

CITY OF BALLWIN
POLICE DEPARTMENT

GENERAL ORDER 37-01A

DATE: SEPTEMBER 25, 2014 CANCELS:
TO ALL PERSONNEL INDEX AS: COURT SECURITY
SUBJECT: COURT SECURITY

I. PURPOSE

To establish guidelines governing the administration and operation of a court security program so as to ensure the safety of court officials, defendants, visitors, and others who may be involved with the City of Ballwin Municipal Court System.

II. DEFINITIONS

Assistant Court Clerk: Full time city employee, responsible for completing specific tasks assigned by the Court Clerk.

Court Bailiff: A Police Officer or Reserve Officer assigned to guard prisoners and maintain peace and order in Municipal Court.

Court Clerk: Full-time city employee, responsible for the court's operation.

Court Security Officers: Police officers or Reserve Officers who are responsible for maintaining peace and order in Municipal Court.

Municipal Court: City Council Chambers and / or any area(s) designated as "Court" by the presiding Ballwin Municipal Judge.

Municipal Judge: Appointed by the City Council to oversee Municipal Court.

REJIS: Regional Justice Information System

Wanted: An arrest order from a police agency. Normally entered in REJIS.

Warrant: An arrest order from a court. Normally entered in REJIS.

III. COURT SECURITY FUNCTION

The court security function shall be an integral part of the police department. As such, administrative and operational responsibilities and procedures are to be performed as follows:

A. Operational Procedures

1. To fulfill its responsibility to provide court security, the Police Department will provide uniformed commissioned officers to serve as Court Security Officers. There will always be a minimum of one uniformed officer to serve as Court Security Officer during each court session. The court detail will normally be one Supervisor (Sergeant), one Bailiff and one Court Security Officer assigned. Depending on circumstances, additional sworn personnel may be assigned to the court to maintain security and ensure the safety of all participants.

2. Officers will be assigned as Court Security Officers by the Commander of the Bureau of Field Operations. Court Security Officers will usually be assigned from the Special Operations Unit and Reserve Officers. Should an officer assigned to court security be unable to report for duty, they shall notify the on-duty Watch Commander as soon as possible. An on-duty officer will then be assigned to fill the vacant position until such time as court is adjourned, or relief is provided. Only in the event of an emergency shall a Court Security Officer be absent during Court.
 3. All officers assigned to the court security function shall be required to appear in full departmental uniform, including all department-sanctioned equipment and weapons. This will also include the use of a marked police vehicle, portable two-way radios, and such other equipment as may be required.
 4. Prior to the convening of the court, the Court Security Officer will conduct a physical and visual check of the facility checking for weapons, explosives, and contraband. In addition, he shall check fire exits, fire suppression equipment, first aid kit, communications equipment and alarm devices to ensure that same are clear and in good order.
- B. Specific duties shall include, but not be limited to:
1. Officially open and close the court, to include announcing recesses and adjournments in a formal, dignified manner.
 2. Carry out orders of the presiding judge.
 3. Maintain communications with the radio dispatcher.
 4. Search any person reasonably suspected of being in possession of an unauthorized weapon or contraband. If necessary, an arrest should be made and handled according to department procedure.
 5. Move about the courtroom to ensure that all persons are seated and quiet.
 6. Periodically check with the Court Clerk and Assistant Court Clerk(s) to insure that court files and cash receipts are secure.
 7. Remove disruptive or uncooperative persons from the courtroom, and make arrests as necessary.
 8. Should an arrest be made, court security personnel will take custody of the prisoner and escort him/her to the holdover area. If another Court Security Officer is available, the arresting officer shall handle the prisoner's booking / processing and complete all related reports and documentation. If there is only one Court Security Officer on duty a patrol unit will be assigned for prisoner processing.

C. High-Risk Trials

When a trial may be expected to produce a potentially severe reaction and require special attention, the Supervisor of the Bureau of Special Operations Unit will ensure that provisions are made to supplement normal security measures as circumstances may dictate. Additional security staff will be assigned to both the interior of the courtroom and its perimeter. Handheld metal detectors may be used to scan all persons entering the court facility and searches will be conducted as needed. In addition, all court personnel, the department's communications unit, court security detail, and all on-duty sworn officers will be briefed in regard to the situation and whatever contingency plans may have been developed.

D. Arrests

1. Only certified police officers may make arrests.
2. When making an arrest, every attempt should be made to allow the Court to continue transacting its business, without interruption. However, safety of court personnel and people in the courtroom are the Court Security Officer's first priorities.

E. Command Responsibility

The Supervisor of the Bureau of Special Operations Unit shall provide managerial oversight of the court security function. As such, while routine operations may be handled at the supervisory or mid-level management level, anticipated changes in assignments and/or procedures must be brought to his/her attention for approval. Similarly, the Commanding Officer, Bureau of Field Operations will be apprised of any serious incidents occurring during a court session, and will also serve as a liaison with the court in regard to any operational and management concerns. The Chief of Police will be apprised of court-related security problems/incidents as necessary.

