

Chapter 4 - Court Security

The provision and maintenance of effective security measures throughout the Los Angeles County Court System are the prime responsibility of the Court Services Division.

The ever present threats of courtroom disruption, violence, escape, unauthorized access, theft, vandalism and other crimes, demand implementation of a positive and effective security program to prevent or minimize these hazards.

Toward this goal, Court Services Division, in conjunction with various concerned tenant departments in all court facilities, has developed a comprehensive program of extensive and specific security procedures.

In both its planning and procedural aspects, security is an operations problem with features unique to both specific facilities and occupants. To ensure adequate and effective security measures and procedures, responsibility must be clearly delineated and individually placed within each branch court. In each branch court throughout the county, the Sheriff is designated as the security coordinator and has the responsibility for providing, carrying out and directing security procedures in coordination with the other building tenants. As a rule, the branch supervisor is designated as the security coordinator. The Security Operations Unit of the Court Services Division is the support unit for branch security coordinators.

• 3-04/010.00 - Knowledge of Courts Calendar to Assist with Potential Security Issues

The bailiff shall be acquainted with the type of case being heard, be it a civil or criminal action. Familiarity with the case at hand as to type of crime and defendants charged, or

the litigants involved, will enable the bailiff to anticipate any unusual situation that might arise, thus affording effective security regarding the defendant and protection for the court.

• 3-04/010.05 - Communication of Court Security Issues on Future Cases

Bailiffs assigned to courts, even temporarily assigned bailiffs, that handle criminal cases, should be aware of any case which could require additional security. Sources of information regarding a case may include the investigating officer, prosecutor or defense counsel. Bailiffs should be aware that due to human emotion, the nature and types of cases heard in court the potential for a case to escalate to violence can happen on a moment's notice. Communication is essential for the safety of the court and personnel. Cases that show signs of potential problems should be noted as a case that may need additional security when it returns to court.

All bailiffs, even temporarily assigned bailiffs, shall advise their supervisor, by written memo, of possible future high security cases. This shall be done, to the extent possible, as soon as the bailiff has knowledge of the situation. Include in the memo, the defendant's name(s), charges, prosecutor's name, investigating agency, investigating officer's name, return date and a brief description of the potential situation, such as; witness problems, intimidation, gang related, murder case, rape case etc.

• **3-04/010.10 - Notification to Supervisor Regarding Court Security Issues**

A bailiff's supervisor shall be notified immediately of any unusual or hazardous situations or any potential problems observed in the courtroom or adjacent areas.

Immediate activation of the Court Security Alarm System or notification by radio of emergencies by bailiffs will ensure the proper response by emergency personnel.

• **3-04/010.15 - Supervisor Response to Court Security Incidents**

A supervisor shall respond to the scene in any of the following situations:

- A barricaded suspect or inmate refusing to exit a cell
- A hostage situation in court
- Shots fired at or by a deputy in a court or in the field
- Death or serious injury to court personnel, in custody or the public
- A use of force is beyond that specified in Manual of Policy and Procedures.

A deputy may request supervisory assistance for incidents of extraordinary circumstances likely to result in an injury and/or liability to persons or property. The supervisor shall respond to provide assistance.

• **3-04/015.00 - Requests for Additional Court Security / Backup**

It is Division policy to provide backup for any custody defendant trial or hearing, if necessary. Supervisors shall be informed immediately of a situation involving multiple defendant cases where a backup will be needed. If the case is one which will be continued or set for a future date, the bailiff shall document the future case with a memorandum directed to their supervisor. A Temporary Special Service Request (TSSR) Form may be needed on cases requiring backup for an extended period of time. Check with your branch supervisor as to the specific branch procedure for completing a TSSR.

• **3-04/020.00 - Security Equipment**

Court security equipment is mechanical aids, such as video surveillance equipment or duress alarms, to facilitate the response and protection of the court. They are not devices to replace the vigilance and security awareness of court personnel. Bailiffs shall be properly trained to operate the equipment available within their branch.

