

GENERAL ORDER NO: **50-000.00**

TO: All Patrol and Judicial Personnel

RE: **JUDICIAL DIVISION**

PURPOSE: To establish rules regarding Transporting of Prisoners, Service of Warrants and Summonses and Court Room Security.

EFFECTIVE DATE: November 11, 2015

REVISION DATE: November 11, 2015

50-001.00 Policy

.01 It is the policy of the Allegany County Sheriff's Office to adhere to the established command structure guidelines, requiring all employees to perform their assigned duties.

In Maryland, the Sheriff is a constitutional officer. A partial list of his responsibilities includes the enforcement of laws, the arrest of criminal offenders, the service of process, and the return of impartial juries.

A principle duty of the Sheriff is to attend and assist civil and criminal courts. His responsibility includes providing courtroom security and serving all papers assigned the Sheriff's Office.

50-002.00 Command Structure of the Judicial Division

.01 The Judicial Division shall be under the command of a Lieutenant who shall be responsible to the Sheriff.

.02 One member with the rank of at least Deputy will be designated as the Assistant Judicial Commander. In the absence of the Judicial Commander, the Assistant will assume full responsibility of Judicial Division functions.

50-003.00 Judicial Deputies

.01 The Sheriff may, from time to time, as needed, appoint deputies having satisfactorily completed the entry level training, as specified by the Maryland Police Training Commission, to the Judicial Division. These appointments may be permanent or temporary in nature.

50-004.00 Judicial Civilian Personnel

.01 Civilian members assigned to the Judicial Division may, when it becomes necessary, be required to serve civil process. Those personnel will be responsible to the Judicial Commander.

50-005.00 Office of the Judicial Division

.01 The Judicial Division will maintain an office located in the Allegany County Circuit Court. This office will service the circuit court and will function as the security division for the Allegany County Circuit Court.

50-006.00 General Statement of Duties

.01 The position of Judicial Deputy encompasses many varied job assignments. Under the general title of Judicial Deputy, the member will be required to know the responsibilities, duties and functions of the Judicial Deputy position.

.02 Sworn personnel assigned to the Judicial Division may also be required to perform the duties of a Patrol Deputy.

50-007.00 General Duties and Responsibilities

.01 Provide security for the Allegany County Circuit Court, and when necessary, serve court process.

- A. Every endeavor will be made to expeditiously execute all assigned process within five (5) working days of the date indicated in "Paper Received" on the Record of Service. The only exception will be documents received less than five (5) days prior to the indicated "Return Date." These processes will be given priority consideration for service.
- B. Where sufficient time permits, every effort will be made to serve assigned process and return same for accounting purposes five (5) days preceding the indicated "Return Date."
- C. Where sufficient time is allotted, a minimum of three (3) attempts at service will be made prior to being considered "Non-Est" unless satisfactory proof exists to corroborate this disposition.

.02 Maintain records of all process served.

.03 Fulfill all legitimate orders and commands of supervisory personnel.

.04 Be familiar with, and obey the policies, rules and regulations of the Allegany County Sheriff's Office.

.05 Report for duty as assigned.

- .06 Provide proper identification by verbal and/or written means upon legitimate request or when specifically required by order, rules or regulations.
- .07 Service of Process.
- .08 Provide both courtroom security and, supervise and provide security for jurors during court, recess and deliberations.
- .09 Assist when necessary in the transportation of prisoners.
- .10 Duties in conformance with deputies assigned to other divisions of the Agency.
- .11 Provide security in the County courthouse and annex.
- .12 Assist the judge as requested.

50-008.00 Training Requirements

- .01 Deputies will be required to satisfactorily complete the basic Law Enforcement Entrance Level training.
- .02 Deputies will be required to satisfactorily complete the annual in-service training as mandated by the Maryland Police Training Commission.
- .03 Deputies will be required to attend and satisfactorily complete civil process training, and any other training specified by the Agency.

50-009.00 Liability

- .01 Deputies acting outside their jurisdiction, but within the State, are not civilly liable, except to the extent they would be if acting in their own jurisdiction, for any act or omission in preventing or attempting to prevent a crime, or in effectuating an arrest, in order to protect life or property if:
 - A. The action is not grossly negligent; and,
 - B. The action taken is at the scene of the crime or attempted crime. (Courts and Judicial Proceedings, 5-605 (a) (2).
 - C. Sheriff's – Process – Have power to execute warrant of arrest upon Federal Reservations, even though the area is under exclusive jurisdiction of the United States. (37 OAG 326 (1952)).

50-010.00 Where Service is Resisted

.01 If a person resists service of civil process by threats, violence, or superior force, or by preventing the officer serving the process from entering the premises so that the officer cannot serve the process without personal risk, the officer shall leave a copy of the process:

- A. With a responsible person at the premises; or, if that is not possible;
- B. Posted as near the premises as practicable.

Service under this section is as effective as actual personal service. (Courts and Judicial Proceedings 6-303).

50-011.00 Where Service May Not Be Made

.01 A non-resident person, who is within the State for the purpose of testifying in or, prosecuting or defending an action, may not be served process.

.02 A Writ of Dstraint, or for Eviction or Possession may not be served on Sunday. (Courts and Judicial Proceedings 6-302).

50-012.00 Duration of Process

.01 A summons issued by the Circuit Court is effective for service only if served within sixty (60) days after the date it is issued. A summons not served within that time shall be dormant, renewable only on the request of the plaintiff. (MD Rules 2-113).

.02 A summons issued by the District Court is effective for service only if served within thirty (30) days after the date it is issued. A summons not served within that time shall be dormant, renewable only on written request of the plaintiff. (MD Rules 3-113).

50-013.00 Content of Process

.01 All Circuit Court process shall be under the seal of the Court and signed by the Clerk. The content of the summons shall be:

- A. The name of the Court and the assigned docket reference;
- B. The name and address of the party requesting the summons;
- C. The name and address of the person to be served as set forth in the complaint;
- D. The date of issue;
- E. The time within which is must be served;
- F. The time within which the defendant must file a response to the complaint by pleading or motion;

- G. Notification to the defendant that failure to file the response within the time allowed may result in a judgment by default or the granting of the relief sought; and,
- H. The time within which the return of service shall be made. (MD Rules – 2-114)

.02

All District Court process shall be under the seal of the Court and signed by the Clerk. The content of the summons shall be:

- A. The name of the Court and the assigned docket reference;
- B. The name and address of the party requesting the summons;
- C. The name and address of the person to be served as set forth in the complaint;
- D. The date of issue;
- E. The time within which it must be served;
- F. The assigned trial date;
- G. The time within which the defendant must file a notice of intention to defend;
- H. Notification to the defendant that failure to file the notice of intention to defend within the time allowed may result in a judgment by default or the gaining of the relief sought; and,
- I. The time within which the return of service shall be made. (MD Rules 3-114)

50-014-00

Service In-Person (In Person)

.01

Generally, service of process may be made either within State or outside this State. The Laws of the State authorize restricted delivery by U.S. Mail to the person to be served, and shall include a copy of the summons, complaint, and all other related papers associated with the filing. Service by certified mail is complete upon delivery. (MD Rules 2-121 (a))

50-015-00

Service In Rem Or Quasi In Rem. (Service by Posting or Publication)

.01

When the plaintiff has shown by affidavit the whereabouts of the defendant are unknown and reasonable efforts have been made to locate the defendant, the Court may order service by mailing a notice to the defendant's last known address and:

- A. By posting the notice at the Courthouse door or in a bulletin board within its immediate vicinity; or,
- B. By publishing the notice at least one week in each of three successive weeks in one or more newspapers of general circulation published in the county in which the action is pending; or,
- C. In an action in which the rights relating to land, including lease hold interests are involved, by posting of the notice by the Sheriff in a conspicuous place on the land.