IV. COURT FACILITIES AND EQUIPMENT

A. Facilities

1. As the City of Ballwin does not possess a dedicated courtroom facility, Municipal Court will normally be held in the City Council Chambers. If necessary, the Municipal Judge may designate another location as a (temporary) Municipal Court. Lighting, entry and exit doors, emergency power sources, fire and smoke detection/suppression equipment, intrusion and fire alarms, and key control will vary with each location.

2. Each facility will be accessible to the disabled and handicapped in accordance with the Americans with Disabilities Act.
3. A telephone (not pay phone) must be accessible to all court personnel.
3. A telephone must be available to the general public.
4. Smoke detectors and/or fire extinguishers will be positioned in and around the courtroom as directed by the Fire Marshal. Such devices will also be periodically checked and/or tested for correct operation by a servicing company hired by the City.
5. Officers assigned as Court Security will familiarize themselves with the layout of the courtroom and surrounding areas, with particular attention to Emergency Exits. Emergency Exits must be properly marked and kept unobstructed.

B. Equipment

1. Court security officers shall have the following equipment available for immediate use.
 - a. Department-issued weapon.
 - b. Department-issued chemical agent (Pepper spray).
 - c. Handcuffs and/or flex-cuffs.
 - d. Portable two-way radio.
 - e. First aid kit.
2. Inspections
 - a. Police- The Supervisor of the Special Operations Unit will inspect equipment designated for use by Court Security Officers on a regular basis. The inspection process itself will consist of verifying the presence of each required item and seeing that it is in good working order. The results of the inspection will then be properly documented and forwarded to the Commanding Officer of the Bureau of Administration. Should an item require repair or replacement every effort will be made to replace or repair the item before the next scheduled court date.
 - b. Fire- Inspections involving fire extinguishers, fire alarms, smoke detectors, etc. shall be performed by building maintenance and servicing companies, as noted above, under the direction of the Commanding Officer of the Bureau of Administration. Such inspections shall be performed at periodic intervals, at which time the items inspected will be certified as operationally ready or not. Inspection results will be recorded and maintained in accordance with Fire District requirements.

- c. Building maintenance personnel shall also perform other Equipment/Facility Inspections- Walkthrough inspections by Building Systems personnel of the Donald "Red" Loehr Police and Court Center are done on at least a weekly basis. Should repairs or replacement items be needed, the Director of Building Maintenance will be responsible for having the work done.

3. Modes of Communication

- a. A telephone will be available to the Municipal Judge and Court Clerks to communicate with the Police Department in the event a Court Security Officer is absent. In an emergency, a duress alarm is available to the Judge.
- b. Prior to reporting for duty as a Court Security Officer, assigned officers shall "log-on" the radio network, in the customary manner. While court is in session, Court Security Officers shall monitor their radios, keeping the volume as low as possible. If an earphone is available, it shall be used.

4. Duress Alarms

- a. A Duress alarm is located in the Council Chambers (courtroom) and Communications Officers continually monitor the alarm.
- b. The duress alarm button is located on the Council Chambers (Courtroom) dais. If activated while court is in session, Communications will immediately dispatch a sector car to assist.

- C. Contingency Plans- Plans and procedures for emergency events (e.g. natural and technological disasters, civil disturbances, fire, etc.) are contained in the City of Ballwin Emergency Operations Plan. The implementation of such plans shall be carried out as necessary.

V. WEAPONS POLICY

- A. Police Officers and Reserve Officers, including Police Officers from other jurisdictions, whose presence in Municipal Court is required as part of their official duty shall be allowed to retain their weapons in the courtroom. Weapons carried by Police Officers in "plain" clothes, including Detectives, shall be properly holstered and concealed. However, all non-uniformed Police Officers must identify themselves to a Court Security Officer and present sufficient identification to enable them to remain within the court.

- B. Weapons may not be taken into the Courtroom by anyone other than Police Officers. Should a Court Security Officer discover a weapons violation, the officer(s) will seize the weapon and affect an arrest in accordance with established department procedure. Should an individual possess a legal permit to carry a weapon, the person will be required to surrender it to the court security officer's custody for the duration of the court's proceedings. The officer shall issue a receipt for the weapon, unload it using the bullet trap and then store it securely in a lock box by Intake. At the conclusion of the individual's business with the court, the weapon will be returned, still unloaded, to the owner outside the rear door of the station (near Intake). The owner shall be instructed to leave the weapon unloaded until they leave of City of Ballwin property.