• **3-04/020.05 - Court Security Alarm System (A iPhone)**

This system is to be used for emergency notification of court security personnel. In order for the system to be used to its maximum potential, all court personnel must be knowledgeable in its use. The objective of the

system is to dispatch and deploy court security personnel in a systematic preplanned manner in response to a security threat or alarm in the courthouse. The system is a two-way communications link from the branch office to courtrooms, detention areas, and building tenants. All Court Security Alarm Systems shall be tested daily by activating each alarm button. This test shall be done before the court opens to the public. If any mechanical problem with a specific alarm station occurs, the branch supervisor shall be notified immediately and shall arrange for immediate repairs. Each branch office shall maintain a daily log of tests, noting any alarm station that is inoperable.

- **3-04/020.10 - Hand-Held Radios**

It is recommended that bailiffs do a radio check at the same time they check their Court Security Alarm buttons. The volume on radios used in a courtroom shall not be high enough to distract or interfere with the court proceedings. Bailiffs shall wear shoulder speaker mikes, if available, and maintain a volume that only they can hear.

- **3-04/020.15 - Metal Detectors**

There are three general types of metal detectors currently in used in Court Services:

The Large Walk-through Metal Detector

Are used in the search screening process persons must submit to before entering a court facility. They can also be used as an extra security measure on special cases.

Hand-held Wands

Hand-held wands may be used in special situations that do not require a complete search screen.

Example: In a preliminary hearing where the prosecutor informs the bailiff that there may be a problem with spectators. The bailiff may clear the courtroom and with assistance of additional personnel use the hand-held wand to search spectators for concealed weapons, i.e., knives, guns etc.

Small Hand Held Metal Detector

May be used on an individual that the bailiff believes may be carrying a concealed weapon. This device is very small and can be used to quickly perform a cursory search.

- **3-04/025.00 - Control of Spectators/Audience to Enhance the Safety and Security of Court Staff**

The control of spectators in all court proceedings is very important for the safety and security of the court, staff, victims and witnesses. Emotions may be high and lead to unpredictable actions. Requiring people entering the courtroom to check in with the bailiff will enable better control of the audience. Defendants and their

families should always be seated separately from victims and/or witnesses in a case.

Victims shall be entitled to the following rights:

- The right to be treated with fairness and respect for his or her privacy and dignity.
- The right to be free from intimidation, harassment and abuse, throughout the criminal or juvenile justice process.

Refer to the Victim's Bill of Rights, Marsey's Law. (California Constitution, Article 1, Section 28 (b)) Advise all spectators before opening court that there shall be no talking, eating, drinking, chewing gum or tobacco, smoking, or reading while court is in session.

Attorneys should interview their clients and witnesses outside of the courtroom. The bailiff is responsible for the control of all spectators in a courtroom. Anyone who is disruptive, disrespectful to the court, or fails to follow the direction of the bailiff shall be removed from the courtroom and not allowed to reenter without the permission of the judge. A bailiff has the right to perform a search on any individual or group who wishes to enter a courtroom. If a search is to be performed, it is advisable to obtain backup from the office or another bailiff from an adjacent courtroom. Call for a supervisor's assistance if a spectator refuses to comply with directions.

The bailiff shall immediately advise parents with small children to remove the children from the courtroom, if they become restless or noisy. If the parent or custodian of the child must be present in the courtroom and cannot take the child into the hall, the bailiff shall notify a supervisor and request assistance. All minor children are excluded from family law courtrooms when court is in session.

• **3-04/025.05 - Courtroom Dress Code**

Bailiffs shall discuss individual public dress code wishes with their judge. "Persons in the courtroom should not dress in a bizarre manner such as to be distracting to others of usual sensibilities. Counsel shall so instruct parties they represent, witnesses they call and persons accompanying them. Attorneys and court personnel should be dressed according to current customs as to their business or work attire." (Los Angeles County Rules, 8.2)

Clothing that may be of special note such as gang "colors" or clothing that could easily conceal a weapon should be of concern to the bailiff.

• **3-04/025.10 - Managing Uncooperative, Argumentative, or Highly-Emotional Persons**

Refer to CSDM, 1-02/070.00 -Managing Uncooperative, Argumentative, or Highly- Emotional Persons.

• **3-04/030.05 - Media Access**

Since the courts are a public forum, the media may only be excluded on the Order of the Court. In an emergency situation, media access is limited to those areas not designated as a crime or emergency scene.

Refer to Manual of Policy and Procedures for additional.

