

**IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT
IN AND FOR POLK COUNTY, FLORIDA**

ADMINISTRATIVE ORDER NO. 1-12.11

SECURITY WITHIN POLK COUNTY COURTHOUSES

WHEREAS, Rule 2.050, Florida Rules of Judicial Administration, and Section 43.26, Florida Statutes, empowers the Chief Judge of each Circuit with the administration supervision of the courts within the judicial circuits; and

WHEREAS, the Court recognizes that threats and acts of violence directed at private citizens, witnesses, jurors, litigants, attorneys, court personnel, and judges in court facilities within the State of Florida and throughout the United States are ever present, the Court concludes that there remains a continuing need to provide for security within the Polk County Courthouse in Bartow, Florida and all branch courthouses located in Polk County; and

WHEREAS, pursuant to 2.050, Florida Rules of Judicial Administration, and Section 43.26, Florida Statutes, and the inherent power of the Court to do all things reasonable and necessary for the administration of justice, the Court, having considered the unique design and configuration of the Polk County Courthouse and occupants thereof, finds that it is necessary and reasonable to have this policy for the prompt and efficient administration of justice in the courts;

NOW, THEREFORE, IT IS ORDERED AND DIRECTED that:

1. The Sheriff of Polk County (Sheriff) is authorized to provide security for the Polk County Courthouse in Bartow, Florida, and all branch courthouses located in Polk County in accordance with the Administrative Order.
2. The entire Polk County Courthouse in Bartow, Florida and each branch courthouse located in Polk County are designated as SECURE AREAS.
3. The introduction of any item as defined in Sections 790.001(1)-(6), (9)-(15), and (19), Florida Statutes, into any Courthouse is prohibited, with the exception of legal chemical spray used for self defense by employees.

4. No person shall possess a firearm in the Polk County Courthouse in Bartow, Florida except:

- a) Bailiffs;
- b) Deputy Sheriffs and certified correctional officers temporarily assigned to assist in maintaining security;
- c) Law enforcement officers responding to calls for assistance in a secure area;
- d) Law enforcement officers conducting an investigation;
- e) The State Attorney, Public Defender, Statewide prosecutor and those of their staff authorized by law to possess firearms without a concealed weapons permit however, they are not authorized to carry a firearm into a courtroom, a hearing room or into any judicial office without permission of the presiding judge; and
- f) Judges.

5. No person shall possess a firearm in any branch courthouse in Polk County, Florida except:

- a) Bailiffs;
- b) Deputy Sheriffs and certified correctional officers temporarily assigned to assist in maintaining security;
- c) Law enforcement officers wearing their duty uniforms who produce official agency identification;
- d) Law enforcement officers responding to calls for assistance in a secure area;
- e) Law enforcement officers conducting an investigation;
- f) The State Attorney, Public Defender, Statewide prosecutor and those of their staff authorized by law to possess firearms without a concealed weapons permit; and
- g) Judges.

6. Any person desiring to enter any courthouse location shall be subject to search of person and property, including the use of electronic or other specialized equipment, at security stations operated by authorized security, except any person temporarily exempted by personnel operating security stations in order to respond to any emergency in the Courthouse.

7. The Church Street or north entrance is designated as the primary entrance to the Polk County Courthouse. The general public is to utilize this entrance. By 0730, all electronic or specialty equipment will be operational. All persons seeking entrance to the Courthouse shall pass through a magnetometer and electronic or other specialized equipment operated by authorized security personnel. The east and west doors are designated as exit

doors for the general public. The west door is also designated as a delivery point for supplies as well as an entrance for employees, attorneys, law enforcement and for the general public who have a disability that impairs their ability to walk or otherwise navigate through public spaces. The east door is also designated as an entrance and exit for employees, attorneys, law enforcement, jurors, and volunteers and employees of the Guardian Ad Litem. For purposes of this order, court reporters that contract with the court to provide court reporting services shall be considered as employees and any equipment they bring into the courthouse shall only be visually inspected by security personnel, but shall not be required to go through a magnetometer or ex-ray machine. The court reporter, however, will be required to go through the magnetometer or be "wanded". All first floor south doors are designated as emergency exits only with the exception of the south side maintenance door. Access at the south side maintenance door is afforded to maintenance personnel, bailiffs, contracted security, the chief judge, the security judge, the elected Clerk of the Court, elected Public Defender, and elected State Attorney. Additionally, access to the south side maintenance door shall be provided to courthouse employees that utilize the disabled parking spaces on the south side of the courthouse and the Judicial Assistants who utilize disabled parking spaces on the south side of the courthouse. The juvenile entrance will be utilized by employees, attorneys and the general public. Any employee, attorney or law enforcement officer entering through the Church Street entrance will be required to go through a full security check.

