Judicial Standing Order No. 16
Court Security Plan

The purpose of this Order is to establish regulations and procedures for security in the Justice of the Peace Court and/or designated Court facility. The authority to promulgate and enforce such regulations and procedures is inherent to the Court.

Definitions

"County property" and "County building" as used herein, shall mean property and buildings owned or occupied by Aransas County in which any or all of the County courtrooms, Judge's Office and chambers, Justices Court Clerks' Office, and Aransas County Prosecutors' Offices are located.

"Court Security Committee", as used herein, shall mean the committee established pursuant to Section 29.014, Texas Government Code, and shall include the presiding judge of the court, a representative of the agency or entity the provides security for the court, a representative of the city, and any other person the committee determines will be of assistance.

"Court Security Personnel", as used herein, shall mean the court bailiff, warrant officer(s), and authorized officers performing courtroom security screening of persons entering the County property.

"Personal search", as used herein, means a search of a person through the use of a portable magnetometer being moved by hand near the person. It may also include a visual search of the personal articles of the person and an electronic search of any item being carried into or brought onto County property.

"Prohibited items", as used herein, means a weapon, device, instrument, material, or substance (animate or inanimate) that is used for or is readily capable of causing death or serious bodily injury, excluding blades of less than two-and-a-half inches in length. A prohibited weapon includes, but is not limited to the following: firearms, knives or edged instruments, aerosol sprays, pepper spray, chemical mace, razor blades, scissors, utensils or tools of any kind, knitting needles or hat pins, heavy metal items such as locks, chains, handcuffs, large keys, and any item which could be construed as a potential weapon by the screening officer.

"Screening Event", as used herein, means the presentation, review, decision, and disposition related to an object introduced into the facility, whether in plain view, concealed on a person, or in a container.

"Security Personnel", as used herein, means the bailiff, courtroom screening officer and/or any peace officer responding to an emergency.

Applicability

These rules and regulations apply to all County property as defined above and to all persons entering in or on such property except those persons expressly exempted hereinafter.

IT IS ORDERED that if the presence of a metal object is detected by the court security personnel, the person shall be given the opportunity to remove and display the object. If the person refuses to remove and display the object and refuses to submit to a personal search, including, if necessary, a physical "pat-down" search, he shall be denied entrance to the courtroom. Any physical pat down search shall be conducted by an officer of the same gender as the person seeking entry into the courtroom.

IT IS ORDERED that if court security personnel discovers a prohibited weapon in the possession of the person attempting to enter into the Courtroom or other County property after being advised of the prohibition, the person shall be detained for investigation, and if appropriate, arrested by appropriate law enforcement personnel.

Admission Searches

IT IS ORDERED that any person desiring to enter County property, other than court personnel, shall enter through the designated entrance and shall be required to pass through a magnetometer, (i.e., a metal detector). Any person who activates a magnetometer shall be free to leave the building without further search or questioning. Any person who activates a magnetometer and still desires to enter the courtroom shall comply with any request, and may be required, to remove metal objects from their pockets or on their body and pass through the magnetometer a second time. If the magnetometer is again activated, the person will not be allowed to enter the courtroom unless 1) the person gives express consent to a personal search, 2) a personal search is conducted, and 3) any prohibited weapons are surrendered.

IT IS ORDERED that the security personnel providing security for the Court shall provide safe storage for items surrendered by persons entering the courtroom when the continued possession of the items would bar entry to the building under these regulations. Those items shall be returned to the person who surrendered them unless possession of the items is in itself illegal,

IT IS ORDERED that the following shall not be required to pass through the courtroom screening process: (a) sworn, active County of Aransas law enforcement personnel performing official duties. All such officers shall wear a visible badge including name and department, or equivalent, except that officers engaged in undercover activities may provide weapon screening staff with other evidence of their law enforcement status; (b) any law enforcement officer with proper ID and who is here for the performance of official duties. All others shall be screened. (Questions regarding the legitimacy of law enforcement I.D. or credentials shall be within the discretion of the courtroom bailiff; (c) Law enforcement, fire department and fire rescue personnel responding to a dispatched call for assistance.

Any law enforcement officer who does not have official business to perform in the courtroom or does not have proper ID who brings a firearm or other prohibited item into the courtroom screening area shall be given the opportunity to return the weapon(s) to their vehicle and secure it. All persons in the Courtroom are subject to additional unannounced searches at any time based on reasonable suspicion as determined by the courtroom security personnel.

Exceptions to the screening requirements in this section may be made by the courtroom bailiff or official supervising the operation of the magnetometer in the exercise of reasonable discretion for any person having a surgically implanted metal object in his or her body, a person wearing a prosthetic device or using a device designed to assist the person's mobility, including but not limited to walkers, wheelchairs and motorized carts, which is difficult to remove or the removal of which deprives the person of the mobility needed to move through a magnetometer.

