

VAN BUREN COUNTY - ALL COURT POLICY AND LAO

SUBJECT: Comprehensive Security Policy	SECTION: Security	UPDATED: 10/21/2019	Local Admin Order: C36 2019-03J D07 2019-02J P80 2019-03J
PREPARED BY: Court Security Committee	NUMBER: Policy 12.002 (Renumbered from VBC-9000p on 9/16/20)	RESCINDS: 2005-01J	

This administrative order is issued in accordance with Michigan Supreme Court Administrative Order No. 2019-1 and 2001-1. The purpose of this order is to establish a courthouse security committee and related policies (including weapons).

REFERENCES:

- [Court Security Audit Checklist](#)
- [Federal Drug Free Workplace Act of 1988](#)
- [Michigan Court Security Guidelines](#)
- [Michigan Court Security Manual](#)
- [Supreme Court Administrative Order 1989-01 Media coverage](#)
- [Supreme Court Administrative Order 2001-1 Weapons](#)
- [Supreme Court Administrative Order 2019-1](#)
- [Van Buren County Courts – LAO – Unscheduled Court Closings](#)
- Van Buren County Court Security Protocols
- Van Buren County Policies

IT IS ORDERED:

This policy / LAO applies to all court facilities except as follows:

- The administration building where it only applies to the FOC area located in the lower level of the building.
- South Haven Courthouse where it only applies to the upper level of the building.

A. Security Committee:

The Mission of the Van Buren County Courts Security Committee is to design and maintain a comprehensive security plan that protects all county elected officials, employees, visitors, and property.

The Court Security Committee will consist of these positions / stakeholders:

- 911 Director or designee
- Buildings and Grounds Director or designee
- Building Security Representative
- Chief Judge or designee
- County Administrator or designee
- County Commissioner or designee
- Director of the Office of Domestic Preparedness or designee
- IT Director or designee
- Jail Administrator or designee
- Prosecutor or designee
- Public Defender or designee
- Sheriff or designee

The Chief Judge or their designee will chair the security committee meetings which will be

held on a monthly basis. Meetings may be cancelled as needed. To improve the safety and security for all employees, the security committee will designate an Emergency Site Coordinator for each building. Also, the security committee will designate a Floor Manager for every level of each building to work collaboratively with the site coordinator. See the Emergency Protocols for more information.

B. Protocols:

Due to the sensitive information provided in this section, all protocols will be non-public and for internal use only.

1. Emergency Protocols – The court Security Committee will establish emergency protocols and update as needed.
2. Panic Button Protocols – The court Security Committee will establish panic button protocols and update as needed.
3. Phone Announcement Protocols – The court Security Committee will establish phone announcement protocols and update as needed.
4. Other protocols may be created as needed.

C. Building Access

1. Unless otherwise ordered by the Chief Judge, the main entry doors will be unlocked for normal operating hours at all court facilities Monday through Friday at 8:00 a.m. until 5:00 p.m., excluding holidays. Except on Tuesdays at the Paw Paw Courthouse / Annex, the doors will be open from 7:30 a.m. until 5:00 p.m., excluding holidays. No one is allowed within the facilities outside of normal operating hours except the following:
 - a. Employees of:
 - Court Security
 - County Clerk's Office
 - Van Buren County and Elected Officials
 - Michigan Department of Corrections
 - Prosecuting Attorney's Office
 - Public Defender's Office
 - Van Buren County Courts
 - b. Van Buren Courts Vendors / contractors as authorized by the responsible department.

D. Screening

1. All persons, their belongings, and parcels will be subjected to the screening process by Court Security upon entering. This includes, but is not limited to, the use of the x-ray machine, magnetometer, hand-wand devices, and/or visual search.
2. During the screening process, all persons shall empty their pockets of all contents; remove belts, heavy jackets, watches and any other metallic jewelry, and shoes, if requested by security officers during the screening process. Any persons who refuse will be denied access to the courthouse.
3. All bags, boxes, briefcases, purses and containers brought into the courthouse are subject to a scan through the x-ray machine. If an x-ray machine is not available,

security personnel shall conduct visual inspections of the contents of the bags, boxes, briefcases, purses and containers. Security personnel do not have to inspect the contents of all packages being delivered by vendors who possess company identification and present a Bill of Lading.