.02 Additionally, the court may order any other means of notice that it deems appropriate in the circumstances.

The mailing and posting or publication shall be accomplished at least thirty (30) days before the date by which a response to the complaint is to be filed. (MD Rules 2-122).

50-016-00 Evading Service

.01 When proof is made by affidavit, a defendant has acted to evade service, the court may order that service be made by mailing a copy of the summons, complaint and all other papers filed with it to the defendant at the defendant's last known address and delivering a copy of each to a person of suitable age and discretion at the place of business, dwelling house, or usual place of abode of the defendant. (MD Rules 2-121 (b)).

50-017-00 By Whom Served

.01 Generally, service of process may be made by a Sheriff, or except as otherwise provided in this Rule, by a competent private person, eighteen (18) years of age or older, including an attorney of record, but not by a party to the action. All process requiring execution other than delivery, mailing, or publication shall be executed by the Sheriff of the county where execution takes place, unless the court orders otherwise.

.02 When the Sheriff is a party to or interested in an action so as to be disqualified from serving or executing process, the court, on application of any interested party, may appoint an elisor to serve or execute the process. The appointment shall be in writing, signed by a judge, and filed with the clerk issuing the process. The elisor has the same power as the sheriff to serve or execute the process for which the elisor was appointed and is entitled to the same fees. (MD Rules 2-123).

50-018-00 Persons to be Served

.01 Service is made upon an individual by serving the individual or an agent authorized by appointment or by law to receive service of process for the individual.

.02 Service is made upon an individual under disability by serving the individual, and in addition, by serving the parent, guardian, or other person having care or custody of the person or estate of the individual under disability.

- .03 Service is made upon a corporation, association, or joint stock company by serving its resident agent, secretary, or treasurer. If the corporation, association, or joint stock company has no resident agent or if a good faith attempt to serve the resident agent, president, secretary, or treasurer has failed, service may be made by serving the manager, any director, vice president, assistant secretary, assistant treasurer, or other person expressly or impliedly authorized to receive service of process. If a corporation required by statute of its State to have a resident agent has no resident agent or if two good faith attempts on separate days to serve the resident agent have failed, service may be made by serving two (2) copies of the summons, complaint, and all other papers filed with, together with the requisite fee, upon the State Agency of Assessments and Taxation.
- .04 Service upon the State of Maryland is made by serving the Attorney General or an individual designated by the Attorney General in writing and filed with the Clerk of the Circuit Court. In these matters, service will be made upon the Secretary of State. In any action attacking the validity of an order of an officer or agency of the State not made a party, the officer or agency shall also be served.
- .05 Service is made upon an officer or agency of the State of Maryland, including a government corporation, by serving the officer or agency.
- .06 Service is made upon the United States by serving the United States Attorney for the District of Maryland or an individual designated by the United States Attorney in a writing filed with the Clerk of the Court and by serving the Attorney General of the United States at Allegany, District of Columbia. In any action attacking the validity of an order of an officer or agent of the United States not made a party, the officer or agency shall also be served.
- .07 Service is made upon an officer or agency of the United states, including a government corporation, by serving the United States and by serving the officer or agency. (MD Rules 2-124)
- .08 The following procedures will be followed regarding the service of all legal process by the Judicial Division.
- A. Process of a known member of the Agency, or a relative of a known member of the Agency, will be brought to the attention of the Judicial Commander, or in his absence, his designate.
 - B. If the address on the document is complete and current:
 - 1. Contact by public service will be attempted, and if made, arrangements will be made for service.
 - C. In the event insufficient information exists:
 - 1. Check for a telephone listing
 - 2. Check the City Directory by name and/or street
 - 3. Check the local post office

4. Contact the Office of the State’s Attorney, the attorney requesting service, Clerk of the Court’s office, or the Agency of Juvenile Justice, if applicable, in an effort to determine further details.
5. Check through MVA browse via the METERS Terminal
6. Until additional information is developed concerning a new address, a minimum of three (3) attempts will be made prior to the process being returned “Non-Est”.

50-019.00 Sheriff’s Sales

- .01 All process requesting this Agency seize, levy and sell, shall be assigned the Judicial Division Commander or his designee when he is not available.
- .02 It shall be the responsibility of the Judicial Division Commander to ensure that the writ is complied with.
- .03 An original and two (2) copies of the inventory of the property seized will be made and distributed as follows:
- A. The original copy to be retained by the Judicial Division
 - B. Copy to the defendant
 - C. Copy to the attorney requesting service
- No Judicial Deputy will post or seize property in compliance with a Writ of Execution, without direct supervision of the Judicial Division Commander, or in his absence a designate.
- .04 Sheriff’s Sales will be conducted by the Judicial Division Commander, or if not available, his designate.

50-020-00 Legal Matters

- .01 Any Judicial Deputy in need of legal service in regards to a process shall first contact the Judicial Division Commander. If it is determined legal advice is required, either the Assistant Commander or the deputy in need of the information shall contact:
- A. The attorney requesting service, or;
 - B. The attorney representing the Allegany County Sheriff’s Office, Sitting Judges, or the State’s Attorney Office. Other attorneys will not be consulted in matters relating to this Office without express consent of the Sheriff, Division Commander, or his designate.

- .02 Matters of this Office are not to be discussed with individuals not members of this Agency. Any inquiries by the media, or other interested parties, will be referred to the Sheriff or Division Commander.
- .03 Once a process has been assigned to a deputy, it will be that deputy's responsibility until served.
- .04 Service of process are not to be assigned to Patrol or Detention personnel without the knowledge of the secretary and/or Shift Lieutenant. When it becomes necessary to request another member, other than the deputy originally assigned to serve a process, the following will be recorded:
- A. Date reassigned
 - B. Name of deputy reassigned
 - C. Person named on process
 - D. Name of attorney requesting service
 - E. Reason for reassignment
- .05 Any process assigned another deputy of this Office is to be returned at the conclusion of that deputy's tour of duty regardless if served. It shall be the responsibility of the assigned deputy to ensure the return of the process to the Judicial Division by 0800 hours the following regular work day.
- .06 In the event a process is lost, or otherwise unaccounted for, the following procedure will be adhered to:
- A. Notify the Judicial Division Commander immediately upon learning of the loss.
 - B. The Commander or his designate shall notify the attorney requesting service.
 - C. Within five (5) days, if not located, the assigned deputy will submit a written detailed report regarding the loss to the Judicial Division Commander.