Inspection

IT IS ORDERED that all purses, briefcases, packages and/or other containers in the immediate care, custody or control of persons entering the courtroom, as defined above, shall be subject to inspection. No person, other than those persons exempted from the courtroom admissions screening process by the provisions of the immediately preceding paragraph, shall be permitted to carry a packages, purses, satchels, briefcases, or other container onto County property unless such object has been inspected by authorized personnel to determine that it does not contain a prohibited weapon and poses no threat to the court or court personnel. If at any time there is an articulable and reasonable suspicion that a weapon may be found, a person or object is subject to search. The search shall be no more intrusive than necessary to protect against the dangers presented. Inspection of packages, purses, satchels, briefcases, or other containers may be carried out by authorized personnel by visual inspection of the interior of such containers, by x-ray or other electronic survey of the contents thereof, if such be available, or both.

IT IS ORDERED that prior to the opening of any session of court, the courtroom security personnel shall follow procedures articulated in APPENDIX A, unless otherwise instructed by the judge presiding over the session or other authorized court personnel.

Weapons Prohibited

IT IS ORDERED that no weapons are allowed in the courtroom, office, or space used for official court business or by judicial employees. This prohibition does not apply to court security personnel in the performance of their official duties or to security personnel or other law enforcement officers who are transporting prisoners. The Justice of the Peace may authorize additional exceptions in extraordinary circumstances.

This prohibition shall not apply to judges, Aransas County Law enforcement, as that term is defined by Article 2.12 of the Texas Code of Criminal Procedure, or to unloaded firearms and prohibited weapons which are to be introduced into evidence or used for demonstrative purposes in a trial or legal proceeding scheduled in the building into which it is brought.

Use of Force

IT IS ORDERED that court security personnel are hereby authorized to use such force as is necessary to subdue a threat or perceived threat to the safety of the Court, court personnel and/or its occupants. The use of force is permissible only to the extent reasonably necessary to establish and maintain a safe and secure environment or for court personnel to protect themselves in the performance of their job duties. Specific procedures regarding the use of force are authorized pursuant to and consistent with APPENDIX C.

Notice

IT IS ORDERED that one or more signs shall be posted at each designated public entrance to the Courthouse and/or at each entrance to the Courtroom in a location and of a size and design reasonably calculated to draw the attention of persons entering the courtroom and identifying it as a designated public entrance. At other entrances to Courthouse one or more signs may be posted in prominent places in a location and of a size and design reasonably calculated to draw the attention of persons attempting to enter the courthouse through that entrance and notifying such persons that no public access is permitted at that entrance.

The sign(s) shall give notice that:

- No weapons or explosives corrosives or incendiary devices may be brought into the building;
- All persons entering the building are subject to search for prohibited items; and
- All packages, purses, satchels, briefcases, or other containers are subject to search prior to entering the building.
- Persons in violation of this order may be held in contempt of court and subject to immediate arrest.

Reporting of All Security Incidents

Court Security Personnel shall immediately report all security breaches or incidents to the Aransas County Sheriff and presiding Justice of the Peace. An "incident" is described as a bomb threat, escape, or other serious situation that disrupts court proceedings.

Court Security Committee

Pursuant to Section 30.00007 of the Texas Government Code, a Court Security Committee is hereby formed. The Committee shall be chaired by the presiding judge and shall establish policies and procedures necessary to provide adequate court security. The Committee shall be comprised of the presiding judge, a representative of the agency or entity that provides primary security for the court, a representative of the city, and any other person that the committee determines will be of assistance. The Committee shall meet at least annually to:

- review the sufficiency of current security procedures
- recommend improvements and/or modifications to the Court Security Plan
- evaluate past security incidents
- review required court security officer training
- ensure State reports relating court security are/have been properly filed

Severability

In the event any paragraph(s), sentence(s) or word(s) of these regulations and procedures shall be held invalid, such invalidity shall not affect the remaining paragraphs, sentences or words of these regulations and procedures.

IT IS SO ORDERED on this 5th day of January 2023.

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Diane Dupnik
Justice of the Peace, Pct 1,
Aransas County, TX.

APPENDIX A

COURTROOM SECURITY

Providing the physical security of the courtroom is an ongoing process. Searching the courtroom and its environs is essential for overall security and a critical task of the court security officer. Remember, control is the key issue when dealing with courtroom security. In order to maintain control, we must first gain control by ensuring that no unauthorized weapons are present in the courtroom at any time.

Search Elements
The court security officer should:

- Be curious — stop, look and listen carefully whenever preparing, or actively searching.
- Be systematic — start to finish. Begin in a designated area, and search with a purpose.
- Avoid distractions.
- Be thorough — have a plan in mind (divide the area to be searched by height: floor to waist, waist to chin, chin to ceiling, and false ceiling) and do not deviate from it.
- Be safe — look before touching! Items may be planted to injure the court security officer or to draw attention away from completing a thorough search. The court security officer should wear gloves and consider a simple "search kit."

