

Denver Draft REVISED 8/28/2009
Denver Courts and Justice Center and Denver City and County Building

ADMINISTRATIVE ORDER 09-1

The development and regular evaluation of courthouse security is an imperative activity for courts to undertake as employees and the public should feel safe when they are conducting their judicial business in Denver City and County Court Facilities. The most common type of risk in courthouses is interpersonal, in that an attack is committed by one person against another. Violence, or the threat of violence, in the courts, inhibits the free exercise of the Constitutional rights of our citizens, and bring the courts into disrepute.

State courts, in accordance with Article III of the Colorado Constitution and Chief Justice Directive 95-01 have the independence and power to regulate the environment of court and probation areas and facilities. This authority extends to all Denver Courts. This authority is set forth in C.R.S. 13-1-114, as amended, and by specific directive and authorization of the Colorado Supreme Court. Based on that authority and the need for security measures the Chief Judge of the 2nd Judicial District and Presiding Judge of the Denver County Court issue the following orders:

1. Applicability and Responsibility:

This security policy is intended to address proper security procedures and policies to ensure the safety of employees, visitors and other persons. It is the intent of these policies to address the Denver Justice Center and the Denver City and County Building their offices and common areas (hereinafter “Denver court-related facility (ies)”) that are occupied by the Denver Court employees, including all City, County and State employees and those others who have court-related permanent offices in Denver court-related facilities including Denver elected officials (hereinafter “authorized persons”). It recognizes that the City and County Building is a unique historic structure that houses public functions (Mayor’s Office, Greenprint Denver, City Council) as well as court functions related to County and District Court operations.

This Order is applicable to all authorized persons herein and all Denver court-related facilities its offices and common areas subject to limitations in equipment and staffing. The Denver County Sheriff has the overall responsibility for the implementation of this Order along with designated other security personnel in those facilities.

2. Entering and Leaving Denver court-related facilities

Entry into and exit from Denver court-related facilities (except in an emergency) are restricted to designated doors only.

No person having access to Denver court-related facilities via key, key card, or other device used to open doors or to call elevators, shall permit unauthorized persons access to the Denver court-related facilities or any elevator, locked stairwell door, or other locked door. This Order does not

prohibit authorized persons from access to the building after normal working hours for work-related purposes.

3. Screening and Inspection:

a. Persons

All members of the public, except authorized law enforcement officers, entering any Denver court-related facility are subject to inspection for weapons and prohibited items. Inspection will be by a security screening system. No person who has activated the security system's alarm will be allowed to enter a Denver court-related facility until the court security deputy at the courthouse entrance is reasonably assured that the person is not carrying a weapon.

The public is prohibited from bringing firearms and other deadly weapons, concealed or otherwise, into any Denver court-related facility. No permit authorizing the carrying of concealed weapons shall be construed as abrogating or affecting this order.

b. Mail, Parcels, Packages, Briefcases and Personal Belongings

All mail, parcels, packages, briefcases and personal belongings entering a Denver court-related facility shall be inspected for weapons and prohibited items. Typically, inspections will be conducted by passing the items through an x-ray machine. If x-ray inspection does not provide assurance to security personnel that the item does not contain a weapon or prohibited item, security personnel may require that the item be opened for visual inspection, provided, however, that in the case of mail security personnel will notify the addressee of the suspicious nature of the mail. Said mail will be retained at a Denver court-related facility entrance until court security resolves the situation to satisfy safety concerns.

c. Refusal to Submit to Inspection

Any person refusing to allow an inspection provided for in this Order shall be denied entrance to the Denver court-related facility. The Sheriff or his designees or other security personnel shall enforce this Order.

4. Prohibited Items

The following items are prohibited in any Denver court-related facility:

Firearms, explosive devices, knives (regardless of the length of the blade, but not including eating utensils), chemical agents such as mace, Oleoresin Capsicum or pepper spray, cutting instruments, self-defense weapons, or any items deemed as dangerous or a threat to safety and security or would otherwise interfere with the orderly operation of the facility as determined by court security deputies.¹

¹ Supervisors may permit authorized persons to carry mace, OC, or pepper spray for their personal protection.

All prohibited items which are unlawful to possess in the Denver court-related facilities shall be removed from the premises and placed in a secure location by the owner prior to being granted access into these facilities. In the event that the owner is unable to remove the item from a Denver court-related facility and depending on available resources, security deputies may hold a prohibited item so that it can be returned to the owner upon their exit from a Denver court-related facility. An item not retrieved by an owner from the security deputies within a reasonable time specified by the security deputies may be disposed of in accordance with security deputy's policies. Items which are not lawful to possess and are in violation of local, state or federal laws will be treated as appropriate in the law enforcement judgment of the security deputies.