50-021.00 Transport Operation

- .01 It shall be the responsibility of the Judicial Division to assist in the transport of all prisoners from the Detention Center to the Circuit Court. An exception to this would be in the event the safety of the transporting deputy might be jeopardized by the number of prisoners being transported.
- .02 Without exception, prior to being transported and upon arrival at their destination, all prisoners will be thoroughly searched.

- .03 Transport vehicles will be searched daily at the beginning and end of the tour of duty, for contraband, weapons, hazardous items, etc., regardless of the type of transport, or the character of the prisoner(s) to be transported.
- .04 Transport vehicles will be checked daily to assure adequate levels of fuel and oil, proper inflation of tires, and will be in general safe operating condition.
- .05 Prisoners will be transported in the front passenger seat unless the vehicle is equipped with a screen or heavy gauge plastic barrier separating the front seats from the rear seats compartment.
- .06 During transport, no prisoner is to be handcuffed, or secured in any manner, to any part of the vehicle, such as a door post.
- .07 At no time during transport of prisoners will they be permitted to be left alone or out of view of the transporting deputy, except to use the toilet facilities and then at the discretion of the transport deputy. This applies only to extended trips.
- .08 During lengthy transports when it becomes necessary to have meals while in transit, the opportunity for escape or attack on the transporting deputy(s) will be reduced as much as possible. The selection of the place where the meal is to be taken will be done at random. Prisoners being transported for periods of time next exceeding three (3) hours will not be permitted food or drink while in transit.
- .09 When transporting inmates to court outside of Allegany County, transport deputies will leave in sufficient time to arrive there at least 15 minutes prior to the scheduled court time.
- .10 When transporting to court, deputies will walk beside the inmate on the side opposite their weapon. When two deputies are available, they will be on each side, or one to the front and one to the rear of the inmate.
- .11 Transport deputies will not allow physical contact between prisoner(s) and civilians. Deputies will deny civilians the opportunity to present any items to prisoners.
- .12 Transport deputies should know their route of travel, watch for suspicious persons and actions, and avoid crowds, having them move if need be.
- .13 When transporting inmates, they will be handcuffed. Additional restraints will be at the discretion of the transport deputy when there is an indication of risk.
- .14 Two or more deputies will transport inmates, and the inmates will be restrained in cuffs and leg irons.

- .15 When transporting out of the county, deputies will advise the dispatcher of their route of travel, whenever possible. Whenever out of Allegany County, but within the State of Maryland, and assistance is needed, deputies will switch to the Maryland State Police statewide channel and radio the nearest State Police Barrack.
- .16 The transporting deputy will be responsible for acquiring credit cards for procurement of fuel, etc., when on extended transports.
- .17 While transporting prisoners, and only where the risk to third parties is both clear and grave, and the risk to the prisoner and the possibility of escape is minimal, should a member stop to render assistance. They will, however, notify the proper persons in order for assistance to be rendered.
- .18 Regardless of the type of transport, or the character of the prisoner(s) to be transported, the following procedures will be adhered to:
- A. Methods previously outlined are minimal in nature, however, the transporting deputy may, at his/her discretion, use any additional means of restraint.
 - B. When transporting Division of Corrections inmates to the Detention Center, or Allegany County prisoners to the Agency of Corrections, said prisoners will be permitted one box of personal items. This box will be of the size that can be secured in the trunk of the transport vehicle.
 - C. Transporting deputies will obey all traffic laws of the State or any other jurisdiction traversed during transports. If the transport is of an emergency nature, extreme caution will be exercised so as not to jeopardize the safety of any individual, in which event, Agency Policy concerning operation of vehicles in these circumstances will apply.

50-022.00 Escape From Transport

- .01 When an escape occurs during transport, the following action will be taken by the transporting officer(s):
- A. The Communications Unit will be notified immediately and requested to broadcast an alert to allied agencies and to make appropriate METERS/NCIC entries, where applicable.
 - B. Obtain appropriate warrants charging escape.
 - C. Complete a Criminal Investigation Report. The Criminal Investigation Unit will be requested to complete follow-up investigations.
 - D. The senior deputy transporting will, as soon as practical, prepare a written detailed report outlining the incident and submit it via the chain of command to the Sheriff.
- .02 When an escape occurs in a foreign jurisdiction, the Communications Unit will be contacted to report the incident.

- A. The appropriate METERS/NCIC entries will be made as soon as possible by the investigating agency.
- B. In an effort to apprehend the escapee, the transporting deputy(s) will render any and all assistance at their disposal to the agency having jurisdiction.
- C. Secure appropriate warrants as soon as practical charging escape.
- D. The senior transporting deputy will, as soon as possible, prepare a written detailed report outlining the incident and submit it, via the chain of command, to the Sheriff.

50-023.00 Special Transport Situations

- .01 Female Prisoners – Every effort will be made to have a minimum of two (2) male deputies transport female prisoners when a female deputy is not available. Time of departure and arrival and the mileage of the vehicle used, at the beginning and the end of transport, will be recorded in each instance. In the event two or more females are transported by a female deputy, a male deputy will accompany the transport.
- .02 Handicapped Prisoners – Physically and mentally handicapped prisoners require special conditions for their transportation. To be considered is the type of vehicle necessary to transport prisoners requiring wheelchairs, crutches, or prosthetic appliances. A prisoner confined to a wheelchair, or one who uses walking aids, may not require the use of restraining devices in all instances, however, the extent of applying such devices on handicapped persons will be at the discretion of the transporting deputy(s).
- .03 Sick or Injured – It will be at the discretion of the transport deputy which devices will and will not be used in transporting sick or injured prisoners.
- .04 Emergency Evaluatees – When taking an emergency evaluatee into custody, they will be immediately transported to the nearest designated emergency facility. Upon arrival at the facility, the deputy will transfer custody to the emergency facility staff. In the event the deputy is requested to remain at the facility, approval will be at the discretion of the Judicial Division Commander. The evaluatee will, at no time, be permitted to be alone or out of view of the deputy. All precautions will be taken to prevent the evaluatee from taking custody of any type of weapon. Proper restraints may be used in this instance and then only at the discretion of the Judicial Division Commander.
- .05 The safety of the prisoner and the transporting deputy(s) requires due care when transporting handicapped prisoners.
- .06 If a prisoner becomes ill or injured while being transported, the transporting deputy will seek medical attention at the earliest possible moment.

.07 The prisoner will not be permitted to communicate with his attorney or other parties.

50-024.00 Transporting Equipment

.01 Agency vehicles used primarily for transporting prisoners will have a safety barrier between the driver's compartment and the rear passenger compartment.

.02 Vehicles used primarily for prisoner transport will have the rear seat windows and door modified to prevent operation from within. This is to minimize the opportunity for the prisoner to exit from the rear seat compartment.

.03 Transporting deputies will ensure transport vehicles have a full fuel tank and other fluids are at proper operating levels prior to leaving on extended transports.

