

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF MENDOCINO

FILED

JAN 04 2016

In Re:

CLERK OF MENDOCINO COUNTY
SUPERIOR COURT OF CALIFORNIA

COURTHOUSE SECURITY

STANDING ORDER
2016-02

TO ALL INTERESTED PARTIES AND TO MEMBERS OF THE PUBLIC WHO USE THE COURTHOUSE FACILITIES AND BUSINESS OFFICES LOCATED AT 100 NORTH STATE STREET, UKIAH, CALIFORNIA OR 700 SOUTH FRANKLIN ST., FORT BRAGG, CALIFORNIA:

WHEREAS, court proceedings are, by their nature, often intensely emotional experiences for victims, witnesses, and parties; and

WHEREAS, judicial notice may be taken that weapons and dangerous materials are readily available to members of the public, and that violence and threats of violent acts directed against courthouses, staff, and the public have given rise to an urgent need for protective measures; and

WHEREAS, security screening will be in place in the Mendocino County courthouses, and will result in confiscation of a plethora of weapons and dangerous items or materials, including firearms, knives, chemical and toxic materials, hammers, screwdrivers, and stakes; and

WHEREAS, this court believes this screening will effectively prevent violence and threat of violence within the courthouse facilities, and wishes to continue such screening at each facility under guidelines established by this court:

IT IS HEREBY ORDERED:

1. Court employee work areas are, at all times, restricted to Court Personnel, Judges, Commissioners, CASA, County Employees who may be delivering mail or performing other services and any other vendor performing services authorized by the Court Executive Officer.
2. Any person wishing to enter the above-named courthouse facility shall be subject to search using a walk-through metal detector, X-ray screening of possessions, and/or a physical search of his or her person and possessions. Further search or inspection shall be as deemed necessary by courthouse security personnel to effectively implement this order.

3. Court or county employees whose duty station is located in the courthouse facility must adhere to the weapons policies outlined below and may not possess weapons or dangerous items or materials in any court facility except as specified below.
4. On-duty peace officers, either in uniform or, if not in uniform, presenting picture identification to security staff, who are attending to law enforcement business at the courthouse facility, may be admitted without being searched. However, they shall walk through the magnetometer, declare their weapons, and have all packages, handbags, briefcases, etc., examined by security.
5. Peace officers appearing on personal matters are not exempt and may not bring weapons into any Mendocino County Court Facility, pursuant to Penal Code Section 171(b)(2)(B) and local court order.
6. Probation Officers who are identified or in marked clothing and are in the courthouse, may be armed in the commission of their duties. Probation Officers conducting personal business in the courthouse will not be allowed to possess any weapon and will be subject to screening upon entering the courthouse.
7. Area Tribal Police Officers may enter the Courthouse carrying their duty weapon under the following guidelines:
 - Must be in uniform and on duty;
 - Must present a valid Department Identification Card;
 - Must be on official business inside the courthouse
8. No weapons or dangerous items or materials may be brought into any courthouse facility except under the circumstances set out in paragraph 10 below.
9. As used in this order, "weapons or dangerous items or materials" shall include:
 - a. any item, possession of which is prohibited by Penal Code section 171b, including but not limited to firearms, knives, tear gas weapons, laser or stun guns, instruments that expel metallic projectiles, spot marker guns, and paint guns;

- b. any item, possession of which is prohibited by Penal Code section 12020, including, but not limited to undetectable and disguised firearms, metal knuckles, hand grenades, and clubs and blackjacks;
 - c. any explosive or incendiary device, or any toxic, radioactive, or flammable material;
 - d. any item that could be used to stab, cut, or to commit mayhem, such as pointed scissors, letter openers, pocket knives, glass bottles, screwdrivers, awls, saw blades, and stakes;
 - e. any item which could be used as a club, such as a hammer.
10. Weapons or dangerous items or materials may be brought into a courthouse facility only under the following circumstances:
- a. by court or county employees whose duty station is in the courthouse facility, and who are required or empowered to carry such weapons at the facility with the permission of the Presiding Judge or designee;
 - b. when the weapons or materials are to be used as evidence in court, are properly secured to prevent accidental discharge or release, and are being delivered to court by someone authorized by state law to do so;
 - c. by an on-duty peace officer, either in uniform or, if not in uniform, presenting identification to security staff, who is attending to law enforcement business at the courthouse facility. Security personnel may verify the identity of any officer by requesting proper identification. If the identity of an officer cannot be verified through identification carried by the officer or through reasonable efforts by security personnel, this exemption shall not apply. In addition, this exemption shall not apply to any peace officer while he or she is appearing before the court or attending any court proceeding, including mediation, in any personal matter, or who is appearing before the court as a defendant in a criminal matter.
11. The following items are excluded from the definition of weapons or dangerous items or materials:
- a. food or beverages in sealed containers carried into court facility by county or court employees assigned to work within the courthouse facility, or by jurors displaying valid juror identification;

- b. forks and non-sharp kitchen knives when carried by county or court employees assigned to work within the courthouse facility, or by jurors displaying valid juror identification;
 - c. flammable materials required for authorized facility maintenance or construction that are in approved containers and are being transported by someone authorized to do so within the facility;
 - d. tools required for authorized facility maintenance or construction, by someone authorized to do so within the facility.
12. It shall be a violation of this order, punishable through contempt proceedings, to tamper with security equipment or otherwise attempt to bypass the security screening required by this order.
13. Court personnel are directed to post signage at all courthouse entrances informing the public of the terms of this order.
14. The staff at the Ft. Bragg location is allowed to enter and exit the door by the Judge's chambers. A unique security card is issued to each employee that would have access.

This standing order shall expire on December 31, 2016.

Dated: 1/4/16



JOHN A. BEHNKE
Presiding Judge of the Superior Court