

City of Anderson Police Department Anderson, South Carolina

DIRECTIVE TYPE General Order	EFFECTIVE DATE March 5, 2010	NUMBER 2101
SUBJECT Court Security		
REVISED		
REFERENCE SCLEA Chapter 26	AMENDS/SUPERSEDES All Others	
DISTRIBUTION All Personnel	RE-EVALUATION DATE Annual	NO. PAGES 6

I. PURPOSE:

The purpose of this policy and procedure is to provide for appropriate levels of courtroom security in order to protect the integrity of the Anderson Municipal Court; sustain the rights of individuals before the court; deter those who would take violent action against the court or participants in court procedures; and sustain the decorum of the court.

II. POLICY:

The City of Anderson Municipal Court adjudicates cases, penalizes those found guilty of violating the law, and at the same time, protects the constitutional rights of those brought before them. Appropriate levels of security must prevail in the court to protect the integrity of the court procedures, to sustain the rights of individuals before it, and to sustain decorum required of courtroom proceedings. It is the policy of the City of Anderson Police Department to use security measures designed to maintain the physical security of the court facility and to protect the judge, jury, and all other participants who are attending court.

III. PROCEDURE:

Administration:

(SCLEA 26.1 A)

The City of Anderson Police Department is responsible for providing the security of the Municipal Court. The responsibility for these security operations shall derive from South Carolina Code of Law, Section 14-25-55.

Physical Security:

- Anderson Municipal Court is held in the courtroom of the Anderson City Municipal Building on Monday thru Friday at 0800 hours and 1400 hours and at any other time designated for court hearings. At all times when the courtroom is not in use, the public entrance to the courtroom shall remain locked.
- The public entrance to the courtroom shall remain locked until approximately 15 minutes prior to court. There shall be an officer present to operate the metal detector that is located at the public entrance to the courtroom.

Inspection of Premises:

Prior to opening the court to the public, the Bailiff and/or the Clerk of Court shall conduct a physical inspection for suspicious packages, concealed weapons, contraband, or other dangerous conditions. The courtroom shall be monitored by either the Clerk of Court or the Bailiff after it is opened to the public. Another inspection shall be completed at the close of court, after the public has left and the premises are secured. The Bailiff and/or the Clerk of Court are also responsible for making a physical inspection and test (if applicable) of the following item on each court day prior to each court session:

- The recorder and the interior microphones.

Responsibility of the Security Function:

(SCLEA 26.1 B & C)

The Chief of Police or his/her designee will coordinate and implement the requirements of this procedure and ensure compliance on a daily basis. The Chief of Police or his/her designee shall serve as agency liaison with the Municipal Court Judge and shall ensure that subordinate personnel comply with the requisites of this procedure.

- Each day that Municipal Court is in session, it shall be the responsibility of the assigned bailiff, or an on-duty police officer to be present during court proceedings.
- The officer assigned as bailiff shall ensure that persons being held in the City of Anderson Detention Center awaiting trial in Municipal Court are brought over to the courtroom and available for trial.

Court Bailiff - Duties & Responsibilities:

As part of the physical security plan of the Municipal Court, the officer(s), serving as bailiff(s), shall have the following responsibilities:

- The physical security of the premises in and around the courtroom;
- Ensuring that the courtroom is in order and that the defendants are in the correct court;
- The safety and security of in-custody defendants once they have been moved from the jail to the courtroom or taken into custody in the courtroom. This shall include monitoring them for safety, escorting them in and out of the court, and delivery back to the detention center at the conclusion of the proceedings;
- Assisting the judge, prosecutor, and clerk of court as needed; and
- When appropriate, he/she shall ensure the safety of members of juries impaneled to hear cases in the court. He or she shall also ensure that their deliberations are secure and that they are not molested or interfered with by any party either during the trial or during recess.

Fire and Disaster Procedures:

The officer designated as bailiff will be responsible for the following:

- Ensuring the safe and immediate evacuation of all persons in the event of a fire or other disaster in the courtroom;
- Sounding the alarm and notifying dispatch to contact the City of Anderson Fire Department in the event of a fire. All persons in the courtroom shall be evacuated out of the courtroom to a location outside and away from the building;
- Requesting additional departmental personnel to respond, if necessary, for containment of the area and preventing unauthorized entry;
- Coordinating departmental personnel responding initially to the fire scene and relinquishing control on the arrival of a command officer or City of Anderson Fire Department personnel;
- Being ever vigilant and suspicious of hand carried articles, and shall challenge individuals for cause and, upon order of the presiding judge, forbid access.