50-025.00 Traffic Accidents

.01 In the event a transport vehicle is involved in a traffic accident, as soon as practical, notification will be made to the nearest police agency and the following steps taken:

- A. Conduct an immediate inquiry of all parties involved relative to any injuries. Administer first aid where applicable and, if needed, request medical transport through the local dispatch where feasible, or;
- B. When the occurrence takes place in another Maryland county, an attempt will be made to contact the nearest State Police facility or if in Baltimore City, that Police Agency will be notified.
- C. Accidents occurring outside of Maryland will be reported immediately to the police agency having jurisdiction in that area.
- D. Safeguard the scene
 1. Situate flares where appropriate to warn oncoming traffic, unless the danger exists from spilled gasoline or other flammables.
 2. Conduct traffic control and direction, and re-route, if necessary.
 3. Be alert for potential dangers created by spilled gasoline, downed power lines, etc.
- E. Full cooperation and assistance will be given to any agency investigating collisions involving Agency vehicles.
- F. All accidents involving Agency vehicles will be investigated regardless of the extent of loss.
- G. In all accidents, regardless of the extent of the damage or injuries, the Sheriff, or in his absence, his designate, will be advised as soon as possible.

50-026.00 Main Court House & Courtroom Security

- .01 Entrance and Exit of Prisoners – The rear entrance off of Prospect Square to the courthouse will be utilized in all prisoner transports for Circuit Court. Exceptions to this policy, for security reasons only, will be at the discretion of the Judicial Division Commander.

- .02 Feeding of Prisoners – In the event of lengthy trials, county prisoners only will be fed by the Sheriff’s Office. Other agencies housing prisoners in the holding cells will be responsible for the care and feeding of their prisoners.

- .03 Holding Cells – Holding cells are located in the basement of the Circuit Court Courthouse complex.

- .04 Access to these cells can be obtained by using the elevator located in the courthouse.

- .05 The deputy placing an individual in a holding cell will ensure the cell door locking device is activated and secure prior to leaving the cell area, in order to maintain prisoner security.

- .06 All prisoners will be searched prior to being placed in a holding cell at the courthouse and again prior to being returned to a detention facility.

- .07 Periodic physical checks will be made of county prisoners while in the holding cells, with intervals not to exceed 15 minutes, and noted on log outside cell. Prisoners of other jurisdictions will be that agency’s own responsibility.

- .08 Under no circumstances will Juvenile prisoners be placed in cells occupied by adult prisoners. Sight and sound separation must occur between the juveniles and adults.

- .09 Females will be moved separately from males when possible and housed in separate cell areas.

- .10 County prisoners are not to be placed in cells occupied by prisoners of other agencies, without permission of the Judicial Division Commander.

- .11 County prisoners will have their restraints removed while detained in the holding cell.

- .12 All agencies, other than the Allegany County Detention Center, will be required to maintain custody of their prisoners. This will include maintaining a presence in the area of the holding cells.

- .13 There will be no visitation permitted, either in the courtroom or holding cells, to anyone other than the prisoner's attorney, court officials, or known police officers.
- .14 Weapons are not to be worn in the holding cell area. Weapon lockers will be utilized.
- .15 Prisoners will not be in possession of any tobacco products.
- .16 The presiding Judge of the Circuit Court may advise the Judicial Division Commander, in writing or in person, of any matters of concern or needs for change regarding court security operations.

50-027.00 Duties and Responsibilities of Judicial Division Commander

- .01 The following is a list of those duties and responsibilities assigned the Judicial Division Commander. However, this list is not meant to be an all-inclusive and may vary from time to time, and does not preclude those duties that may be later assigned by the Sheriff.
- The Judicial Division Commander will:
- A. Maintain security for the Courthouse and various courtrooms.
 - B. Cause periodic security checks of the holding cells located within the Courthouse and Courthouse Annex, and;
 - C. Assure all process received by the Judicial Division are disposed of as expeditiously as possible.
- .02 The Judicial Division Commander will compile a schedule of deputies assigned courtroom security and process service. In the event a deputy is off duty for an extended period of time due to illness, annual leave, military leave, or any other reason which may arise, process for that respective deputy will be reassigned for service.
- .03 If for any reason a deputy is assigned courtroom security, and the respective court is canceled, the deputy will assume service of process or other tasks at the discretion of the Judicial Division Commander.
- .04 The Judicial Division Commander will cause periodic checks to be made of the various alarms within the Courthouse and Annex. If any discrepancies are noted, or it appears the system may be in need of service due to consistent malfunctions, the proper service will be contacted to resolve the problem.
- .05 Periodic courthouse security checks will be made, however, no set number of checks or times the checks are to be made will be established.

- A. When favorable weather conditions exist which would entice persons to congregate around the courthouse, proper measures will be taken to ensure undesirables do not loiter, drink intoxicants, or disturb the general public by their presence.

50-028.00

Courtroom Security

.01

In conjunction with their other assigned duties, the following will be adhered to while serving as the courtroom security deputy:

- A. Coordinate with the various court bailiffs and conduct a pre-trial search of the courtrooms for weapons and contraband.
- B. Take a position in the courtroom which will provide protection to the Judge, attorneys, court officials, jury and audiences at all times. During any breach of security, assistance will be summoned by the most expeditious means available.
- C. A courtroom security deputy will be present during all hearings, trials, etc. unless excused by the sitting Judge.
- D. Be familiar with the daily court docket and be alert for any possible need for assistance.
- E. If and when anyone is suspected of being a potential risk once inside the courtroom, the presiding Judge will be notified based upon information available, and they may be searched prior to entry into the courtroom. If in the deputy's opinion, certain individuals should be refused admittance to the courtroom, the Judge will be informed of the reason(s), after which the respective Judge's decision will be honored (be familiar with "Stop & Frisk Law").
- F. Do not allow physical contact between a prisoner and any other person regardless of that person's relationship to the prisoner.
- G. The Judge will be consulted regarding the use of restraints in the courtroom.
- H. Do not permit any member of a police agency or the general public, to violate any of these regulations or conduct themselves in such a manner as to cause a breach of security. Any incidents involving members of a police agency will be brought to the attention of the Judicial Division Commander immediately.
- I. Do not relinquish responsibility or authority to anyone regardless of their position, unless ordered to do so by a Judge, the Sheriff, or immediate supervisor. Orders pertaining to security from the State's Attorney, other attorneys, or court officials, are not to be obeyed unless authorized by those previously designated. Any people desiring to alter or amend security procedures are to be referred to the Judicial Division Commander, or higher authority, immediately.
- J. Be courteous in dealings with the general public. However, if force is necessary, deputies are authorized to use the amount of force necessary to maintain security of the various courts or courthouse.

