



## Model Policy for: Court Security and Bailiff Duties

Effective:	Revised:	Rescinds:

### I. Purpose:

The purpose of this order is to establish procedures to be used by sheriffs' bailiffs in the performance of their duties. Pursuant to §30.15, Florida Statute, the sheriff is an officer of the court and the means by which judgments of the court are generally enforced.

### II. Distribution:

Court services, Bailiffs and all supervisors.

### III. Policy

It is the policy of the \_\_\_\_\_ County Sheriff's Office to provide security in the \_\_\_\_\_ County courthouse, all courtrooms and judicial areas, in order to protect the integrity of the court, protect the rights of individuals before it, deter those who would take adverse action against the court or its participants and maintain the decorum of the court.

### IV. Definitions

**Bailiff:** A sworn Deputy Sheriff who is assigned to the courthouse function for the purposes of maintaining the security and integrity of the judicial process including maintaining order in the court, carrying out the directives of the judicial officials, enforcing the laws of the state of Florida, moving inmates and detainees to and from proceedings and protecting courthouse staff from harm. (31.01A)

**Inmate/Detainee:**

A person who has been arrested, detained, in law enforcement custody pending arraignment, release, adjudication or transfer to another facility or jurisdiction.

**Holding area:**

Any approved locked area, space, or enclosure where an inmate or detainee is secured pending court action.

(CFA) citations referred to in this policy refer to the standards established by the Florida Commission on Law Enforcement Accreditation.

### V. Courthouse Security

1. Structural Security Plan
  - a. The security plan for the \_\_\_\_\_ County courthouse shall be maintained as outlined in this policy. The \_\_\_\_\_ commander/supervisor shall be responsible for the security of all courtrooms and judicial areas of the courthouse. (CFA 31.01C)
    1. The \_\_\_\_\_ commander/supervisor will ensure that each member assigned to the Bailiff Unit is knowledgeable of courthouse and courtroom security functions.
    2. Courtrooms will be secured by the assigned bailiff after the court adjourns and during all recess periods.
    3. Each courtroom shall be equipped with at least one telephone easily accessible to the bailiff. (CFA 31.09) (CFA 31.01J) (CFA 31.03)
  - b. Public access to the courtrooms and judicial areas during normal business hours shall be restricted. All participants in the business of the court shall go through a screening process for weapons. (CFA 31.01D)
    1. Inmates/detainees shall be brought into the courthouse through controlled and secure doors. (CFA 31.04) The detention area shall be secured and not accessed by unauthorized personnel.
    2. Access shall only be gained through court order or the authority of the sheriff's bailiff supervisor or designee.
    3. If an emergency situation develops anywhere within the courthouse, access by non-essential personnel will not be permitted. All non-essential personnel shall be evacuated to a safe area. (CFA 31.01D)
  
2. Locks and Keys
  - a. The \_\_\_\_\_ commander/supervisor, or designee, may issue a manual or digital key for accessing the \_\_\_\_\_ County courthouse to authorized sheriff's office members to include: (CFA 31.08)
    1. Bailiffs
    2. Special Weapons and Tactics Unit personnel
    3. Hostage Negotiation personnel
    4. Hazardous Devices personnel
    5. Watch Commanders
  - b. When a manual or digital key is lost or stolen, the \_\_\_\_\_ commander/supervisor shall be notified immediately and the digital key will be deactivated or manual key lock changed. (CFA 31.08)
  - c. Keys may be issued temporarily at the discretion of the \_\_\_\_\_ commander/supervisor.
  
3. Special Circumstances
 

These may include:

  - a. Critical Incident or Hostage Situations
 

When a critical incident or hostage situation occurs in the courthouse, Bailiffs, and other appropriate sheriff's office deputies, shall at a minimum: (CFA 31.01E)

    1. Secure the area;

2. Evacuate non-essential personnel and citizens;
3. Notify the communications center;
4. Take the appropriate law enforcement action to ensure the safety of all courthouse personnel and citizens.

b. High Risk Trial

When an identifiable security risk is anticipated, the \_\_\_\_\_commander/supervisor shall meet with the presiding judge to discuss security concerns. The appropriate measures to ensure the security of the court shall be implemented. (CFA 31.01F)

1. During a high-risk trial it may become necessary to restrict entry to the court in consultation with the presiding judge. If access is restricted, the bailiff assigned shall enforce those restrictions. The restrictions may include:

- The number of news media personnel
- Items carried into the courtroom
- Certain individuals identified by a court order

c. Jury Transportation

When a jury is required to be transported, the \_\_\_\_\_commander/supervisor shall make the arrangements after consulting with the presiding judge.