Security Operations:

Special operations and emergency procedures shall, whenever possible, be coordinated in advance between the Municipal Judge or presiding judge and the Chief of Police or his/her designee. In the event of a high risk trial, additional officers will be called in to provide extra security. The additional officers will be stationed in the courtroom, the hallway, and at all doors leading into the courtroom. Officers stationed at the doors will inspect hand carried packages, handbags, and other items carried by spectators that may be used to conceal weapons. Entry of spectators to the courtroom may be denied only upon order of the judge hearing the case. In no case is entry to witnesses or defense counsel to be denied.

1. These procedures include the use of metal detection equipment, as deemed necessary, at the public entrance to the courtroom.
2. Plans for high risk trials shall be prepared in advance with the advice and consent of the Municipal Judge or the presiding judge.
3. Emergency procedures will be consistent with City of Anderson Police Department policy relative to hostage situations and emergencies such as fires, bomb threats, etc.
4. Evacuations will be orderly and consistent with pre-established plans used by the City of Anderson Police Department.

Emergency Medical Plan:

The emergency medical plan for the Municipal Court is comprised of the first aid kit located in the court office and MedShore Emergency Medical Service, which is contacted for response to the City of Anderson Municipal Court and the City of Anderson Police Department. It shall be the responsibility of the bailiff to provide necessary assistance and/or call for medical assistance as the situation demands.

Bomb Threats:

The bailiff will advise the Uniform Patrol Captain or his/her designee of the problem and request the City of Anderson Fire Department to respond. The building will be evacuated and secured by the City of Anderson Police personnel. A search shall be made of the building for suspicious articles; if a suspicious article is located the City of Anderson Police Department Bomb Unit shall respond.

Security Survey:

(SCLEA 26.2 C)

Physical security is of paramount importance and the bailiff shall conduct a survey every three years to include:

1. Adequate lighting;
2. Communications equipment;
3. Evacuation plans;
4. Fire extinguishers;
5. Threat assessment for high risk trials;
6. Circulation patterns and movement of people;
7. Security of controlled entrances;
8. Metal detection equipment
9. First aid kits;
10. Restraining devices;
11. State of readiness and accessibility of all equipment; and
12. Informing the Chief of Police or his designee of any deficiencies noted.

Security Procedures:

Prisoner restraints shall be used in the courtroom unless the presiding Judge requests otherwise. Restraints will normally be limited to handcuffs, waist-belt, handcuffs attached to lengths of chain, and/or leg irons. These items are located in the City of Anderson Detention Center office. The use of restraints in the courtroom will be at the discretion of the officer designated as bailiff, unless otherwise directed by the Judge or a police supervisor. Officers shall consider the following conditions when deciding on the use of restraints:

- Physical incapacitation
- Age and/or health; and
- The severity of the charges, whether charges are crimes of violence, prior record of violent act(s) or escape attempt(s), threats made by the suspect, violent or uncooperative act(s), etc.

Circulation Pattern – Prisoner Movement:

Prisoners awaiting trial will remain seated in the area designated by the bailiff. At least one officer must guard the prisoner(s) at all times. Prisoners will enter and exit the courtroom through the side door and they will not be allowed to stop and converse with anyone while being walked from the detention center to the courtroom and back. At the end of the court session the bailiff shall ensure that all prisoners are taken back to the detention center.

- Spectators, witnesses and defendants shall not be permitted to approach the Judge's bench during court unless they are involved in trial or have permission from the presiding judge;
- Anyone in the courtroom shall be seated in the general seating area except for police officers and

officials of the court;

- Spectators shall not be permitted to sit with the prisoner(s) or converse with the prisoner(s) while awaiting trial, except for defense council and officials of the court.

Facilities and Equipment:

(SCLEA 26.2 A & B)

The perimeter lighting of the City of Anderson Police Department's building constitutes the perimeter lighting of the courtroom. Lighting will be checked on a continuing basis.

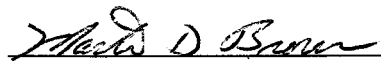
- Interior lights shall be checked on a continuing basis by department personnel and lights shall be replaced as needed.
- In case of a power failure, emergency lighting is available in the building.
- The exterior door to the courtroom will be locked at all times when court is not in session or otherwise in use.
- A fire extinguisher is available in the courtroom.
- A lighted parking lot is available for the public and court personnel.
- Communication shall be maintained through hand-held radios carried by officers as well as through telephones that are available throughout the building.
- Random inspections may be completed by the Chief of Police or his/her designee to ensure equipment availability and state of readiness.

Duress Alarms:

(SCLEA 26.3)

Duress Alarms are operated by switches at the Judges Bench and the Clerk's office and terminate to Blue Ridge Security for rapid response.

By order of:



Martin D. Brown, Chief of Police

3-11-2010

Date