- K. Initiate any steps necessary to assure the safety and security of persons within the courtroom.
- L. Escort Judge through the hallways when persons have congregated to the extent the Judge's safety may be jeopardized.
- M. When transferring prisoners from holding cells to the various courtrooms, the general public will not be permitted in the area of the holding cells, nor will they be permitted to converse with prisoners or come in contact with them while being transferred.
- N. Any conflict or controversy, resulting from any action taken on the part of a deputy in order to maintain security or safety will be directed, in writing, to the Judicial Division Commander immediately.
- O. Once inside the courtroom, all prisoners become the responsibility of the Sheriff's Office. Other agencies having prisoners for court will be under the direction of the deputy assigned security to that courtroom, and;
- P. Juvenile offenders placed by the court are to be removed to Juvenile Detention as soon as possible after their trial is concluded.
- Q. Whenever deputies are assigned to courtroom security, they will assume this duty until properly relieved by a higher authority or at the termination of the court docket.

50-029.00 Courthouse Security and Safety Procedures

.01 In order to establish security and safety procedures at the Allegany County Circuit Court Building, the Judicial Services Division is charged with the overall responsibility of providing those measures that are necessary in and around the courthouse.

50-030.00 Courthouse Hours of Operation

.01 Normal hours of the Allegany County Courthouse Security will be from 0730 hours until 1630 hours, Monday through Friday, for Court Personnel. Office hours for the public are 0830 hours until 1630 hours, Monday through Friday.

.02 At all times, the courthouse will remain closed and locked except as dictated by necessary circumstances; i.e.:

- A. Court trials extending beyond closing time
- B. Public hearings and/or meetings
- C. Maintenance and repairs
- D. Routine cleaning
- E. By direction of the Administrative Judge

.03 Any circumstances extending the closing time of the courthouse will be brought to the immediate attention of the Judicial Division Commander (Lieutenant)

who will prepare appropriate security measures and scheduling of personnel. In the event the Circuit Court is closed because of bad weather or other circumstances, the senior deputy in the Court Building will be notified and he/she will notify the Judicial Division Commander.

50-031.00

Main Courthouse Security Posts

(Security Officers and deputies will adhere to the same policies as within the Main County Courthouse with the following exceptions listed in 50-033.00)

Post Orders to cover specified operations, duties and responsibilities for Metal Detector Operators assigned to each post will be issued by the Judicial Division Commander.

.01

Walk-through metal detectors have been installed to scan persons entering the Circuit Courthouse to detect weapons (firearms, knives, explosive devices, etc.).

.02

Metal Detector and X-ray Security Posts will be maintained with a minimum of one Metal Detector Operator, as designated below. It is recommended that this post consist of a sworn uniformed deputy and security officer when possible.

- A. Security Officers will be responsible for greeting the public and directing them with the proper procedures for entry into the courthouse. The security officer will operate the metal detector.
- B. The security deputies will operate the X-ray machine, insuring that all packages, bags, purses, briefcases, etc. have been scanned.
- C. Both the deputy and security officer will be responsible for viewing the security camera screen.
 - 1. Post #1 – Washington Street entrance
Hours of Operation – 0730 to 1630 hours

.03

All other doorways and entrances to the courthouse will remain locked with no access from the outside. They will be **EXIT ONLY**.

.04

All Exit Only doors from the courthouse will be alarmed to emit an audible signal if opened. Exiting through these doors will be for an emergency only.

.05

The basement door on the east side of the courthouse will be accessible for ingress and egress for Circuit Court Judges and will not be an “exit only” door.

50-032.00

Operation of Metal Detector/X-ray Security Posts

.01

All persons, except as designated below, will pass through the metal detector scanner upon entering the courthouse. This procedure is being implemented as a precautionary measure to ensure the utmost safety to all associated with the Judicial System.

A. Exceptions:

1. Judges of the State of Maryland
2. Deputy Sheriffs and other uniformed Police officers
3. Uniformed Correctional Officers
4. Plain clothes Police Officers with Agency badge or I.D. Card

NOTE: While the utmost in professional courtesy will be exercised by all Metal Detector Operators working this assignment, it must be noted that attorneys with I.D. are expected to enter through the metal detector as designated above. If any attorney refuses to follow these instructions, that problem will be reported immediately to the Judicial Division Commander who will locate the attorney and attempt to clarify any questions and prevent further occurrences. Continued disregard will be reported to the Sheriff for ultimate forwarding to the Chief Administrative Judge.

.02

Upon entering the Allegany County Courthouse, visitors shall place all items such as bags, packages, and purses through the x-ray machine. All items are subject to being searched for prohibited items. Additionally, visitors shall successfully pass through the walk-through Metal Detector. To successfully do so, visitors should observe the following procedures:

- A. Remove all metallic items from pockets and placed into the plastic tray. These items include, but are not limited to coins, gum wrappers, keys, lighters, cigarettes and any other metallic items.
- B. Electronic items that shall be placed through the x-ray machine including but are not limited to laptops, cell phones, pagers and electronic day planners.
- C. Outer garments with a large amount of metal (zippers, buttons, tags, decorations) should also be removed and placed through the x-ray machine.
- D. If visitors unsuccessfully pass through the walk-through Metal Detector, they are subject to search with a hand-held metal detector by court security officers.
 1. Items Prohibited in the Allegany County Courthouse include, but are not limited to:
 - a. Any firearm, deadly weapon, dangerous ordinance or explosive device
 - b. Any switchblade and/or martial arts knife of any length
 - c. Any knife or any knife-like instrument of any length
 - d. Any straight razor or razor blade
 - e. Any drug of abuse or illegal substance
 - f. Any incendiary device or firework
 - g. Any device that operates as a noisemaker
 - h. Any type of sound amplifier, except a personal hearing aid that operates without disruption to the Court.

- i. The Court security officers may include any other item or items that caution, good sense or professional experience suggest are inappropriate to the Court environment, whether or not that item is specifically listed.

**50-033.00 Courthouse Annex Security Post
(Security Officers and deputies will adhere to the same policies as within the Main Courthouse with the following exceptions listed in 50-033.00)**

.01 All persons, except as designated below, will pass through the metal detector scanner upon entering the Courthouse Annex. This procedure is being implemented as a precautionary measure to ensure the utmost safety to all associated with the Allegany County Courthouse Annex.

A. Exceptions:

1. Employees assigned to the Courthouse Annex
 - a. Allegany County State's Attorney's Office
 - b. Allegany County Register of Wills
 - c. Allegany County Juvenile Court
 - d. Allegany County Child Support
 - Security Officers will request identification from the employees until they become familiarized with them.
 - Magistrates with offices assigned to the Annex Building should notify the Allegany County Sheriff's Office of any change in employment status within their departments.
2. Deputy Sheriff's and other uniformed officers.
3. Plain clothes Police Officers with Agency badge or I.D. Card.

NOTE: All Metal Detector Operators working this assignment will exercise utmost in professional courtesy.

50-034.00 Handicapped Person/Special Medical Situations

.01 Handicapped persons requiring special entry into the courthouse will use the rear entrance off Prospect Square.

- A. Handicapped person utilizing special equipment; i.e., (wheelchair, metal braces, walking supports, etc.), may be permitted to bypass the metal detector. All such persons will, including maternity cases, however, be subject to physical search before passing the Post.
- B. All packages, purses, briefcases, etc. will be subject to being scanned through the x-ray machine.

