



CALHOUN COUNTY COURTS – ALL COURTS POLICY

37TH JUDICIAL CIRCUIT CALHOUN COUNTY PROBATE 10TH JUDICIAL DISTRICT

SUBJECT: SECURITY POLICY FOR COURT FACILITIES	SECTION: SECURITY	DATE: March 6, 2023
	NUMBER: 12.001	SUPERSEDES: LAO C37-2022-07J, D10-2022-04J, P13-2022-05J

LAO C37-2023-01J, D10-2023-01J, P13-2023-01J

SECURITY POLICY FOR COURT FACILITIES

This Administrative Order is issued, after consultation with Calhoun County Judges, the Calhoun County Sheriff, Calhoun County Administration and Calhoun County Court Administration, in accordance with Michigan Supreme Court Administrative Order 2001-1 and MCR 8.115. The purpose of this order is to address general security and the presence of weapons in court facilities.

Previous Local Administrative Orders LAO C37-2022-07J, D10-2022-04J, P13-2022-05J are rescinded.

The Circuit, Probate and District Courts for Calhoun County find as follows:

1. Court security is an effort to prevent or control such problems as verbal abuse or insult, disorderly conduct, generally dangerous situations, physical violence, demonstrations, theft, fire, bomb threats, sabotage, hostage situations, prisoner escapes, kidnapping and assaults; and,
2. The courts have a responsibility for assuring that reasonable measures are taken for the safety and security of the public who use the facility and all staff who work in the facility; therefore,

IT IS ORDERED:

1. **LIMITED WEAPONS PERMITTED**. No weapons are allowed in the Calhoun County Justice Center except those in the possession of the Sheriff, his authorized officers and uniformed or plain-clothed certified law enforcement officers during the performance of their official duties, if the officer is in uniform (or otherwise properly identified) and is not a party to a matter then before the Court. Law Enforcement officers exercising official duties within the Justice Center may be permitted to carry weapons in accordance with their departmental policies.
2. **EMPLOYEES WITH CPL LICENSES**. Court employees with a valid CPL may carry

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weapons into the building to the point of the lockboxes designated to hold weapons during the workday. An employee wishing to use the lockbox must complete the request form and turn it in to the CCSD Transport Sergeant. Proof of a valid CPL is required with the application. County Administration and the Calhoun County Sheriff's Department manage the lockboxes. The Sheriff will maintain a list of employees authorized for lockbox use.

The Chief Judge may authorize additional exceptions, in writing, in extraordinary circumstances.

3. **CELL PHONES**. Cell phones and other technology must be in silent mode in the courtrooms and hearing rooms and must be stored away during court proceedings. Because visible cell phones cause a disruption to the judge or hearing officer, cell phones may only be visible if given permission to use by the presiding judge, referee, or magistrate. No audio, photography or recording function of a cell phone may be used inside any courtroom or hearing room consistent with Michigan Court Rule 8.115, with the exception of weddings or other ceremonial events being photographed with the permission of the Court.
4. **RECORDINGS IN COURT**. No recording or photography equipment of any kind shall be permitted in a courtroom or hearing room except by media that have obtained prior written approval pursuant to the Michigan Supreme Court Administrative Order 1989-1, with the exception of cameras to be used for a weddings or other ceremonial events with permission of the presiding judge or court official. Jurors and Jury Selection processes may not be photographed by the media or any other person pursuant to Michigan Court Rule (MCR) 8.115(C)(3)(c). In areas of a courthouse other than courtrooms, no one may photograph, record, broadcast or live stream an individual without that individual's prior express consent pursuant to MCR 8.115(C)(3)(b). A courthouse area includes all areas of a court building used for the administration and operation of the court. Official court business, including the administration and operation of the court, is conducted on every floor of the Calhoun County Justice Center. Individuals intending to photograph, record, broadcast or live stream themselves, or have another photograph, record, broadcast or live stream them, in the Calhoun County Justice Center would subject any individual including a juror, potential juror, witness or employee to inadvertently being photographed, recorded, broadcast or livestreamed without the opportunity to expressly consent. Therefore, no photography, recording, broadcasting or live streaming may be conducted in the Calhoun County Justice Center without receiving prior written approval from the Calhoun County Chief Judge or an individual's prior express consent to be photographed, recorded, broadcast or live streamed.
5. **SECURITY SEARCHES**. All persons and their belongings and all parcels are subject to screening by Sheriff's Deputies for the purpose of keeping weapons, drugs (including marijuana which is prohibited by federal law) and other restricted items

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from entering the facility.

If at any time there is an articulable and reasonable suspicion that a weapon or restricted item 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. Any person who refuses such a search may be denied admittance to, or ejected from, the building.

6. **BUILDING SECURITY**. The Sheriff shall assign sufficient officers whose duties shall include staffing the public entrance to the Justice Center, manning security and scanning devices at the public entrance and responding to requests for security assistance or to security incidents occurring within the Justice Center during all public hours of the facility.