- **3-04/030.10 - Protected Witnesses**

In some types of cases there may be witnesses that are under the protection of the Sheriff's Department, District Attorney's Office or the Federal Witness Protection Program. In these instances the investigating officer will usually inform the bailiff of the situation and request assistance. The bailiff shall refer the matter to the branch supervisor for coordination.

- **3-04/030.15 - High Profile Defendants**

Well known individuals or incidents that have had a high level of media coverage may require additional personnel for security and crowd control. For example, politicians, sports figures, film or TV personalities, police officers, religious leaders, doctors, etc., have the potential to create large followings. Branch supervisors should be aware of these potential situations and request assistance from Bureau Headquarters if necessary.

- **3-04/030.20 - Cases Involving Gangs**

Cases involving gangs are a daily occurrence in court. Deputies and supervisors must be alert for gang violence in the form of retaliation, intimidation of witnesses, or the influencing or intimidation of jurors. Particular attention should be given to custody entrances to the facility and in court hallways. All deputies should be trained to be familiar with gang identification, clothing and demeanor.

- **3-04/030.25 - Cases Involving High Security Defendants**

Cases involving murder, three strike defendants, state prisoners, death row inmates and persons on parole are all considered to be high security defendants. Defendants falling into this high security classification feel that the courtroom is the weakest link in prisoner security. Backup should be requested for any of these cases.

- **3-04/030.30 - Dissident Groups/Passive Resisters**

Cases based on crimes or litigation by or against individuals or groups can evolve into numerous types of demonstrations. For example if a case is based on race, religion, individual rights etc., there may be opposing factions who want to enter the court to support their views and those who are involved in the court case. Branch supervisors who are faced with this situation shall immediately activate their Court Security Contingency Plan and notify their Bureau Headquarters of the situation. Assistance may be dispatched from a local law enforcement agency or the nearest Sheriff's station.

• **3-04/030.35 - Demonstrators/Demonstrations**

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. (169 PC and CSDM, 1-02/065.00 - Superior Court's General Order Definition; CSDM, 1-02/065.05 - Procedure Violations of Superior Courts General Order and CSDM, 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)

• **3-04/030.40 - Highly Emotional Cases**

While any case may be considered an emotional situation for some, particular types of cases usually will create situations which require special handling. Examples of situations that may require special handling are, drive-by shootings involving innocent victims, rape cases, child custody cases, divorce proceedings and victim impact statements.

• **3-04/040.05 - Daily Security Routine for Bailiffs**

- When en route to a courtroom, bailiffs should be alert and observant for anything that is not routine or may be out of place. Report anything that may be unusual, i.e. an unlocked door that should be secured, a suspicious package.
 - Be on time, allowing sufficient time to conduct a complete courtroom search.
 - Test all alarms, radios, telephones, paging systems.
 - Check adjacent lockups, test doors, plumbing, lights etc.
 - Communicate with the courtroom staff about any situations that may be different or unusual.
 - Communicate with the judge regarding anything special that may be happening, i.e., dignitaries expected, special handling cases, or attorney problems.
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• **3-04/040.10 - Courtroom Searching**

Before Court Begins

Branch supervisors shall ensure that bailiffs shall have adequate time to accomplish the following:

- The bailiff shall check the courtroom, judge's chambers, jury room and detention facilities every morning and every afternoon before court begins.
 - The primary purpose of the search is to provide maximum courtroom security by ensuring the absence or detection of the presence of weapons, explosives or other items of contraband.
 - Manpower permitting, it is desirable for two deputies to conduct the search.
 - The first search sweep should include all surfaces and objects from floor to waist level. The following
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sweep should include areas from waist to eye level, and the final sweep from eye level to ceiling.

- Searching should be done systematically, with close attention to all accessible areas and objects such as flags, blackboards, chairs, tables, file cabinets and the witness stand. Adjacent areas such as immediate hallways, detention areas, jury rooms and court chambers must also be thoroughly searched.
- Locating a single item of contraband should not end the search. Obviously, additional items may be present. Particular attention should be directed to those areas available to the defendant(s). Care must be taken to preserve prints and other evidence.
- If this search uncovers any suspicious article, the deputy shall not touch or move the article but shall immediately notify the branch supervisor.
- 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. If no logical explanation is given, the deputy shall immediately notify the branch supervisor and detain said person for further investigation.