- C. Operators will inform any such person requiring a physical and/or medical search, i.e. (cases of pregnancy), prior to the search being conducted.
- D. Male deputies will not search females. If a female deputy is not available, a female officer will be requested from Cumberland City Police.
- E. All searches will be conducted in accordance with established Sheriff's Office policy and with the utmost decorum and professionalism.

50-035.00 Allegany County Employee Photo – I.D. Passes

- .01 The appropriate Agency Head will issue I.D. badges to all courthouse employees.
- .02 County issued I.D. badges will be worn at all times the employee is in the courthouse. They will be worn in such a manner as to be unobstructed from view and readily seen upon approach.
- .03 All such photo-identification badges/passes will remain the property of Allegany County and will be forfeited to the Agency Head upon termination from County employment.
- .04 Lost or stolen I.D. badges/passes will be reported immediately to the Agency Head. The Agency Head may issue a new I.D.
 - A. In the event of theft of an I.D. badge/pass, the Judicial Division Commander will be notified by the Agency Head so that appropriate safeguards may be taken against misuse.

50-036.00 Packages, Purses, Bags, etc., Entering the Courthouse

- .01 Except those persons permitted to bypass the metal detectors, all other packages, purses, bags, equipment, etc., will be scanned through the x-ray machine or physically searched at the security posts by the metal detector personnel on duty. Signs at the courthouse entrances will constitute posted warning that such searches will occur.
- .02 News media will not be excluded from passing through metal detectors, however, camera equipment and film, which may be subject to de-magnetization from metal detectors will be hand searched before admission.
 - A. This section in no way circumvents restrictions already in effect of cameras and photo equipment prohibited to certain areas of the courthouse.

50-037.00 Weapons Policy and Prohibited Acts

.01

The following procedures have been established and are to be followed when an armed law enforcement officer and/or correctional transport officer requests entrance to the Allegany County Circuit Courthouse Complex.

Contents:

- Uniformed Law Enforcement Officers
- Armed Plain Clothes Law Enforcement Officers
- Armed Federal Law Enforcement Officers
- Armed Correctional Transport Officers

A. Uniformed Law enforcement Officers

Armed Uniformed Law Enforcement Officers will be granted admittance to the Allegany County Courthouse Complex while armed and permitted to bypass entry screening under the following circumstances:

1. The law enforcement officer is certified as a police officer, or deputy sheriff, in accordance with Article 41, Section 4-201, of the Annotated Code of Maryland, **and**;
2. The law enforcement officer is in an official Agency uniform, **and**;
3. The law enforcement officer is entering the Courthouse for official Agency business.

a. Armed uniformed law enforcement officers will not be granted admittance to the Courthouse in instances where the officer is the defendant in a case, or in cases which are civil in nature and do not pertain to their domestic relations case, and jury duty, etc.

b. Armed uniformed law enforcement officers who do not meet the above requirements will be required to check their weapon at lockboxes, which will be available at the Washington Street entrance.

B. Armed Plain Clothes Law Enforcement Officers

Armed Law Enforcement Officers who are in an undercover capacity, or have chosen to come to conduct official duties in plain clothes will be granted admittance to the Allegany County Courthouse while armed and permitted to bypass entry screening under the following circumstances:

1. The law enforcement officer is certified as a police officer, or deputy sheriff, in accordance with Article 41, Section 4-201, of the Annotated Code of Maryland, **and**;
2. The law enforcement officer must show their appropriate Law Enforcement Agency's Photo Identification to the Metal Detector Operator upon entering the courthouse.
3. The following **MUST** be displayed on their (front) outermost garment, upper-left quadrant of their person: an official agency Badge, Shield, or Identification Card.
4. Should there be an overriding need to avoid publicly identifying the officer as a police officer, or the plain clothes officer does not have an appropriate official agency I.D., he/she **will be** required to check their weapon in the Judicial Office.
5. The law enforcement officer is not entering the Allegany County Courthouse for official Agency business.
 - a. Armed plain clothes law enforcement officers will not be granted admittance to the Allegany County Courthouse in instances where the officer is the defendant in a case, or in cases which are civil in nature and do not pertain to their official duties as a police officer. This includes any domestic relations case, and jury duty, etc.
 - b. Armed plain clothes law enforcement officers who do not meet the above requirements will be required to check their weapon at lockboxes which will be available inside the Washington Street entrance.

All law enforcement personnel, both uniformed and non-uniformed, are encouraged to use the Washington Street entrance to gain access to the Allegany County Courthouse. This procedure is required to provide for the protection of everyone within the courthouse. This will provide Sheriff's Deputies with the necessary identification of all **armed, plain clothes** law enforcement personnel having official business within and before the Circuit Court.

In addition to this, it is the desire of both the Circuit Court for Allegany County and the Allegany County Sheriff's Office to have police officers appropriately dressed with respect to the carrying of weapons. Remember, all weapons should be positioned in such a way as not to be offensive.

NOTE: This applies to all Law Enforcement Officers on "official business" only. All other persons holding Handgun permits, i.e. Special Police, Security Guards and the like, will NOT be permitted to carry a handgun onto the courthouse premises. Those weapons shall be secured in the gun lockboxes provided by Judicial Personnel. If the individual refuses, he/she will be required to leave the weapon outside of the courthouse.

C. Armed Federal Law Enforcement Officers

Armed Federal Law Enforcement Officers will be granted admittance to the Allegany County Courthouse while armed and permitted to bypass entry screening pursuant to the above requirements. Only federal law enforcement officers who are certified as a federal police officer, special agent, military police officer, or federal investigator will be considered an “Armed Federal Law Enforcement Officer”.

- D. Armed Correctional Transport Officers
Visiting Transport/Correctional Personnel will, before delivering of prisoners, contact the Judicial Division, Allegany County Sheriff’s Office, (located on the second floor of the courthouse), to secure their weapons in designated lockers in that office.

Visiting correctional personnel will not be permitted to carry weapons while located in prisoner movement or cell areas in the Allegany County Courthouse.

When there are two officers providing transport, one officer, unarmed, will be requested to remain in the immediate area of the prisoner at all times. After conclusion of Courthouse assignment, corrections personnel will coordinate with the Judicial Deputies to escort their prisoners from the courthouse, retrieve their weapons and complete their transport.

- E. Miscellaneous
1. Any person found carrying a weapon illegally or carrying an illegal weapon in the courthouse or on the grounds of the courthouse, will be charged under appropriate State Law.
 2. Any attempt by a Police Officer or other personnel to breach security as established by this policy will be reported immediately to the Judicial Division Commander.
 3. All knives will be relinquished to the Operators at the metal detector post and will be confiscated before entry into the courthouse. Knives, when legal, will be returned to the owner when exiting the courthouse.
 4. Trespassing violations on the courthouse property will be charged by Sheriff’s Deputies, or sworn law enforcement officers having jurisdiction for such action.
 5. Any person violating any State Criminal or Civil Law, or City Ordinance will be subject to arrest by Sheriff’s Deputies, or other sworn law enforcement officers having jurisdiction within

Allegany County unless federal jurisdiction is applicable. This includes Disorderly Conduct at the metal detector posts or anywhere else on courthouse property.

