superior Court representative arrives on scene.

NOTE: The decision to delay any further action shall not preclude any member of this Department from taking the appropriate steps if a criminal offense occurs. The purpose of the Superior Court representative responding to the courthouse is to assist with any and all legal documents to address the civil violation of the General Order.

The Lieutenant shall immediately notify the Unit Commander that a Superior Court representative has been notified and they are responding to the situation.

A Court Services Division Representative (of the rank of Unit Commander or above) shall respond to the location, and consult with the Superior Court representative to assess the situation and discuss all of the available options. The Superior Court Representative will assist with all legal requirements to address the violation of the General Order.

If the Superior Court representative obtains a court order for the detention of the person(s) in violation of the General Order, the Lieutenant shall make contact with the involved person(s), the person(s) shall be advised that they have been ordered into court because of the described General Order violations.

If the person(s) complies with the court order, the person shall be escorted to the site judge, and the site judge will render a decision regarding the violation of the General Order.

If the site judge decides to admonish the person(s) regarding the General Order and the person(s) is released, an Incident Report (SH-AD 49) is required to document the incident. The classification for the report is, “Civil Contempt of Court - 1209 (a) Code of Civil Procedures” and the stat code is 441 - Special Investigations.

If the person is remanded to the custody of the Sheriff’s Department for a violation of the General Order, personnel shall follow the procedures as outlined in Court Services Division Manual, Bailiff Section. An Incident Report (SH-AD 49) is required. The classification for such a report is, “Civil Contempt of Court - 1209 (a) Code of Civil Procedures” and the stat code is 441 - Special Investigations.

Note: A Violation Of The General Order Is Considered A Civil Remand; This Is Not A Criminal Offense. A Special Handle Designation Form Shall Be Processed.

If the person(s) continues to violate the General Order by refusing to comply with the court order which orders them into court, the person(s) is now in contempt of a court order (violation 166 (a) 5 P.C.) and may be arrested. This violation is specifically related to the court order obtained by the Superior Court representative, not the General Order, ordering our Department personnel to bring the person(s) in violation of the General Order to the courtroom. This is a separate violation from the General Order.

If this occurs, no matter what decision the site judge renders regarding the General Order, the person(s) shall be taken into custody for contempt of a court order, all booking requirements as outlined in Court Services Division Manual shall be followed.

Unit Commander’s Responsibility
It is the Unit Commanders’ responsibility to assign a Lieutenant to manage this incident at the Branch level. It is imperative that all Branch Supervisors and Area Lieutenants are familiar with the General Order and this policy.

It is the Unit Commanders’ responsibility to assure that all Branch Supervisors and Area Lieutenants have discussed the General Order with their site judge and ensure they are familiar with the Sheriff’s Department protocols for dealing with a violation of the General Order.

Additional References
The Manual of Policy and Procedures provides additional guidance defining “Duties” and supplemental policy defining levels of force reporting.

• 1-02/065.10 Procedure for Violation of the General Order Prohibiting the Use of Cameras or Recording Devices in a Courthouse or Court Related

Structure

Purpose and Posting of the Order:
The purpose of the General Order Prohibiting the Use of Cameras or Recording Devices in the Courthouse is to protect the public, all parties involved in a case, and court personnel, and to facilitate the fair and orderly resolution of cases.

A copy of the order shall be posted near every security entry point into each court building. The order advises the public that a "violation of this order may result in seizure of the device, monetary sanctions pursuant to section 177.5 of the Code of Civil Procedure, and/or a finding of contempt pursuant to section 128 and 1209 of the Code of Civil Procedure, and/or arrest pursuant to Penal Code (P.C.) Sections: 166 (a) (4) and 166 (a) (5) (Contempt of Court), and 632 (Eavesdropping)."

Additional charges that may relate to a violation of this order could be P.C. sections 132 thru 141 (crimes related to Witness Intimidation).

Note: A picture does not have to be taken for a violation to have occurred. The simple act of holding the phone up in a manner that infers a picture is being taken is enough to intimidate a witness or victim.

Should the individual refuse to comply with the lawful investigative actions of sworn personnel, 148 (a) (1) P.C. may also be considered.

Defining a Violation of the Order:
The Superior Court's General Order Prohibiting Use of Cameras in the Courthouse specifically states:

"No one except authorized court and court security personnel may engage in photographing, recording, or broadcasting, or activate any camera, microphone, recorder or broadcasting device in any courtroom or courthouse in the County were the court conducts business, including all entrances, exits, hallways, escalators, elevators, and adjacent or subterranean court parking areas except as prohibited by Local Rule 2.17 and California Rule of court 1.150, or as permitted by this order or other order of a judge as set forth herein."

Any action that conflicts with the above definition by the court is a violation of this order.

