



Courthouse Security

Florida sheriffs take their mission to protect public safety very seriously. They play a fundamental role in the courts by maintaining the rule of law and provide protection to judges and other participants in the judicial process. A recent appellate court case opinion, *Knight v. Chief Judge of Florida's Twelfth Judicial Circuit* (2017), determined that a chief judge of a circuit court can order the sheriff to secure a building used by the court, even if that building did not include courtrooms. This amount of control provided to the chief judge creates a separation of powers issue as well as potential funding issues caused by the security requirements in the judge's order.

This bill clarifies the decision by the appellee court. Under this bill, the sheriff, board of county commissioners and chief judge shall develop a comprehensive plan for court security. The sheriff is in charge of the law enforcement services associated with the plan and the chief judge has decision-making authority to ensure the protection of due process rights through the scheduling and conduct of trials and other judicial proceedings. The language contained in this bill is a compromise between sheriffs and the chief judges in Florida.

This bill contains no fiscal impact. A county is only required to fund reasonable and necessary costs of law enforcement services. Currently, sheriffs are already providing court security. Nothing in this bill provides a sheriff with any other means to increase their budget. A sheriff's budget is provided to them by their county commission and a county is under no obligation to increase a sheriff's court security budget because of this bill.

This bill is narrowly defined. The term "trial court facility" is used to ensure that the only facilities affected by the bill are courtrooms in which trials are held.

Support HB 131 by Rep. McClain & SB 118 by Sen. Gruters