50-038.00 Conduct of County Employees – Violations of Policies

- .01 Deputies and Metal Detector Operators providing safety and security at the Allegany Courthouse will need full and total cooperation from all other courthouse employees and county employees entering the courthouse.
- .02 Deputies and Metal Detector Operators will be required to notify the Judicial Division Commander of any misconduct on the part of a county employee, including any attempt to circumvent or breach established security. The Judicial Division Commander will direct the complaint, through channels, to the Sheriff for his discretion in forwarding same to the Administrative Judge. All such complaints against personnel will be in writing.

50-039.00 Reporting Incidents Occurring in the Courthouse

- .01 All incidents occurring within the courthouse, or property designated as courthouse property, will be reported to Emergency Services 911. Deputies will be assigned to investigate, and when required, file a report of the incident using established procedures.
- .02 The Judicial Services Office will be notified of any injuries or other emergencies occurring in the courthouse whereby emergency services may be called to respond.
- .03 All calls received by Patrol Communications, or at the Detention Center, concerning incidents occurring in the courthouse will immediately be relayed to Emergency Services at 911 and the Judicial Services Office at 301-777-2271.
- .04 Any incident occurring in the courthouse after normal courthouse hours will be handled by on-duty Patrol personnel, however, the Judicial Services Commander, or in his absence his designate, will be immediately notified.
- .05 All reports of non-emergency nature, occurring at the courthouse, will be forwarded, via the chain of command, to the Sheriff.

50-040.00 Bomb Threats, Suspicious

- .01 All bomb threats called in will be reported immediately to the Emergency Services 911. The Judicial Services Commander will be notified immediately of all bomb threats. The Sheriff will be advised of any threat to the courthouse as soon as possible.

.02 The Judicial Services Commander, on site supervisor, and/or the Sheriff will authorize evacuation of the courthouse, when necessary. Each case should be individually determined. Under no circumstances will the fire alarm be activated in a bomb threat situation. Today's sophisticated explosive devices could detonate due to the alarm system frequency. When in doubt, or time will not permit, evacuate the building.

.03 Suspicious packages of doubtful or unknown origin are to be reported to the Judicial Services Office immediately. All such packages are to be left alone and untouched. Sheriff's personnel will ensure the areas around suspicious packages are clear until disposition by a proper explosive technician is made.

NOTE: IF IN DOUBT, CALL EMERGENCY SERVICES AT 911, TO REPORT ANYTHING OF SUSPICIOUS NATURE.

50-041.00 Fire Alarms

.01 In the event of a fire alarm sounding at the courthouse, Sheriff's Office personnel will direct the evacuation of all personnel from the courthouse.

.02 Fire and Emergency evacuation plans will be developed through the Cumberland Fire Department. Once placed in effect, Sheriff's personnel will ensure that the plans are implemented in the event of any emergency, requiring evacuation of the courthouse. The Judicial Services Commander will coordinate with the Clerk of the Court.

.03 Periodic fire drills will be scheduled by the Clerk of the Court; Sheriff's personnel will extend full cooperation and ensure that evacuation practices are carried out fully.

.04 In the event of a fire alarm, elevators will not be used. All employees and occupants of the courthouse will be directed to use the stairs as designated by fire plans.

.05 All persons, once evacuated, will remain clear of the building to prevent any interference with responding fire/rescue unit. Once fire/rescue authorities have declared the building safe for occupancy, Sheriff's personnel will assist in returning personnel in an orderly fashion and ensure that the Judge's chambers, courtrooms and cell areas are checked during the evacuation and before occupancy.

.06 Evacuation of prisoners in custody will be the responsibility of the transporting agency having custody of the prisoner.

.07 Alarmed emergency exits used in evacuations will be reset by the Sheriff's personnel.

50-042.00 Mail Deliveries, Package Deliveries

.01 All mail deliveries and deliveries by parcel delivery organizations, for Judges and Circuit Court personnel, will be received for processing by the deputy(s) in the Judicial Services Division.

.02 All mail and packages delivered will pass metal detection before admission beyond the detector post.

50-043.00 Janitorial/Cleaning of Courthouse

.01 Access to the courthouse by cleaning personnel will continue in accordance with the policy of the Allegany County Administrator.

50-044.00 Visits by Groups After Normal Courthouse Hours

.01 Occasionally, the courthouse is used by various groups after normal courthouse hours. Any such meetings will be cleared through the Clerk of the Court and once verified, forwarded to the Judicial Services Commander. When appropriate, the Judicial Services Commander will assign a deputy to remain with the group or make periodic checks on the group until the courthouse is secured.

50-045.00 General Duties of Judicial Division Deputies

.01 In addition to the duties outlined previously in this Order, deputies assigned to the Judicial Services Division will assume the following responsibilities and duties:

- A. There will be a minimum of one (1) Metal Detector Operator assigned to the metal detector post. The Judicial Division Commander may assign additional personnel as peak operating hours dictate.
- B. At no time will the metal detector posts be unattended, nor will the operator assigned leave his/her post until physically relieved by another operator or deputy.
- C. When any event causes the courthouse to remain open beyond normal operating hours, including extended court cases, Post #1 (Washington Street) will be manned.
- D. Operators working metal detector posts will ensure that their post remains free of congregating people. Loitering, horseplay, excessive noise, and any other act which may cause distraction, either to the operator or other offices in the area, are prohibited.

50-046.00 Posting of Metal Detector Rules

.01 In order for all courthouse employees to become fully aware of the necessary security arrangements, the Judicial Division Commander will prepare a list of regulations which affect those employees. The list of regulations, extracted from this order, will be posted at conspicuous points around the courthouse and distributed to the appropriate Agency Heads for dissemination to county employees.

.02 As these regulations change or are adjusted to meet security and safety requirements, it will be the Judicial Division Commander's responsibility to update and correct the posted regulations.

50-047.00 General

.01 Prohibited Items

A. No person may enter the Courthouse or Annex with any of the following items, without prior approval of the Administrative Judge:

1. Guns, knives (including pocket knives, belt knives, folding knives, box cutters, work tools, etc.), batons, chemical mace, pepper spray or any other item that Metal Detector Operator or Deputy believes could be used or is intended to be a weapon, or any other instrument or object deemed to be a weapon or as prohibited under Maryland Law.

- This prohibition does not apply to official equipment of Metal Detector Operators or other properly identified law enforcement officers who are entering the courthouse to perform law enforcement or security duties, including giving testimony as a witness in a case other than one in which the officer is a party.

2. Cameras and recording devices of any kind, including film cameras, digital cameras, tape players, cassettes, discs and accessories for any such equipment. No video recording or photographing is permitted in the courtrooms.

.02 All cell phones, PDA's, electronic calendars, laptop computers and pagers must be rendered silent or turned off before entering a courtroom or while in the hallway immediately outside the entrance to a courtroom. Cell phone conversations will be prohibited within a courtroom or in the hallway immediately outside the courtroom entrance.