Noon Recess

The bailiff shall make sure the courtroom is locked during the noon recess. Deputies assigned to courtrooms near or next to private corridors, stairwells, emergency exits, etc., shall periodically check these areas to assure that everything is safe and proper.

End of Day

At the end of each day, all deputies shall make sure their area of responsibility including the jury room and lockup are secure before leaving, including a visual search for custodies. The deputies shall inspect the court for personal property that may have been left.

• 3-04/040.15 - Search Screens at Courtroom Entrance

A "search screen" may be necessary to ensure adequate courtroom security in potentially hazardous trials involving escape risk defendants, possible lynching and hostage situations, and potential acts of violence and revenge.

The main purpose of the search screen is to prevent entry into the courtroom of weapons, explosives and other dangerous articles by searching all persons (possibly excepting properly identified court attaches, attorneys, and police officers) wanting entry into the courtroom.

The search screen can be operated by deputies using the "pat down" search, the hand held metal detectors, or the standing walk through metal detector.

A supportive court order for the search screen, although not absolutely necessary, should be requested of the judge. This order should enumerate the specific provisions of the special security measures to be affected. Copies of the order should be posted conspicuously in the search screen area, which tend to promote better cooperation and elimination of misunderstanding by those persons seeking entry. The court order may originate with the judge or be requested by supervisory personnel.

Personal searching should be done in a friendly, inoffensive, yet thorough manner, avoiding the "spread

eagle" position. Persons carrying packages should be instructed to deposit them elsewhere than at the search screen. Those persons refusing to be searched will be denied access to the courtroom. Although as peace officers, deputies are expected to take necessary police action, arrests for minor offenses detected by a search screen are subject to supervisory approval.

The following procedure shall be followed whenever a branch supervisor believes a search screen is necessary:

- Notify the Area Lieutenant.
- Advise the concerned judge of the particular circumstances of the case that establish the need for a search screen. Request that the judge issue a written security order. If necessary, provide the judge with a sample security order. Suggest that a written order be issued using the recommended format, although if need be, a search screen may be set up on the strength of an oral order.
- A search screen should consist of a uniformed team of no less than one male and one female deputy if available. The minimum number should be increased depending upon the situation and information developed through intelligence and other sources.
- The search screen shall be positioned to facilitate maximum control. Every effort should be made to ensure searches are conducted out of sight and hearing of prospective jurors assigned to the case.
- If a more detailed search is required, it should be conducted out of public view. If possible, searches of females shall always be conducted by at least one female deputy.

• 3-04/040.20 - Security Incidents

Security threats and crisis situations are definite possibilities in courtrooms. Fights, disturbances, prisoner escapes and attempted escapes, armed rescue attempts, taking hostages and natural disasters can occur at any time in any facility. Branch supervisors shall prepare and keep Branch Security Contingency Plans up to date. All deputies who work in a court facility should be familiar with these procedures. Each branch supervisor shall also be designated as the Security Coordinator and the Building Emergency Coordinator for all court facilities in Los Angeles County. It is the responsibility of the branch supervisor to conduct training for all court tenants.

All deputies, after adequate training, shall comply with the basic seven concepts of a tactical operation, COMMAND, CONTAIN, CONTROL, COMMUNICATE, COORDINATE, CONTINGENCY AND CRITIQUE.

Refer to the Manual of Policy and Procedures for additional.

• 3-04/040.25 - Judicial Threats

Refer to CSDM, 1-06/000/00 et al., Security Operations Unit.

• 3-04/040.30 - Security Threats

Reaction to a specific security situation will vary with the situation and the physical layout of the facility. Each

branch has a Security Contingency Plan which is specific to the facility. These plans should cover such areas as crowd control, fights, disturbances etc., while no plan can cover every instance, the training of deputies on how to react in a given situation will greatly enhance the safety and security of a facility.

- **3-04/040.35 - Bomb Threats**

Bomb threats are a very common occurrence in court facilities. Any court personnel who receive any type of bomb threat shall immediately contact their supervisor. Tenant supervisors shall then contact the Sheriff's branch supervisor, who shall conduct an initial investigation and determine what response is necessary. Specific branch procedures are contained in the Branch Security Contingency Plan and the Building Emergency Plan. Department procedures are contained in the Manual of Policy and Procedures.