The Sheriff shall advise all agencies within the Justice Center of the security procedures and methods of contacting assigned security officers for assistance.

7. **NOTICE TO PUBLIC**. Signs shall be posted that “No weapons or other restricted items are permitted in the Calhoun County Justice Center. All persons and parcels are subject to search for weapons and restricted items as a condition of entry. Persons in violation of this order may be held in contempt of court.”
8. **COURT DECORUM**. Conduct in the courtrooms and hearing rooms must reflect the professional environment and work of the Courts. Appropriate attire must be worn by all in attendance. Individuals addressing the court or jury shall stand unless excused from doing so by the court. Disruptive behavior from any individual within any Court facility will not be tolerated. A person deemed to be in violation of this may be asked to leave or be removed from the facility at the discretion of the Sheriff or other security personnel. Court proceedings are recorded, so silence is required during court proceedings. This policy applies to all hearings whether in-person or virtual.
9. **SECURE AREAS OF FACILITY**. Areas of the Calhoun County Justice Center designated as “secure areas” shall be entered and/or occupied only by authorized state, court or county staff unless otherwise permitted by County Administration, the Sheriff, and/or the Chief Judge. Secure areas shall be kept locked from access to the general public at all times. Court staff shall perform a security sweep of courtrooms and hearing rooms daily to review the premises for any potential security threats or unauthorized persons.

Secure area designation shall be by approval of the Chief Judge, Sheriff and/or County Administration. Persons who enter or occupy any designated secure area of the facility without authorization or who interfere with securing mechanisms or devices for such areas may be removed from such areas by the Sheriff and barred from re-entry. Staff members who violate the established security measures are subject to disciplinary action by their employing court or agency.

10. **IDENTIFICATION AND KEY CARDS**. The Chief Judge, in cooperation with all

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judges, shall approve in writing any persons other than court staff who are to be permitted access to the Court's secure areas. Members of the Bar must apply for, be approved, pay for a key card, and sign a usage agreement form prior to being permitted access to the Court's secure areas.

Vendors must be accompanied by a staff person for admittance into the secure areas of the Court, unless issued a key card by the County. All Calhoun County Judges requested and agreed that members of the State Bar should be permitted access to the secure areas of the Court, subject to these procedures. See the signed agreement attached to and incorporated into this policy by reference.

11. **CLEAR APPROACHES**. All approaches to courtrooms, offices, and other rooms which constitute facilities of this Court shall be kept clear for the safety of the public and employees.
12. **COURT FACILITIES**. The Courtroom(s), Judge's chamber(s), jury room(s), conference room(s), office(s), libraries, and all other areas utilized by the Courts shall be for the exclusive use and occupancy of personnel authorized by this Court. Any unauthorized use is prohibited.
13. **ATTORNEY BAR AREA**. The bar area of the Court within the rail is reserved for parties to the action or the proceeding, their attorneys, Court personnel, witnesses while sworn and testifying and such other persons as requested by the parties and authorized by the Court. The Court reserves the right to prohibit entrance and exit from the Courtroom bar area by any person except Court staff, members of the Bar, parties, and witnesses while in session and to eject violators from all proceedings.
14. **TRIAL EXHIBITS**. No one except attorneys of record, their agents, witnesses while sworn and testifying, Court personnel, and jurors may handle proposed or admitted exhibits except by Order of the Court.
15. **MAXIMUM OCCUPANCY SIGNS**. Each Courtroom shall have a posted maximum occupancy sign. No more than the maximum authorized number of persons shall be in any Courtroom at any time.
16. **SERVICE ANIMALS**. Except for certified service animals, no animals are allowed in any court facilities. The Americans with Disabilities Act (ADA) defines a service animal as a guide dog, signal dog, or other animal individually training to provide assistance with a disability. Emotional support animals, comfort animals and therapy dogs are not considered service animals under the ADA but may be allowed in any court facility at the discretion of the Chief Judge or his/her designee.

Security personnel and court personnel may not inquire about an individual's disability, require medical documentation, or any identification card or training documentation for the service animal. However, security personnel may ask the following questions regarding a service animal:

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- a. Is the animal a service animal required because of a disability?
- b. What work or task has the animal been trained to perform?

Under the ADA, service dogs must be harnessed, leashed or tethered unless such devices interfere with the service dog's work or the individual's disability presents using these devices. In that case, the individual must maintain control of the animal through voice, signal or other effective means. If a service animal is deemed to be unduly disruptive and/or out of control by Court Security personnel, the owner may be asked to remove the animal from the facility.

17. **REVIEW AND UPDATE OF SECURITY POLICIES.** Court Administration shall review security policies and the Continuation of Operations Procedures on an annual basis, beginning January 2023.

This order is consistent with security policies and procedures developed in cooperation with the Sheriff and County Administration and is effective immediately.



03/08/2023

MICHAEL L. JACONETTE (P47209)
CHIEF JUDGE
CALHOUN COUNTY

MICHAEL L. JACONETTE,
Chief Judge Calhoun County Courts