



## **General Order 73.1 - Court Security**

**PURPOSE:** To establish the authority responsible for the security of court facilities of the Eighteenth Judicial District, provide guidelines regarding prisoner security during high-risk trial(s), establish guidelines for weapons in the courtroom, and establish guidelines for weapon storage/lockboxes.

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ISSUED BY : Sheriff Jeffrey T. Easter

REVIEWED BY: Standard Review Committee

### **INDEX AS:**

73.1.1 Sheriff's Responsibilities Established

73.1.2 Open

73.1.3 Prisoner Security, High-Risk Trial

73.1.4 Open

73.1.5 Open

73.1.6 Open

73.1.7 Weapons in the Courtroom

73.1.8 Weapon Storage/Lockboxes

### **73.1.1 SHERIFF'S RESPONSIBILITIES ESTABLISHED**

#### **A. Sheriff**

1. In accordance with the Kansas Statutes Annotated, the statutory authority of the sheriff will be as follows:

- a. K.S.A. 19-812. Process, writs, precepts, and orders; court attendance; fees. The sheriff, in person, or by his undersheriff or deputy, shall serve and execute, according to law, all process, writs, precepts and orders issued or made by lawful authority and to him directed, and shall attend upon the several courts of record held in his county, and shall receive such fees for his services as are allowed by law.
2. As stated in the synopsis of the Attorney General's Opinion #88-171, K.S.A. 19-812 is defined as follows:
  - a. K.S.A. 19-812 and K.S.A. 19-813 do not by their terms mandate the continual presence of a county sheriff at the courts of record in the county. However, the county sheriff possesses the discretionary authority to determine if and when such security is necessary.
3. In accordance with the Kansas Statutes Annotated, the statutory authority regarding the security for the district courts will be as follows:
  - a. K.S.A. 20-366. Security for district courts. Every county shall provide security for each division of the district court as is determined by the county commissioners to be necessary and proper.
4. **(R)** The chief of courthouse police department and his/her officers are authorized by the Sedgwick County Board of Commissioners to be responsible for the physical security of the courthouse.

### **73.1.2 OPEN**

### **73.1.3 PRISONER SECURITY, HIGH-RISK TRIAL**

- A. **(R)** In the event of a high-risk trial, all directives regarding prisoner security will apply as outlined in this policy. When possible, a court assignment will be established under the direction of the court security section supervisor. If the court security section supervisor, the judge, or Judicial Division commander believes staffing is not sufficient, the amount of personnel may be increased to guarantee the safety and security of all prisoners in the trial. If necessary, the personnel will be allocated from other units within the Law Enforcement Bureau. The duties of the deputies in a high-risk trial will include a physical search of the courtroom before court is called to order at the beginning of each day. The continuous security of the courtroom will be held throughout each day of the trial. Deputies will assume positions of high visibility in the courtroom, taking stations near areas of escape and/or in close proximity to the defendant(s) in the trial. When transporting the high-risk prisoner(s), two (2) or more court security deputies will escort the prisoner(s) to and from the courtroom or other appointments at all times. The high-risk prisoner(s) will not be outside the facility without transport chains, handcuffs, and leg restraints, if applicable.
- B. **(R)** As a guide for the court security section supervisor, the following areas need to be addressed with the consistency necessary to lessen all risks involved regarding prisoner security during a high-risk trial:
  1. Factors which may increase risk levels:

- a. Strong political or social views;
- b. Gang involvement;
- c. High degree of public interest or press coverage;
- d. Injury to children;
- e. Organized crime figures;
- f. Protected witnesses;
- g. Known threats or tips;
- h. **(R)** Prior escapes or escape attempts;
- i. Emotionally disturbed persons; and
- j. **(R)** Repeat Offenders.

2. Sources of risk:

- . Defendant;
- a. Victim;
- b. Family of party or victim;
- c. Attorney; and
- d. The public/gallery.

3. Targets of risk (descending order):

- a. Judges;
- b. Witnesses;
- c. Jurors;
- d. Defendants
- e. Attorneys, and
- f. Defendant's or victim's family

4. **(R)** Unusual conditions in our jurisdiction may turn an otherwise ordinary trial into a high-risk trial. Keep local conditions in mind. Deputies may utilize information from news and social media sites that may affect the level of risk associated with the high-risk trial.