VI. USE OF RESTRAINTS

Handcuffs or "flexcuffs" shall be used for all arrests made in the Courtroom. Individuals who are in custody must remain handcuffed while in the Courtroom. Those persons being taken into custody may be handcuffed outside the Courtroom. Handcuffing prisoners out of the view of the general public will help maintain order in the Courtroom and not alert other defendants to the practice of making arrests for outstanding "wanted" and warrants.

VII. OPERATIONAL REVIEW

The Commanding Officer of the Bureau of Field Operations and the Supervisor of the Special Operations Unit, assisted by the Court Clerk shall be responsible for a review/survey of court facilities, and court-related emergency plans and operational procedures every three calendar years. Elements of the review will generally include fire, medical, hostage, bomb, and disaster emergency plans, lighting and ingress/egress points, high-risk trials, weapons, restraint devices and usage, detainee movement, communications, alarms, and available equipment. The results of the review will be documented and a copy submitted to the Chief of Police and Municipal Judge.

BY ORDER OF: Chief Steven Schicker 9/25/14
Steven Schicker, Chief of Police Date

ATTESTED BY: Robert Kuntz 9/26/14
Robert Kuntz, City Administrator Date

cc: City Attorney

MPCCF REFERENCE

GENERAL ORDER 37-01
BONDS FOR MUNICIPAL VIOLATIONS
PAGE 2

2. Non-Traffic Violations

- a. If the arrested person is a resident, every consideration shall be given to releasing that person on a summons and not requiring the posting of a bond. A bond shall only be necessary if extenuating circumstances surround the incident, or if in the opinion of the arresting officer and/or his supervisor, the arrested person is likely to not appear in court as directed by a summons.
- b. A non-resident arrested for non-traffic violations shall normally be required to post bond.

C. ACCEPTANCE OF BONDS

1. Municipal Violations

- a. When the posting of a bond is required, the amount shall not exceed the amount listed on the bond schedule as provided by the municipal court. No court costs shall be added to the bond amount.
- b. The officer accepting the cash, NCourt, or surety bond will complete the approved municipal court bond form.
 - 1) The form will contain:
 - a) Name of person posting bond;
 - b) Name of person who bond is for;
 - c) Date bond was received;
 - d) Signature of officer receiving the money;
 - e) Signature of the person posting the bond and the person who the bond is for.
 - f) The amount of bond and returnable/court date
 - g) Charges
 - 2) The surety/prisoner shall be provided a copy of the form when the prisoner is released from custody.
 - 3) All bond forms are numbered and must be accounted for. If one is improperly filled out, write VOID across the form and place it in the bond box.
- c. The releasing officer shall complete the "How Released" section of the Record of Arrest by indicating Cash Bond or Surety Bond, whichever is applicable and the assigned court date.
- d. Prior to the release of the prisoner, the on-duty Watch Commander will review the bond paperwork for accuracy and completeness.
- e. The cash, NCourt, or surety bond and bond receipt will be placed in the safe located in the Records Unit of this department.

f. The safe will be audited twice weekly on Mondays and Fridays by the record's clerks. The record clerk will prepare documentation for each bond received by listing on the transmittal sheet:

- 1) Name
- 2) Bond Form Number
- 3) Report Number
- 4) Bond Amount

The cash and bond receipt will be forwarded to the Court Clerk by a record's clerk twice weekly with the amount of the bond verified.

2. Other Jurisdiction

a. If requested by another jurisdiction, it will be the Ballwin Police Department's policy to accept bond for that agency. The bond must be in the form of cash or NCourt. A processing fee will be charged when accepting bond for another agency, the officer accepting bond will explain that the processing fee is separate from the bond and will not be returned. The fee will be charged for each agency that has an active warrant. The fee only applies to warrants from other agencies, NOT to warrants from the City of Ballwin.

b. The Ballwin Municipal Court Bond Form shall be completed, utilizing the posted other agency portion of the form. The copy shall be given to the person posting bond as a receipt and the bond forwarded as outlined above in Acceptance of Bonds for Municipal Violations.

c. Persons arrested by other agencies for Ballwin Municipal charges may post bond at that agency if requested by the agency and approved by the Ballwin on-duty supervisor. The bond must be a cash or NCourt and mailed to the Ballwin Municipal Court. The on-duty supervisor will direct an on duty officer to prepare an Arrest Report and cancel all Ballwin wanted or warrants, upon receipt of a teletype stating the arresting agency has accepted bond.

D. PERSONS UNABLE TO POST BOND

In the event an arrested person is, under these guidelines, required to post the appropriate bond and is unable to do so within twenty-four (24) hours from the time of detention, the following options are available:

1. A warrant must be obtained charging the person with the violation for which he was arrested; or,
2. The arrested person must be released from custody pending warrant application. Upon receipt of the warrant, the person shall be arrested on the charge specified and held until the appropriate bond is posted or until his/her appearance in court; or,
3. If unable to obtain a warrant within twenty-four (24) hours, the arrested person