8. The doorway from the judicial parking lot on the second floor of the Polk County Courthouse is designated as the judicial entrance. Judges, the Court Administrator, Quasi-judicial personnel, i.e., Court-Appointed Magistrates and Hearing Officers, as they occupy secure areas of the building, the Clerk of Court, the State Attorney and the Public Defender, as they also utilize the judicial parking garage, are authorized to use this entrance, utilizing their respective identification badges, however are subject to the requirements of paragraph 6.

9. Effective October 23, 2006, or as soon thereafter as possible, the north entrance shall be designated for after hours, weekend and holiday access to the Polk County Courthouse. Until then, such access shall remain at the south door located next to the maintenance office.

10. Anyone who refuses to submit to a search as described in paragraph 6 shall be denied access to the Courthouse.

11. Procedures to implement the search required in paragraph 6 shall be as outlined in Exhibit "A" attached hereto, as the same may be from time-to-time amended.

12. The following notice shall be posted at all courthouse entrances and at each security station:

**FOR THE PROTECTION OF THE PUBLIC, THIS BUILDING HAS
BEEN DESIGNATED AS A SECURE AREA. ALL PERSONS**

DESIRING TO ENTER MUST PASS THROUGH A MAGNETOMETER (METAL DETECTOR). IF THE DETECTOR REGISTERS, THAT PERSON WILL BE SUBJECT TO A LIMITED SEARCH. ALL PACKAGES, BRIEFCASES, POCKETBOOKS OR OTHER ITEMS CARRIED BY A PERSON MUST BE OFFERED FOR INSPECTION IF SUCH PERSON WISHES TO ENTER. ALL WEAPONS, INCLUDING LEGALLY - AUTHORIZED FIREARMS, MUST BE SURRENDERED PRIOR TO GAINING ENTRY AND ALL LEGAL WEAPONS MAY BE RECLAIMED UPON LEAVING. ILLEGAL WEAPONS OR OTHER CONTRABAND DISCOVERED IN THE COURSE OF THESE SEARCH PROCEDURES WILL BE SEIZED AND PROSECUTION MAY RESULT.

13. Should the Sheriff contract with a private security company to staff the security stations in any courthouse within the county, the Sheriff, after consultation with the Chief Judge, is authorized to determine the hours of operation of the security stations and to develop written policies for the operations thereof.

14. All mail, office supplies, UPS deliveries, Fed Ex deliveries, DHL deliveries, and any other containers and packages, shall be scanned by an authorized security representative prior to entry into any courthouse location.

15. Law enforcement officers in uniform on official law enforcement business are hereby authorized to wear a TASER into the Polk County Courthouse or any branch courthouse in Polk County.

16. Any modifications to the security protocols contained herein shall occur only after recommendation of the Sheriff and approval by the Chief Judge.

17. This order shall become effective upon entry and cancels and supersedes all previous orders, including Administrative Order No. 1-12.10, entered October 12, 2006.

DONE on this the 13th day of July 2007.

J. DAVID LANGFORD
CHIEF JUDGE

EXHIBIT A
SEARCHES OF PERSONS ENTERING THE COURTHOUSES OF
POLK COUNTY, FLORIDA

1. All persons seeking entrance to the Courthouse shall enter through a security station and shall pass through a magnetometer (metal detector), if one is present, or may be subject to search by a hand-held device that detects metal objects.
2. If the device is initially activated, the person may leave without further search or questioning, unless the reading on the magnetometer is consistent with the presence of a concealed firearm.
3. If the person who initially activated the device still seeks entrance to the Courthouse, pockets shall be emptied, and a second pass through required. If the device is again activated, entrance shall be denied unless the person expressly consents to a pat-down search.
4. All hand-held items shall be placed on the X-ray conveyor belt for examination. If the presence of a weapon is detected, the item shall be searched, however, no written materials shall be examined.
5. If any illegal weapons, explosives, hazardous materials, contraband, or any item defined in Section 790.001, Florida Statutes, are detected, the proper law enforcement officers shall be immediately notified for appropriate action.
6. Any person carrying a legally authorized firearm, except those exempted by paragraphs 3 and 4 of Administrative Order No. 1-12.9, shall surrender the firearm for safekeeping.