C. Once the high-risk trial is identified:

- 1. **(R)** The court security section supervisor should contact the following entities to develop plans for the high-risk trial:
  - a. Judge and staff;
  - b. **(R)** The District Attorney's Office;

- c. **(R)** Defense Counsel;
  - d. **(R)** The Sheriff's Office Public Information Officer;
  - e. **(R)** Courthouse Police Department;
  - f. **(R)** Sedgwick County Emergency Communications;
  - g. Local police, and arresting agency if necessary;
  - h. Federal or state agencies, if necessary;
  - i. Fire personnel, if necessary;
  - j. Emergency Medical Service;
  - k. **(R)** Facilities Maintenance;
  - l. **(R)** The Sedgwick County office of Emergency Management, if necessary; and
  - m. **(R)** Detention Operations Division
2. **(R)** Establish agreements through these contacts concerning prisoner security as it relates to the follow areas:
- a. Security for jury;
  - b. Handling of the defendant(s);
  - c. Entry screening;
  - d. Courtroom selection;
  - e. Press relations;
  - f. Courtroom coverage;
  - g. **(R)** Written court orders, on-record admonitions to the gallery; and
  - h. Crowd control and screening.
3. **(R)** Extra courthouse police presence, if necessary:
- a. **(R)** Allow no standing in the courtroom at any time in the proceeding.
  - b. Consider having spectators use a "sign in" sheet to assist in seating arrangements. When all the spectator seats are filled, no one else should be allowed into the courtroom.
  - c. **(R)** Consider utilizing a lottery system for seating in the gallery, this will be helpful in breaking up large groups of people wanting to gain access to the gallery.
  - d. **(R)** Request assistance from Courthouse Police to monitor the lobby and other public areas near the courtroom.

4. Consider instructing any person who leaves the courtroom to go to the end of the line and wait for readmission if there is a line of people. Selection of a courtroom
  - a. Confer with the Administration Judge about using one of the courtrooms on the west side of the courthouse where there are safe corridors to the inmate elevator. In any case a courtroom should be selected which:
    1. Is isolated from public activities;
    2. Has no public access to the restricted area;
    3. Is close to a prisoner transport passage;
    4. Has several means of entry and exit, so trial participants are not mixed together;
    5. Contains structural features that will serve as barriers and reduce personnel needs;
    6. Has a secure entry and exit for defendants, preferable from a holding cell;
    7. Has an effective alarm and communication system; and
    8. Allows for overflow seating.
5. Defendant security should include the following:
  - a. At least two (2) deputies for each defendant;
  - b. Both the detention facility and Judicial Division staff should be advised of the defendant's status and location;
  - c. If the defendant is being transported from other than the detention facility, survey transport routes, and if possible, vary them;
  - d. Maintain constant communication while en-route;
  - e. Use sally ports;
  - f. Restrain defendant as much as possible;
  - g. After receiving approval and a verbal order from the presiding judge, a defendant who is not in custody should be monitored for any concealed weapon or other dangerous object; and
  - h. **(R)** A defendant who is in custody shall not be allowed any contact with spectators nor should the defendant be allowed to receive any items from spectators.
  - i. **(R)** Assigning plain clothes personnel to sit in the courtroom to assist with monitoring the gallery and provide additional assistance when needed.

#### **73.1.4 OPEN**

#### **73.1.5 OPEN**

#### **73.1.6 OPEN**

#### **73.1.7 WEAPONS IN THE COURTROOM**

A. It is the policy of the Sedgwick County Sheriff's Office to provide lockboxes at various locations in the courthouse for the safe storage of weapons in cases where weapons are prohibited during 18th Judicial District Court proceedings.

1. Uniformed deputies assigned to court security duties shall be authorized to carry weapons into court proceedings.

#### **73.1.8 WEAPON STORAGE/LOCKBOXES**

A. Weapon storage lockboxes are located in the following areas:

- a. Judicial Division office;
- b. Sedgwick County Detention Facility lobby;
- c. Detention facility sally port;
- d. Detention facility court link hallway (west side);
- e. Court holding cell hallway area; and
- f. In the Investigations Division office.
- g. **(R)** Detention Administration Office
- h. **(R)** Work Release