5. Repair Persons and Contractors

Except for weapons and explosive devices (as designated above), which are strictly prohibited, county maintenance personnel, repair persons and contractors and their employees may enter a Denver court-related facilities with such tools as reasonably necessary to perform their work. Tools will be inspected as in the case of other items entering a Denver court-related facility, and if the tools include an item which would otherwise be prohibited, court security deputies will contact the General Services Facilities Manager to escort the person to the work area. General Services will advise the person that any tools which would otherwise be prohibited are restricted to the area where the work will be performed. All repair persons and contractors must use an entrance with established screening stations at all other court-related facilities.

6. Carrying of Firearms, Chemical Control Agents, and Other Weapons or Devices by Law Enforcement Officers

All law enforcement personnel, in uniform or plain clothes, entering the Denver Courts or Denver Justice Center must enter through a security screening entrance. Upon entry, law enforcement officers will be required to prominently display their department credentials at all times and upon request shall present law enforcement credentials, personal identification and state their business to security personnel or court security deputies. No law enforcement officer may carry or possess any weapons when entering a Denver Courts or Denver Justice Center for jury duty, as a courtroom spectator or any personal business that is not directly related to official law enforcement duties. These officers shall be required by court security deputies to secure firearms and other weapons. The court security deputies shall maintain a log for all law enforcement officers and personnel entering a Denver Court and the Denver Justice Center and record whether the officer was appearing on official or personal business.

After screening, law enforcement officers and personnel on official business with valid agency photograph identification may enter a Denver Court and the Denver Justice Center with handguns, chemical control agents, and other weapons or devices normally used for either their self-protection or protection of the public. Any law enforcement office may elect not to carry their firearm.

Law enforcement officers who do not possess valid photograph identification or whose status as a law enforcement officer cannot be readily verified shall be required to store their handguns. Even with valid identification, officers entering a Denver Court or the Denver Justice Center for jury duty, as a courtroom spectator or personal business requiring a court appearance and not for the purpose of performing official law enforcement duties shall be required by court security deputies to surrender and secure firearms and other weapons.

The purpose is to assist security deputies and other law enforcement officers in being able to immediately identify other law enforcement officers. During an emergency situation the credential must be conspicuously displayed. At all other times the card must be immediately available for inspection by security deputies.

The Sheriff or his designees shall enforce this provision. Denver Sheriffs staffing the Denver Courts or the Denver Justice Center are exempt from the above-mentioned Order.

In general, law enforcement officers may be armed in a Denver Court or the Denver Justice Center while on duty, including participating as a witness in a hearing or trial. However, each Judge of the County and District Courts retains the authority to determine in their own courtroom whether an officer testifying before a jury shall be allowed to have a weapon visible to the jury.

7. Denver Court-related Facilities Policies

All authorized persons shall routinely submit to the inspection provisions herein.

All authorized persons shall be issued an identification card by the City's Facilities Management Department. The identification card is a proximity card for the optical turnstile in the Justice Center and Denver City and County Building and for presentation to security personnel in all other court-related Denver Facilities. This identification card shall be presented at the employee entry areas where there are optical turnstiles or where there are security personnel and screening stations. Any authorized person failing to present their identification card shall be required to enter a Denver court-related facility through the public screening area. During normal working hours, authorized persons who possess a valid identification card shall conspicuously display the card while they are in an area of any Denver court-related facility that is restricted via key card or otherwise to employees only. After normal working hours, authorized persons who possess a valid identification card shall conspicuously display the card while they are in any part of a Denver court-related facility.

Such persons above shall not enter a Denver court-related facility with mail, parcels, packages, briefcases or other personal belongings without having personal knowledge of their contents and shall be responsible for the contents of their mail, parcels, packages, briefcases or other personal belongings.

This Order does not prohibit security deputies from conducting additional screening of authorized persons who may pose a danger to others in any Denver court-related facility. The final determination of a security check of an authorized person who enters any Denver court-related facility will be at the security deputy's discretion.

8. Non Court-Related Uses

Denver Courts, Justice Center or City and County Building Tours and Events:

Tours and Events shall be pre-arranged by contacting the City's General Service Facility Management Department. A 24 hour notice is required for tours so that adequate visitor identification can be available on arrival.

Weddings:

Weddings shall not be performed at the Denver Justice Center after hours as there is no security available for ingress and egress. However, they may be performed at the Denver City and County Building and are subject to the policies under paragraphs 2, 3 and 4 above.

Other Uses:

Other uses like mock trials etc. are also permitted after hours at the Denver City and County Building and are subject to policies under paragraphs 2, 3 and 4 above.

9. Amendments or Modifications and Enforcement of this Order

The Courts of this Judicial District may enforce this Order via contempt or as otherwise allowed by law. This Order may only be amended by order of the Chief Judge of the 2nd Judicial District and Presiding Judge of the Denver County Court.

DATED This Day of 2009

Larry J. Naves
Chief Judge of the Second Judicial District

Mary A. Celeste
Presiding Judge Denver County Court