- **3-04/040.40 - Hostages**

In a hostage situation, the immediate containment of the area shall be the primary concern of the court personnel. Detailed procedures are contained in the Manual of Policy and Procedures.

- **3-04/040.45 - Escapes**

The policy and procedures of handling an escape or erroneous release are contained in the Manual of Policy and Procedures. Detailed procedures for the control and containment of escapee situations are in CSDM, 3-14/070.00 - Inmate Escape/Erroneous Release. Each branch shall have specific procedures, unique to their facility, as part of their Branch Security Contingency Plan for Escape. For escape defined, refer to CSDM, 1-05/180.00 - Escape and Attempt Escape Defined.

- **3-04/040.50 - Disaster Plans**

All branch supervisors shall prepare and maintain Building Emergency Plans that cover the county mandated disaster contingency plans for fires, earthquakes, floods, and building evacuations. The preparation of these plans is the responsibility of the Building Emergency Coordinator, working in conjunction with all building tenants. Usually all deputies are part of these emergency operations, therefore, branch supervisors shall ensure that each deputy has been familiarized with the facility and their specific assigned emergency duties.

- **3-04/040.55 - Security Incident Reporting**

All incidents occurring within Court Services Division shall be immediately reported to a supervisor. After verbal notification, the incident shall be documented following Volume 4, Manual of Policy and Procedures, Case Assignment and Reporting.

A Security Incident Worksheet shall be completed by branch personnel when one of the following incidents occurs:

- Arson (Attempt/Actual)
- Judicial Threat
- Burglary/Robbery
- Other Threat
- Bomb Threat (Search/Evacuation)
- Physical (Altercation/Assault)
- Contraband Confiscated
- Restraints Used
- Disturbance
- Suspicious Activity
- Escape (Attempt/Actual)
- Suspicious Package
- Gang Related Incident
- Search Refusal
- Hostage/Lynching
- Theft
- High Risk Trial
- Unlawful Entry
- Illness or Injury
- Vandalism
- Weapon Confiscated

The completed forms shall be submitted daily to the branch supervisor who will initial the forms and be responsible for ensuring their entry into the Courthouse Activity Log (CAL). For additional information refer to Administrative Volume 1-05/050.00 Notification and Reporting of Significant Incidents

(Refer to CSDNet, "Forms" for the Security Incident Worksheet.)

• **3-04/050.00 - Inmate Restraint Motion / Court Declaration**

When there is a defense attorney objection to restraining an inmate in the courtroom, and there is a perceived need by Sheriff's personnel to restrain the inmate in the courtroom, one of the two Court Declarations listed below shall be prepared and presented to the court for formal consideration.

If the bailiff should anticipate an objection by the defense, the declaration can be prepared in advance and be ready for immediate presentation to the court. In cases where the declaration is not prepared in advance, and there is an objection to the inmate being restrained, the bailiff should ask the bench officer for a few minutes, before calling the case, to allow sufficient time to prepare a formal declaration indicating the need to restrain the inmate. The bailiff shall then immediately contact their supervisor with the identity of the inmate and the reason for the perceived need to restrain.

The supervisor shall immediately prepare the Court Declaration, based on information provided by the bailiff, respond to the court, and be prepared to formally present the declaration.

- A document entitled "Court Declaration- General" should be utilized in cases where the LASD's policy and practice has been to restrain the inmate and there is a defense attorney objection (Example: arraignments, pre-trial motions, sentencing, etc.). There are only a few lines to complete and two paragraphs to the form.
- A document entitled "Court Declaration- Specific" should be utilized in cases where there is specific cause to restrain a particular inmate (Example: escape risk, assaultive behavior, suicide risk, etc.). It shall be the supervisor's responsibility to fill in a few lines, check the appropriate boxes, and indicate the specific reason that particular inmate should be restrained. Supporting documentation should be attached to the declaration (Examples of supporting documentation: IRTS Reports, RAP Sheets, SHAD 49 reports, etc.).

Note: These forms - Court Declaration General and Court Declaration Specific Forms - are located in CSDNet "Forms".

Presenting these formal declarations should assist the bench officer in making an appropriate determination to uphold or overturn defense attorney objections.