4. If at any time there is an articulable suspicion that a weapon or other impermissible item may be found, a person or object may be subject to additional search. The search shall be no more intrusive than necessary to protect against the dangers presented.
5. Notice shall be posted at the entrances to all court facilities, that weapons or other impermissible items are not permitted and that all person, belongings, and parcels are subject to a search for weapons and impermissible items, as a condition of entry.
6. Law enforcement personnel are authorized to bypass the screening station when conducting official business.
7. Other exempt persons from screening process:
 - a. Employees of (must show valid Van Buren County Identification):
 - Court Security
 - County Clerk's Office
 - Van Buren County and Elected Officials
 - Michigan Department of Corrections
 - Prosecuting Attorney's Office
 - Public Defender's Office
 - Van Buren County Courts
 - b. Attorneys visiting the courthouse in their professional capacities when they show security personnel proper identification (attorney bar card and/or driver's license).
 - c. Pregnant females (scanned with hand wand).
 - d. Individuals with Pacemakers or other medical devices or condition (scanned with hand wand).
 - e. Individuals in wheelchairs (scanned with hand wand).
 - f. Babies and baby carriers (scanned with hand wand).
 - g. Bona fide vendor that show a Bill of Lading (scanned with hand wand).
8. This privilege is subject to revocation at any time under appropriate circumstances. Although employees, attorneys, and law enforcement entering the courthouse through the PUBLIC entrance, and in their professional capacities, may be permitted to bypass the security screening process, they may not be exempt from search. The security personnel shall have discretion if deemed necessary.
9. When individuals are found with items that are not legal to possess and criminal in nature, the items will be seized by security personnel. The individuals may be taken into custody by security personnel or issued a criminal citation depending on the circumstances.
10. Individuals found with prohibited items that would otherwise be legal to possess and are not criminal in nature, will be advised that they must remove these items

from the property, store them in their vehicles, or discard them in a locked container. The security personnel will not hold or store items for individuals. Any items discovered hidden or stashed in landscaping surrounding the building will be confiscated and discarded.

11. Any employee who interferes with the integrity of the security process or assists anyone in bringing any prohibited item into the courthouse may be disciplined, up to and including termination. Employees bringing guests or family members during business hours must enter through the PUBLIC entrance and go through the security process.
12. Vendors and others may request an id card that can be presented to security to bypass the screening process. A non-refundable application fee must be paid to initiate the screening process using form number VBC-9050 ID Card and Request Authorization. All requests must be reviewed and approved by the Van Buren County / Court Security committee. A non-refundable fee will be charged for any replacement cards as needed.
13. Court Security personnel shall have ultimate discretion on a case by case basis as it relates to ensuring the safety and security of the facility.

E. Prohibited Items (for non-exempt persons)

1. Electronic Devices will be allowed with the following restrictions:
 - a. Electronic devices include, but are not limited to, any equipment capable of recording, sending, receiving or transmitting electronic information.
 - b. Devices may be used in the courthouse. Their use may be prohibited, as needed, at the discretion of the judiciary.
 - c. Photography, video, audio recording, and/or other audio or video transmission from inside the courthouse are strictly prohibited without permission of the Court or department head / elected official.
 - d. Electronic devices and/or cell phones must have the device set to 'silent' or 'vibrate' mode.
 - e. In a courtroom, the use of the device shall be at the discretion of the judge / hearing officer presiding over individual courtrooms and should not be unduly disruptive.
 - f. This policy is not intended to interfere with media coverage provided in [Supreme Court Administrative Order 1989-01 Media coverage](#).
 - g. Exceptions are generally allowed without permission for ceremonial events including adoptions, marriages, and swearings-in. Parties involved may take photographs and record video as long as it does not cause a disruption (as determined by Court Security, the Judge/Hearing Officer, or Department Head).
2. Weapons
 - a. The following list of items are considered prohibited weapons, but are not limited to:
 - Firearms of any kind.
 - Explosives of any kind including fireworks.
 - Knives, box cutters, razor blades, scissors, knitting needles, or other cutting devices or edged instruments.

