

IN THE CIRCUIT COURT OF THE
SEVENTEENTH JUDICIAL CIRCUIT, IN
AND FOR BROWARD COUNTY, FLORIDA

ADMINISTRATIVE ORDER NO. I-01-B-3

IN RE: COURTHOUSE SECURITY

I. GENERAL PROVISIONS

WHEREAS, threats and acts of violence directed at the general public, witnesses, jurors, litigants, lawyers, court personnel and judges demonstrate the need for additional security at the county courthouse and at all courthouse satellites. Accordingly, the undersigned as Chief Judge of the Seventeenth Judicial Circuit of Florida hereby prohibits all persons, with the exception of those specifically enumerated in section II below, from carrying or possessing firearms, weapons or destructive devices, as defined in section 790.001, Florida Statutes (1991), in the county courthouse or any courthouse satellite (hereinafter collectively referred to as the "courthouse") in Broward County. Further, this court prohibits all persons from carrying or being in possession of any other device(s) or instrument(s) that could be used or perceived to be used as a physical threat to persons, or property, in the Courthouse/satellites in Broward County. Prohibitions may include but are not limited to pocket knives, ammunition, fireworks, caustic or flammable liquids. To enforce this prohibition the court, with the financial support of the Board of County Commissioners of Broward County, hereby authorizes the establishment of a court security detail. Further, the court empowers the security detail to stop all persons entering the courthouse, with the exception of those persons specifically enumerated in the section II below, and condition the right of entry upon the entrant's willingness to submit to a search of their person and/or personal effects to include purses, pocketbooks, briefcases, containers, packages, pagers, cellular phones and any other electronic device deemed necessary by the security detail. All persons refusing to submit to a search shall be denied access to the courthouse. Searches shall be conducted through the least intrusive means practicable. The purpose at the search is to insure the safety of the users and occupants of the courthouse. Nonetheless, discovery of illegal weapons, contraband as defined in section 932.701, Florida Statutes (1991), or other violations of criminal statutes will result in the immediate notification of law enforcement so that an arrest and seizure may be effectuated.

II. EXEMPT PERSONS

A. No law enforcement officer of any department may, ninety(90) days after the effective date of this Order, enter the Courthouse in possession of a firearm, unless the officer's employing department has in place in its departmental Policy and Procedures Manual, a requirement and disciplinary procedures preventing its officers from entering the Courthouse or any of its Satellites in the possession of a firearm, other than in the course and scope of the officer's official duties. Each Law Enforcement Department shall file with the Trial Court Administrator of the Seventeenth Judicial Circuit a certified copy of such policy and procedure prior to the entry of any of its law enforcement officers to the Courthouse or any of its Satellites.

B. The following shall be exempt from the prohibition against carrying firearms into the courthouse or any of its Satellites: (1) All Law Enforcement Officers of Broward County Sheriff's Office, All Law Enforcement Officers of any Broward County municipality, All Law Enforcement Officers of the State of Florida, whose primary assignment is within Broward County while engaged in their official duties. However, no Law Enforcement Officer may enter the Courthouse or any of its Satellites in possession of a firearm for any purpose other than in the course and scope of the officer's official duties. At no time may any Law Enforcement Officer possess a firearm within the Courthouse or any of its Satellites when off-duty or for any private or personal purpose.

All non-uniform and/or plain clothes law enforcement officers shall be required to present his/her official identification prior to entry into the courthouse. Any officer not presenting official identification shall be prohibited from possessing a firearm within the courthouse. Further, non-uniformed and/or plain clothes law enforcement officers shall be required to securely encase and conceal their firearms from public view. All uniformed officers shall securely encase their firearms in their service holsters. This exemption only applies to Law Enforcement Officers who are entering the Courthouse to fulfill their official law enforcement duties.

The Courthouse security shall be required to maintain a log for all non-uniform and/or plain clothes law enforcement officers in possession of a firearm and shall be required to cause all non-uniformed and/or plain clothes to register immediately upon entry to the Courthouse. The law enforcement officer's reason for entry to the Courthouse shall be recorded. Any Federal law enforcement officer, or any law enforcement officer of a department not in compliance with II(A) of this Order shall immediately report to the officer in charge of the Broward Sheriff's Office as designated by the Chief of the Broward Sheriff's Office Court Services Division or his/her designee. The Broward Sheriff's officer in charge may in his/her discretion allow that law enforcement officer to possess a firearm within the Courthouse or to require the firearm to be secured in a firearms locker.

C. When entering the courthouse/satellites, the following shall be exempt from the search requirement: (1) all Circuit and County Court Judges of the Seventeenth Judicial Circuit; (2) All Constitutional Officers of the State of Florida whose primary office is located within the Broward County Courthouse; (3) the Court Administrator; and (4) all full-time General Masters. Court Security shall not exempt any person who is exempt under provision 2(C), unless that person is personally known to the security officer or, if not personally known, the person presents his/her official identification.