Actions to be taken if a Violation of this Order is suspected:
When a violation of the Camera General Order is witnessed or suspected, Department members shall immediately "Contain, Control and Notify."

In accordance with the Superior Court's General Order Prohibiting Use of Cameras in the Courthouse, take the following actions:

- Advise such individual orally of the order;
- Take steps to provide the person with a written copy of the order as soon as practical;
- Additionally, court personnel shall request the violating party delete the photograph(s) and/or video(s).

If they comply with this request, no criminal or malicious intent is suspected, no violation of the purpose of this order is believed to have transpired (as defined above), and no detention or seizure has occurred, then the matter can be concluded. However a CAL entry shall be made documenting the contact.

Should circumstance “warrant immediate corrective action because the person persists in violating this order despite being informed of it, or has violated the order in a way that appears to have significant adverse impact upon court security or the fair and orderly resolution of cases,” sheriff’s personnel shall notify the branch supervisor and in accordance with requirements of the General Order of the Superior court:

- Take possession of the device in the safest and most professional manner possible; and
- Bring the person without unnecessary delay to the courtroom judicial officer, nearest available site judge, district supervising judge, assistant presiding judge, or presiding judge as may be appropriate to determine if there is sufficient cause to believe there has been a violation of this order without good cause or substantial justification.

Determination between a Consensual Encounter, Detention and/or Seizure:
If investigating personnel take custody of the device, a seizure has occurred. If during .this encounter there is resistance to the request or there is a prolonged period where the violating party is not free to leave, then a detention has occurred. A consensual encounter is when the person complies completely and voluntarily with our requests.

Procedures for Detentions, Seizures, and Deletion of Records:
The following procedures shall take place whenever a detention and/or seizure has occurred:

- The Branch Supervisor (minimum rank of Sergeant) shall be immediately notified with additional timely notification made to the Area Lieutenant and Security Operations Unit.
- A SH-R-49 will be prepared by the initial deputy investigating this violation of the Civil Order. The Classification line shall read “Suspicious Circumstances / Possible Violation of a Court Order, 166 (a) (4) P.C.” The retention shall be “9” and the stat code shall be “444.” The narrative of the report shall include the suspect’s actions and statements, probable cause for detaining the individual, the seizure of the device (if applicable), judge’s orders, and actions of deputy personnel.
- A Chief’s Memo shall be prepared by the branch supervisor.
- A C.A.L. entry shall be made.

• 1-02/070.00 Managing Uncooperative, Argumentative, or Highly-Emotional Persons

Any person (referred to hereafter as “Hostile Persons”) who exhibits uncooperative, argumentative, or highly-emotional behavior present a greater safety risk to themselves, others, and safety personnel.

This policy directs Court Services Division personnel to ensure the following when dealing with a hostile person: sound judgment, tactics, adequate backup, supervisory presence, the implementation of specialized

equipment, and appropriate documentation. Nothing in this policy is intended to delay or restrict personnel from the quick performance of their duty when the necessity exists to prevent injury or violence. This policy applies to all persons in or out of custody.

When personnel encounter a hostile person in any location, especially in situations likely to require physical force, a supervisor shall be notified as soon as possible. Questionable circumstances shall be resolved in favor of notification. When the situation permits, personnel shall await the arrival of backup and supervisors before attempting to physically control or escort hostile persons.

Except when necessary to prevent immediate injury or escape, personnel shall not enter a cell or an area confining a hostile person until a supervisor arrives. Hostile persons shall be kept in view of other personnel. All escorts shall be of at least two personnel, one being a supervisor (a Supervising Bonus Deputy or above) and such escorts shall be video recorded whenever possible.

Duties of Supervisors
Supervisors shall prioritize responses to situations involving hostile persons, direct the application of force when appropriate, deploy specialized equipment as needed, ensure recorded documentation of the incident whenever possible, and remain until the situation is resolved. Whenever hostile persons are to be escorted to or from courtrooms, supervisors shall advise the concerned bench officer to discuss physical restraint options and to inform them of the intent to use audio or video recording devices.

Supervisors shall be cognizant that a hostile person’s behavior may provoke antagonistic or emotional responses. Supervisors shall ensure that hostile persons are managed firmly and with resolute action, and must be aware of the potential for increased emotion on the part of involved personnel.

When selecting escorts for a hostile person, supervisors shall avoid utilizing personnel previously involved in altercations with them or personnel toward whom a hostile person is directing hostility.

Supervisors shall ensure that specialized weapons, restraint devices, recording documentation equipment, and supplies are securely maintained for immediate deployment to escalating situations. Supervisors shall also ensure that a sufficient number of assigned personnel, on duty, are appropriately trained in the use and deployment of available equipment.

Affected Directives/Publications
Manual of Policy and Procedure provides additional guidance defining “Duties” and supplemental policy defining levels of force reporting.