- Bludgeons, bats, batons, clubs, saps.
 - Tools such as hammers, screwdrivers, pliers, wrenches, nails, chains or any other tool that may be construed as a weapon.
 - Slingshots.
 - Metal knuckles.
 - Nunchaku or other “martial arts” weapons.
 - Chemical sprays such as OC, mace, pepper spray or any other spray that could be harmful.
 - Caustic or flammable substances.
 - Any item deemed dangerous by security personnel.
- b. No firearms shall be permitted in the Courthouse except:
- Those carried by law enforcement personnel who are acting within the scope of their employment.
 - County employees, who are authorized licensed personnel, must have expressed written permission from their respective Department Head or Elected Official in charge of the office. This information shall be forwarded to the Sheriff and will remain on file. A list of personnel authorized to have a weapon will be maintained by the security committee and provided to court security.
 - Those who are authorized to possess firearms must maintain the weapon in a gun safe or other secure storage location designed for weapons within the office if they are not carrying on their person.
- c. Any law enforcement officer who is a party to a judicial proceeding as a plaintiff, defendant, witness or interested party outside the scope of his/her employment shall not be permitted to bring a weapon into the court facility.
- d. Unless specifically excepted, all persons and their belongings and all parcels are subject to screening by Court Security for the purposes of keeping weapons and restricted items from entering the facility.
- e. 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.
- f. Notice shall be posted that “No weapons are permitted in this courthouse. All persons and parcels are subject to a search for weapons and restricted items as a condition of entry. Persons in violation of this order may be held in contempt of court.”
3. Other Prohibited Items (exceptions are noted below)
- a. The following items are prohibited at all court facilities:
- Outside food and beverage unless authorized by court security or department head / elected official.
 - Tobacco products of any kind.
 - E-cigarettes, any type of electronic vaporizer, lighters, matches or any other flammable devices.
 - Animals (except service animals see section F).
 - Any other item not specifically listed here may be deemed prohibited at the discretion of court security. Similarly, any items listed here may be allowed at the discretion of court security or department head / elected official.
- b. Jurors seated on a jury for a case will be allowed to bring in food, beverages, tobacco, e-cigarettes and lighters / matches.

- c. State law does not change policies prohibiting the use or possession of marijuana on any property leased / managed county property. The courts are subject to the Federal Drug Free Workplace Act of 1988. Therefore, Van Buren County Court officials, staff, contractors and court users are prohibited from bringing marijuana onto any Van Buren County property.

No one shall possess, distribute, use or be impaired by alcohol, marijuana or any illegal prohibited drugs in any Court facility at any time. "Illegal prohibited drugs" are those substances that are illegal to sell or possess.

F. Service Animals

1. Except for service animals, no animals are allowed in any court facilities.
2. The American Disability Act (ADA) defines a service animal as a guide dog, signal dog, or other animal individually trained to provide assistance with a disability.
3. Emotional support animals, comfort animals, and therapy dogs are not considered service animals under the ADA but may be allowed in any court facilities at the discretion of the Chief Judge or his/her designee.
4. Security 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:
 - a. Is the animal a service animal required because of a disability?
 - b. What work or task has the animal been trained to perform?
5. Under the American Disabilities Act, service dogs must be harnessed, leashed or tethered, unless such devices interfere with the service dog's work or the individual's disability prevents 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 the Court Security personnel, the owner may be asked to remove the animal from the facility.