4. Emergency Procedures

The \_\_\_\_\_ commander/supervisor, or designee, is responsible for establishing evacuation routes and safely evacuating the judges, staffs, juries and the public from the courthouse in the event of a fire, bomb threat, or other potential life threatening event. (CFA 31.01G & CFA 31.01I)

- a. Bailiffs and deputies assigned to guard inmates/detainees will be responsible for the evacuation of the inmates/detainees in their respective courtrooms.
- b. The \_\_\_\_\_commander/supervisor shall be responsible for prospectively identifying staging areas for inmate/detainee evacuation and arranging for transportation.

5. Liaison:

The \_\_\_\_\_commander/supervisor shall be responsible for maintaining liaison with the other county offices located within the courthouse.

## VI. Bailiff Duties

1. Bailiffs shall maintain order, safety, and proper decorum in the courtroom. Specific duties include:
  - a. Being familiar with applicable Florida statutes.
  - b. Protect the lives and safety of all those involved in the business of the court.
  - c. Identify and control potentially dangerous or mentally ill persons.
  - d. Take into custody and secure persons remanded to the custody of the sheriff and provide for safe transfer.
    - Ensure that juveniles have been separated from adults when possible.

- Ensure that juveniles are secured in a holding area designated for juvenile offenders.
  - Ensure that all persons held are segregated by male and female.
- e. Carry out lawful orders of the court.
- To include administrative orders from judges
  - Under all present law, the presiding judge is in charge of what goes on in the courtroom and all special actions or precautions for the handling of defendants or other parties in the courtroom should always be cleared ahead of time with the presiding judge. This may include something as simple as whether cell phones should be seized or noisy persons removed.
  - Simple communication between the judge and the bailiff is critical in anticipating potential problems or operational obstructions.
- f. Make arrests, as appropriate, for wanted persons or disorderly persons within the courthouse.
- g. Maintain a proper protocol with jurors by avoiding inappropriate interactions and not talking with jurors unless it is official court business.
- h. Never make comments about cases before the court.
- i. Never make facial gestures, in response to testimony by witnesses or comments by counsel, that could bias the jury.
- j. Provide for the physical security of the courtrooms and judicial areas
- When inmates/detainees are taken from the holding area to the courtroom they are to be secured with handcuffs. Other restrains, such as leg irons, will be used when appropriate.
  - If the judge objects to the use of certain restraints, the bailiff shall obtain oral or written instructions from the judge regarding the type of restrains that should be used to maintain the proper decorum within the courtroom. When appropriate, use a table skirt to prevent the jury from seeing the inmate/detainee's leg irons.
  - Properly secure any non custody defendant that is taken into custody during court proceedings.
  - Never leave the judge alone in the courtroom.
  - Maintain a situational awareness of all movement within the courtroom area.
  - Be alert for any family/domestic disturbances in the queuing areas of the courthouse and be prepared to handle them in an appropriate fashion.
- k. Fingerprint persons who are convicted and adjudicated guilty of felony or appropriate misdemeanor charges in the presence of the court.
- l. Conduct security inspections of courtrooms prior to the court convening. (CFA 31.05) Any unexplained or suspicious packages or objects will be safely investigated to determine ownership or contents.
- m. Check doors, lights, telephones and alarms for proper working order.