Sample Search Kit

- Screwdrivers: Phillips head and standard
- Pliers: multiple sizes
- Blade: for cutting
- Mirror: dentist type and larger
- Evidence collection bags-various sizes

Be objective. Remember that discovery of one piece of contraband should only encourage additional checking for other pieces of contraband. If contraband is discovered on County property, do not remove the contraband until proper crime scene processing is complete or as otherwise directed by the Justice of the Peace, Sheriff or Chief of Police or his designee.

RESOLVE ALL DOUBT. If the court security officer is not satisfied with the search of an area, it should be searched again. Common sense and natural curiosity are the court security officer's two most valuable tools. Knowledge of the physical layout of the courtroom is a critical element of

successful room and building searches. If necessary, other court security personnel or other "key" court personnel may be used to assist with the search. If a safety threat is located, immediately secure the area and then court. If necessary, instigate evacuation procedures.

DO NOT TOUCH SOMETHING YOU DO NOT UNDERSTAND. If an object that appears to be an explosive or incendiary device is encountered, avoid using any electronic device or transmitter. Secure the area immediately.

APPENDIX B

MANAGING THE COURTROOM

Rules of Conduct

- No food or beverages of any kind are allowed in the courtroom. This rule may be adapted only at the direction of the Court.
- No recording devices (audio or video recorders) are allowed without the consent of the presiding judge. All mobile telephones must remain in "silent" or "off" mode.
- No standing in the public gallery.
- Disruptive behavior of any kind will not be allowed. Non-compliant persons shall be asked to leave or be removed from the courtroom.
- Children and small infants may remain as long as they are not disruptive.
- Court Security Personnel are responsible to manage the courtroom by:
  - Communicating with the judge and other principles to determine whether special circumstances exist.
  - Coordinating all activity prior to the proceedings, including how evidence will be controlled. The court security personnel should be aware of any potential weapons being introduced as evidence and have plans in place for control of these items.
  - Controlling events as they arise. It is the responsibility of the court security personnel to monitor and identify anyone that may require special attention.

Courtroom Disruptions

Disruptions may occur at any time during the court process. Court security officers must be acutely aware of the signs and symptoms that are indicative of pending disruption. The awareness of those times and/or activities that trigger disruptive events is critical to the safe operation of the court.

It is the responsibility of the court security officer to know the court's rules regarding unruly individuals. The following principles apply to all persons entering the courtroom and adjoining court offices:

- Be prepared to act
- Develop contingency plans
- Know what/who you are dealing with

- Gather intelligence
- Assess potential threats
- Re-assess your findings as the activity develops

In the event of a security breach or incident, Court Security Personnel shall immediately report such breach or incident to the Aransas County Sheriff and Presiding Justice of the Peace. An "incident" is described as a bomb threat, actual physical violence or imminent threat of physical violence against court personnel, a party to the litigation, a member of the public present in the courtroom or other serious situation that disrupts court proceedings.

APPENDIX C

USE OF FORCE

The following points apply to the use of force by the Court Security Personnel and other Aransas County Law Enforcement providing security to the Court. Security personnel shall:

- use de-escalation techniques and other alternatives to higher levels of force consistent with his or her training when possible and appropriate before resorting to force to reduce the need for force.
- use such force as is necessary to subdue and contain a disruptive person or persons and to re-establish control of the County Property, as that term is defined above.
- advise the disruptive person through verbal commands what conduct is expected and what actions must happen to bring about compliance.
- not use force against any disruptive person who is demonstrating compliance with appropriate directives.
- use the least amount of force needed to maintain a safe and secure the court environment.
- decrease the use of force to the minimal amount necessary to maintain a safe and secure environment if the disruptive person becomes compliant.
- remove themselves from the threat of physical harm if the removal does not expose the public, courtroom occupants and court personnel to greater harm.

As part of a measured response, Court Security Personnel are authorized to use approved, non-deadly force techniques and devices as necessary to restrict the normal movement and function of the body or a portion of the body including, but not limited to, leg strikes, handcuffs, leg restraints, waist or "belly" chain, multiple restraint chain, Spit Hood, and Flex Cuffs, Oleoresin Capsicum (OC) Spray, and other non-lethal weapons, as authorized by law or consistent with the General Orders of the Aransas County Sheriff .

When using any degree of force, Court Security Personnel shall use reasonable care to ensure the safety of uninvolved persons.

The use of deadly force is authorized only in self-defense or to defend others from what is reasonably believed to be the use or imminent use of deadly physical force or the threat of death or serious bodily injury or to prevent the escape of a fleeing violent felon who the officer has probable cause to believe will pose a significant threat of death or serious bodily injury to the officer or others. Where practicable prior to discharge of the firearm, officers shall identify themselves as law enforcement officers and state their intent to shoot.

This policy shall not constitute justification for willful, malicious, or negligent conduct by any person, which injures or endangers any person or property. This policy shall not be construed to excuse, justify, or permit the use of any unreasonable or excessive use of force.