III. NONEXEMPT PERSONS

A. No one shall be permitted to carry any weapon into the courthouse or its satellites unless the person is specifically exempted under section II(B), II(C) above.

B. All law enforcement officers who are authorized to carry firearms as part of their official duties, are prohibited from carrying a firearm into the courthouse or its satellites, when the law enforcement officer is a party to the proceeding and not appearing in an official capacity.

C. All law enforcement officers not employed by a Law Enforcement Agency situated within Broward County, all State of Florida Law Enforcement Officers not assigned to posts in Broward County and any Federal Law Enforcement Officer or member of any Broward County or Broward Municipal Law Enforcement Department which has not complied with provision II (A) of this Order, shall be required to present identification and to immediately report to the officer in charge of the Broward Sheriff's Office as designated by the Chief of the Broward Sheriff's Office Court Services Division or his/her designee. The Broward Sheriff's officer in charge may in his/her discretion allow that law enforcement officer to possess a firearm within the Courthouse or to require the firearm to be secured in a firearms locker. A gun locker, shall be provided near the front entry to the courthouse or any of its Satellites.

D. Prior to gaining entry into the courthouse, any person carrying a legally-authorized firearm or other weapon shall surrender the weapon to the security detail. The weapon shall be held under lock and shall be returned to the officer when leaving the courthouse.

IV. ADMISSION SEARCHES

A. Any person desiring to enter the courthouse or any of its Satellites shall enter through authorized entrances and shall pass through a magnetometer (metal detector).

B. Any person who activates the metal detector must empty his or her pockets and pass through the device a second time. If, after the second pass through, the metal detector is again activated, the person shall be subject to a security search to identify all objects which activated the metal detector.

C. Prior to passing through the metal detector, any person carrying a package, briefcase, container, purse, pocketbook, pager, cellular phone or any other electronic device

shall place such items on the X-ray conveyor belt and/or shall submit it to the security detail for visual inspection up to and including activation, if applicable.

D. Should the X-ray machine disclose what may be a weapon the container shall be subject to a manual search.

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E. The examiner shall not read any written material disclosed during a search.

F. If Illegal firearms, weapons, destructive devices or contraband, as defined above, are discovered during a search, the appropriate law enforcement authority shall be notified immediately so that an arrest and seizure might be effectuated.

V. LAW ENFORCEMENT WITHIN THE COURTHOUSE

A. Any person or persons engaged in any activity which is perceived to be a threat to the safety of persons or property within the Courthouse or its satellites, or which disrupts the official business conducted within the Courthouse or its satellites, or which constitutes a violation of a Florida Statute, Broward County ordinance or other municipal ordinance shall be subject to ejection from the Courthouse or its satellites upon order of a duly authorized law enforcement officer.

B. Any person or persons failing to immediately exit the Courthouse or its satellites upon order of a duly authorized law enforcement officer pursuant to V(A) of this order, shall be subject to arrest.

VI. PACKAGES AND LETTERS

A. All packages and letters entering the Broward County Courthouse or any of its Satellites shall either pass through a metal detector or be inspected. In the case of boxes of materials and supplies delivered through the courthouse loading dock, the inspection shall be to ensure that the

integrity of the carton has not been compromised. If a carton appears to have been opened and resealed, the carton shall be inspected to ensure that no firearms, weapons or destructive devices have been placed in the carton.

B. If illegal firearms, weapons, destructive devices or contraband, as defined above, are discovered during a search, the appropriate law enforcement authority shall be notified immediately so that an arrest and seizure may be effectuated.

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VII. NOTICE

The following notice shall be posted in a conspicuous place at all Courthouse entrances: "FOR THE PROTECTION OF THE PUBLIC, ALL PERSONS ENTERING THESE PREMISES MUST PASS THROUGH THE MAGNETOMETER (METAL DETECTOR). IF THE DETECTOR REGISTERS, THAT PERSON WILL BE SUBJECT TO A LIMITED SEARCH. ALL PACKAGES, BRIEFCASES, POCKETBOOKS OR OTHER ITEMS CARRIED BY A PERSON MUST BE OFFERED FOR INSPECTION IF SUCH PERSON WISHES TO ENTER THE BUILDING. ALL WEAPONS, INCLUDING LEGALLY-AUTHORIZED FIREARMS, MUST BE SURRENDERED PRIOR TO GAINING ENTRY INTO THE COURTHOUSE AND MAY BE RECLAIMED UPON LEAVING THE COURTHOUSE. ILLEGAL WEAPONS OR OTHER CONTRABAND DISCOVERED IN THE COURSE OF THESE SEARCH PROCEDURES WILL BE SEIZED."

DONE AND ORDERED in Chambers at Fort Lauderdale,
Broward County, Florida, this 29th day of March, 2001.

/s/DALE ROSS
Dale Ross, Chief Judge

* supersedes admin. Order I-97-B3 issued 10/1/97