G. Court Decorum

This policy is designed to protect the dignity and professional image of the court and to provide court participants with guidelines for appropriate attire and behavior. Therefore, all courts in Van Buren County are adopting this policy to establish courtroom etiquette and prevent distractions to ensure the fair administration of justice.

This policy applies to the conduct and dress of those who attend court, including attorneys, litigants, witnesses, jurors, and interested parties.

Court proceedings shall be conducted in a manner that protects the dignity and seriousness of the proceedings. Conduct by any person that may interfere with the decorum of the court is prohibited and may result in removal of that person from the court.

Persons attending court are required to abide by the following guidelines, which are representative rather than all-inclusive, unless explicitly authorized by a judge or hearing officer.

1. General

- a. The distribution of printed materials, such as brochures and fliers are strictly prohibited in all court facilities unless expressly authorized by a department head / elected official.
- b. Demonstrations, placards, badges, and clothing that espouse a position on an issue before the court are not allowed.
- c. Solicitation is not allowed in any area of any court facility.
- d. Taking photographs or recording video is not allowed in any area of any court facility unless previously authorized by a department head / elected official.
- e. In a courtroom, the use of an electronic device shall be at the discretion of the judge / hearing officer presiding over individual courtrooms and should not be unduly disruptive.
- f. Allowed electronic devices that have the capacity to disrupt court proceedings must be turned off or set to silent mode during sessions of the court.
- g. Smoking, using tobacco products and gum chewing are not allowed in any courtroom/hearing room at any time. Eating, and drinking are only allowed at the discretion of the judge / hearing officer or his/her designee for special occasions. Litigants and jurors can use cups and consume drinking water provided by the court in the courtroom / hearing room.

2. Attire

- a. Attorneys shall wear proper business attire while attending the court.
- b. All persons entering the court facilities should wear proper attire while attending court.
- c. Clothing such as hats, muscle shirts, halter tops, pajama bottoms, sweat suits, cut off denim, swimwear, flip flops, exercise attire, and revealing garments are not appropriate and may not be permitted in the courtroom subject to the discretion of the judge.
- d. All persons entering the courtrooms are required to remove hats, caps and hoods unless worn in accordance with religious customs (such as burqa, chador, hijab, or turban) or for medical reasons.

3. Conduct

- a. Individuals other than those giving testimony shall always stand when addressing the court or jury, or when examining witnesses, unless excused from doing so by the court.
- b. Parties and attorneys should refer to judges as "Your Honor" or "Judge" not by the judge's first name or in another informal manner inside the courtroom.
- c. Parties and attorneys should refer to magistrates / referees as "Your Honor" or "Magistrate" / "Referee", not by the magistrate's / referee's first name or in another informal manner inside the courtroom / hearing room.
- d. 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 removed from the facility at the discretion of security personnel.
- e. Court proceedings are recorded. Therefore, silence is a necessity, unless you are a party to the proceeding that is in process.
- f. Except for those individuals appearing for jury services, those having business before the court are not prohibited from bringing in their infants

and young children, but their attendance is not recommended given the formal nature of proceedings. Infants and young children should be removed from the courtroom immediately if they become a disturbance and/or at the direction of the judge or hearing officer.

4. Discretion

- a. It is within the judge's / hearing officer's discretion to have an individual removed from the courtroom if the individual's conduct or dress does not comport with this policy.
- b. The court will consider exceptions for those who must wear special attire based on a medical condition or cultural or religious reason. Documentation to support the exception may be requested.

H. Non-Employee Access to Restricted Areas

This section only applies to non-public areas.

1. Package Deliveries

- a. Parcel delivery persons must always be escorted by Court Security or County / Court Personnel to the designated delivery location.
- b. Once delivered, mail and parcels shall be distributed and/or delivered to the appropriate person or division by County / Court Personnel

2. Vendors and Other Service Providers

- a. Vendors and other service providers must always be escorted by Court Security or County / Court Personnel to the designated location as determined by the Court. This includes services such as:
 - Water delivery.
 - Vending machine restocking.