- .03 Any person having the appearance of being intoxicated, shall not be permitted to remain on the Courthouse premises. If the intoxicated person, or a person suspected of being intoxicated, has been summoned for trial, the respective judge will be notified and the judge's order complied with.
- .04 Judicial personnel will ensure members of the jury, witnesses, or the general public, are not exposed to verbal threats or remarks made by prisoners or other persons, before, during or at the conclusion of a trial.
- .05 Judicial Deputies will not loiter unnecessarily in the Judicial Office, excluding assigned court dates.
- .06 Detention Center work release personnel assigned to perform janitorial services at the Courthouse will not be permitted in the area of the courthouse while court is in session. They will not be permitted to socialize with the public, or associate with prisoners in holding cells, at any time, while at the Courthouse.
- .07 Smoking will not be permitted in the Courthouse.
- .08 Judicial members will treat all business of that Division as being confidential in nature.
- .09 The Sheriff is to be informed of any unusual occurrences or potential risk to security involving the responsibilities of the Judicial Division as soon as practical.
- .10 In the absence of the Judicial Commander, the Assistant Judicial Commander will assume responsibility for all matters relating to that Division.

50-048.00 Procedures for Control of Issued Keys

- .01 Procedures for the inventory, accountability and control of issued keys will be as follows:
- A. There is a Key Control Log kept in the Judicial Division. When keys are removed, a Deputy will sign the keys out with date and time, and when they are returned, the appropriate entry will be so noted in the return space. If keys are used by an individual from another agency, that institution will be noted in the appropriate space.
 - B. Loss of any key or set of keys will be promptly documented, in writing, and submitted to the Judicial Commander. An immediate search for the lost key(s) will be conducted.
- .02 Security Surveys

The Judicial Division Commander will conduct a court security survey on an annual basis.

- A. The survey will assess both the physical and procedural security measures of the Court, including:
 - 1. Security components such as door lock conditions, alarm conditions, audio/visual operation and capabilities, property and equipment security.
 - 2. Prisoner supervision and movement procedures
- B. The survey will consist of an analysis of the nature and degree of the threat, the exact kind and degree of protective measures used, and the precise kinds of security measures that are needed and recommendations for action to be taken to establish the appropriate level of security.
- C. Detailed findings, conclusions and recommendations of the survey will be submitted, via the chain of command, to the Sheriff's attention. If all is found to be in order, a short memo to that effect is all that is necessary.

50-049.00

Glossary

- .01 Agent – A person authorized by another person to act for him.
- .02 Attachment – The act of taking or seizing property or person in order to bring them under the control of the court.
- .03 Bench Warrant – A paper issued by a Judge to the Sheriff or other police officer to permit the arrest of a person.
- .04 Capias – (Latin for “that you take”) – a writ from a Judge to the Sheriff commanding him to take a defendant into custody.
- .05 Capias in Witherman – A writ directing the Sheriff to levy or substitute goods of a defendant of the same value of goods that were previously levied on.
- .06 Chattel – Personal property or animals; any property other than land.
- .07 Custodia Legis – In the custody of the law. Property is in the custody of the law when it has been lawfully taken by authority of legal process and remains in the possession of a public officer or an officer of a court empowered by law to hold it.

- .08 Dentinue – An action for the recovery of personal property, together with damages for its detention.
- .09 Detainer – A legal paper that authorized the holding of a person against their will for further action.
- .10 Disability – A person under disability is one who lacks the legal capacity to perform an act. Thus minors and persons who are mentally incompetent are said to be under a disability.
- .11 Distress or Distrain – An action to take personal property out of the custody of a wrong-doer into the custody of the party injured. In the District Court, distress is a remedy for failure to pay rent.
- .12 Docket – The list of cases set down for trial in a court.
- .13 Duces Tecum – (Latin for “bring with you”) – A subpoena commanding a person to come to court and bring documents or other pieces of evidence.
- .14 Execution – A remedy afforded by law for the enforcement of a judgment by the court.
- .15 Fieri-Facias – (Fi-Fa;Latin) – A writ of execution commanding a Sheriff to take goods to pay off a debt.
- .16 Garnishee – One who holds money or property belonging to a debtor, which money or property is attached for payment of the debt.
- .17 Garnishment – A proceeding whereby the money or property of a debtor is attached while in the hands of a third party.
- .18 Habeas Corpus – (Latin for “you have the body”) – A judicial order to someone holding a person to bring that person to court.
- .19 Injunction – A judicial process requiring the person to whom it is directed to do or refrain from doing a particular thing. An ex-parte injunction is an injunction issued in behalf of one party only.
- .20 Interrogatories – A set of written questions propounded by one party and served on the adversary, who must serve written answers.
- .21 Jurisdiction – The authority by which courts are empowered to receive and try cases. The court’s authority over a certain class of cases.

- .22 Jurisdiction, concurrent – The jurisdiction of at least two courts over a particular class of cases.
- .23 Jurisdiction, exclusive – The jurisdiction of a single court over a particular class of cases.
- .24 Jurisdiction, original – The jurisdiction of a single court to be the first to hear a particular class of cases.
- .25 Levy – The setting aside of specific property belonging to the debtor and placing it in the custody of the law until it can be sold and applied to the payment of a judgment.
- .26 Lien – A claim or charge on property for the payment of some debt or obligation.
- .27 Mortuus-est – (Latin for “he is dead”)
- .28 Ne exeat – (Latin) – A court paper forbidding a person from leaving the area.
- .29 Non-Est – (Abbreviation for “non est inventus”, translated – “he is not found”. The Sheriff’s return to process when the person to be served is not found within his jurisdiction.
- .30 Nulla Bona – (Translated – “no goods”) – A return made by a Sheriff to a writ of execution when he has not found any goods of the defendant on which he could levy.
- .31 Process – The means of compelling the defendant in an action to appear in court; or a means whereby a court compels a compliance with its demands.
- .32 Replevin – A person brought to recover possession of goods.
- .33 Seize – The act performed by an officer of the law in taking into custody the property, real or personal, or a person against whom a judgment has been entered, so that the property may be sold to satisfy the judgment.
- .34 Service – The exhibition or delivery of a writ, notice, injunction, etc., to a person who is thereby notified of some action or proceeding in which he is concerned.
- .35 Service In-Personam (In Person) – Service of process that must be served in person to an individual.
- .36 Service in Rem or Quasi in Rem – Service of process that is made by posting the process or publication of the process.

- .37 Show Cause Order – A process directing a person to appear in court and present reasons why a certain order, judgment, or decree should not be passed.
- .38 Subpoena – A process to cause a witness to appear and give testimony.
- .39 Summons – A writ notifying the person named that an action has been commenced against him and that he is required to appear and answer the complaint in such action.
- .40 Supplementary Proceedings – Proceeding supplementary to an execution, directed to the discovery of the debtor’s property and its application to the debt for which the execution is issued.
- .41 Venue – The geographical division in which an action may be brought for trial.
- .42 Warrant of Restitution – In District Court practice, a writ directing the Sheriff to restore possession of rented or leased premises to the landlord or his agent.
- .43 Writ – A mandatory precept issuing from a court of justice.

By Order Of:

Craig A. Robertson, Sheriff