- n. Ascertain that counsel, jury, and all involved persons are present so court can be convened and notify the presiding judge. When the judge is ready to enter, the bailiff shall give the appropriate announcement to open court.
- o. Bailiffs shall not discuss any matters pending before the court with any person, except in connection with their official duties. When questions are posed by the news media they should be referred to the sheriff's public information officer.
- p. Clear the courtroom of all persons when directed to do so by the judge.
- q. Remove inmates/detainees when the judge adjourns court. There shall be no visitation with any inmate, unless directed by the court, until they have been returned to the jail.
- r. After court is adjourned, and the courtroom cleared, bailiffs shall make a security check and secure the courtroom.
- s. Be alert for emergency situations. Examples include:
  - In the event of fire, bomb, or any kind of disaster, the bailiff shall see that all occupants of the courts are safely removed in an orderly manner pending a declaration that the courthouse is safe.
  - Know the location of fire suppression equipment.
  - In the event of a medical emergency, the bailiff shall notify Emergency Medical Services to respond. Until EMS arrives, the bailiff shall administer whatever assistance possible within the scope of his/her training. (CFA 31.01H)
  - In the event of an inmate/detainee escape, the bailiff shall immediately notify central communications and a supervisor. All entrances and exits should be secured and a search began for the escaped inmate/detainee. All judges shall be immediately notified. Consideration shall be given regarding safely evacuating the courthouse.
- t. Ensuring the orderly activities of jurors
  - Prior to the seating of a jury, the bailiff shall inspect the jury box and jury room.
  - Jurors shall be escorted and seated as directed by the court.
  - Bailiffs shall ensure that identification issued to jurors is worn in a manner that is conspicuous.
  - Ensure that no spectators make any threatening gestures or attempt to intimidate the jury. The presiding judge shall be notified when appropriate.
  - When so instructed, the bailiff shall remove the jury to the deliberation room and maintain security over the room. Requests from the jury will be written and relayed to the presiding judge. Jurors shall be instructed to knock on the door when they have reached a verdict or have any questions or requests.
  - No magazines, newspapers, radios, or televisions shall be allowed in the jury rooms unless authorized by the presiding judge.
- u. Sequestered Jury  
In the event that a jury is sequestered the bailiff shall:
  - Arrange for lodging, transportation and meals for the jury.

- Sequestered jurors are not to make or receive any form of communication except as approved by the presiding judge.

v. Grand Jury

The bailiff's duties are the same as for a regular jury and also include the following:

- Assist the State's Attorney is calling witnesses to the jury room.
- Be present and maintain security at all times outside the jury room while the Grand Jury is in session.

**VII. Courthouse Entrance Control Procedures**

Entry control points into the courthouse shall be staffed by bailiffs and situated to allow for an orderly flow of foot traffic through the screening process.

- Appropriate and available screening equipment (i.e. magnetometer, x-ray or wand) shall be utilized at the entry control points to screen everyone entering the secure area. The search shall be advertised at each entrance to the courthouse so that entry through the entry control point will carry an "implied consent" to the search. Screening is voluntary since the person who refuses to enter through the control point may leave. (CFA 31.03)
- All carried items shall be screened at the check point for weapons. (CFA 31.06)
- All persons entering the secure area of the courts shall go through this screening process except:
  - Judges, \_\_\_\_\_ (Assistant State Attorneys, etc. at the discretion of the sheriff)
  - Properly identified law enforcement officers.
  - Authorized county personnel who have been issued identification.
- Only law enforcement officers may possess weapons or firearms in secure areas. Weapons and firearms which are not of evidentiary in nature, that are secured by a bailiff in accordance with court rules or administrative order, shall be stored in the Bailiff's office. (CFA 31.02)

The Florida Sheriffs Association would like to thank the following individuals and organizations for contributing to this model policy.

Chief Judge Charles Francis, 2<sup>nd</sup> Judicial Circuit  
Sheriff David Hobbs, Jefferson County Sheriff's Office  
Marshal Bill Wills, Trial Court Marshal, 2<sup>nd</sup> Judicial Circuit  
Marshal Silvester Dawson, Florida Supreme Court  
Marshal Stephen Nevels, Florida 1<sup>st</sup> District Court of Appeals  
Wakulla County Sheriff's Office  
Jacksonville Sheriff's Office  
Brevard County Sheriff's Office  
Collier County Sheriff's Office  
Leon County Sheriff's Office  
Polk County Sheriff's Office  
Franklin County Sheriff's Office  
Gadsden County Sheriff's Office