I. Incident Reporting

1. All incidents that happen within any Van Buren County Court facility must be reported by involved County / Court Personnel using form VBC-9006 Court Incident Report. Forms can be obtained from court security or the court administrative assistant. This report is for administration purposes only and does not take the place of any required law enforcement reporting. Types of incidents that must be reported include, but are not limited to:

- a. Bomb threats.
- b. Disorderly behavior.
- c. Fire.
- d. Hostage situation.
- e. Personal injury.
- f. Physical assaults.
- g. Weather events.
- h. Written and verbal threats.

J. Adherence

1. Compliance with these directives is mandatory. Failure to adhere to this court policy / LAO may result in:

- a. Denial of entry into a court facility.
- b. Contempt of court proceedings.
- c. Confiscation of property.
- d. Removal from a court facility.
- e. Fines.

- f. Incarceration.
- g. Criminal charges.
- h. Other sanction issued by the chief judge.

K. Distribution

The Security Committee will ensure that this plan is available online and that physical copies are distributed to the following:

1. County & Court Personnel
 - a. Administrators for each court
 - b. Department Heads
 - c. Director of Buildings and Grounds
 - d. Elected Officials

2. Tenants and other Building Occupants
 - a. Health Department
 - b. Supervisor of Department of Corrections

3. Law Enforcement
 - a. Chief of Police, Paw Paw Police Department
 - b. Chief of Police, South Haven Police Department
 - c. Post Commander, Michigan State Police, Paw Paw Post
 - d. Van Buren County Emergency Management Coordinator
 - e. Van Buren County Sheriff's Office

4. Fire Department & Emergency Services Personnel
 - a. Fire Chief, Paw Paw Fire Department
 - b. Fire Chief, South Haven Area Emergency Services
 - c. Van Buren Emergency Medical Services (VBEMS)

5. Other Personnel
 - a. Any other personnel as deemed appropriate by the county administration.

L. Employee Responsibilities

Each employee, regardless of his/her position, must become familiar with the safety, security and emergency response procedures of their Agency or Department. The following responsibilities should be viewed as standard response and awareness guide for all employees at all locations.

Employees shall:

1. Support and be familiar with the safety and security procedures known as the Van Buren County Security and Emergency Protocols for County / Court Facilities.

2. Treat every alarm as a real event.

3. Participate in safety and security training opportunities (e.g., mock exercises such as fire drills).

4. Be aware of changes around your desk and work site such as suspicious persons and packages and take appropriate action.

5. Escort visitors to and from your office area to the reception area.

6. Always display your county identification badge(s). County ID badges should always be visible so that employees can be identified.
7. Understand that depending on security risks, packages, handbags, briefcases and other containers may be subject to inspection.
8. Immediately report lost or stolen identification badges to building security and county IT.
9. Be familiar with the *VBC-9000 & VBC-9003 Emergency Contact Information* forms to reach appropriate safety or security personnel in an emergency.
10. Be familiar with your assigned role in the event of an emergency.
11. Know your office's designated Assembly Area.

FORMS USED:

VBC-9000 Emergency Contact Information
VBC-9001 Emergency Site Coordinator Responsibilities Checklist
VBC-9002 Floor Manager Responsibilities Checklist
VBC-9003 Emergency Contact Information Site Coordinator & Floor Manager
VBC-9005 Emergency Drill Evaluation Form
VBC-9006 Court Incident Report
VBC-9010 Bomb Threat Quick Reference Guide
VBC-9011 hazardous information training sheet
VBC-9025 Public Announcement System Testing Log
VBC-9999 Emergency Flip Chart Template

APPROVAL:

Effective Date: 12/1/2019

Date: 10/31/2019



Kathleen M. Brickley, Chief Judge