

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:)	
)	
ADOPTION OF COURT SECURITY)	Administrative Order
STANDARDS AND IMPLEMENTATION)	No. 2017 - <u>15</u>
OF COMMITTEE RECOMMENDATIONS)	
)	
)	

Administrative Order No. 2015-104, entered on November 25, 2015, established the Court Security Standards Committee. Pursuant to Administrative Order No. 2015-104, the Court Security Standards Committee issued its final report in December 2016, recommending mandatory court security standards and related recommendations for the implementation of those standards, including a three-year phased implementation period and a tiered approach to entryway screening. At its December 2016 meeting, the Arizona Judicial Council recommended adoption of the final report, court security standards, and related implementation recommendations.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the Court Security Standards and related implementation recommendations in Appendix A are adopted effective July 1, 2017. All courts shall comply with the court security standards as adopted.

IT IS FURTHER ORDERED that the standards be implemented in a phased three-year period as provided in Appendix B and that entryway screening requirements be established based upon the tiered structure provided in Appendix C.

IT IS FURTHER ORDERED that the Administrative Director of the Administrative Office of the Courts shall have the authority to issue Administrative Directives as necessary to implement these standards including, but not limited to, adopting a process to request an exception to a security standard.

Dated this 8th day of February, 2017.

SCOTT BALES
Chief Justice

APPENDIX A

**COURT SECURITY STANDARDS
AND RELATED RECOMMENDATIONS**

Governance and Administration

1. Court Security and Emergency Preparedness Committees. The presiding judge of the county shall establish a court security and emergency preparedness committee (county SEPC) chaired by the presiding judge of the county or a designee.¹ The county SEPC shall consist of a representative cross-section of each local SEPC in the county. The presiding judge may appoint other members as deemed necessary. The committee shall meet at least twice a year.

The function of each county SEPC includes, but is not limited to, setting goals for implementation of the court security standards, review of local court security plans and self-assessments, coordination of security needs countywide, and ensuring continuous court security improvement.

Additionally, each court building or court complex shall have a court security and emergency preparedness committee (local SEPC) that meets at least quarterly. The chairperson of the local SEPC shall be the presiding judge of the court or a designee and the chairperson shall appoint members of the local SEPC. Local SEPCs shall include at least one representative from law enforcement and a first responder.² Local SEPCs shall meet at least quarterly.

The functions of each local SEPC include, but are not limited to, implementation of court security standards adopted by the Arizona Supreme Court within each court; development and allocation of resources necessary for security needs; and coordination of security self-assessments, security drills, and testing of security equipment.

Comment: The make-up of SEPCs should be based on the needs of the varied geographical size and population of each county as well as the structure of each county's court system. Survey results indicate 57.8% of respondent court employees work in courts co-located in buildings with other agencies or entities. The role other agencies or businesses may play in court safety and security is an important aspect of security and emergency preparedness planning that requires inclusion of representatives from those other agencies or entities.

2. Court Security Manual. The Arizona AOC shall develop and promulgate a court security manual addressing the basic tenets of court safety and security. The manual shall include court security standards, security assessment tools, security incident and threat reporting forms, personal security tips for judges and court personnel, and templates for written policies on evacuations, hostage situations, sheltering in place, and bomb threats. The manual should also include practical tools, checklists, and templates for use by local courts. Each court shall add additional security-related information unique to the needs and security plans of the court.³

¹ See AO-2005-32, Presiding Judges Authority (establishing duties over court security and facilities).

² First Responders as used here refers to medical and emergency personnel such as fire, rescue, or paramedic.

³ Security manuals shall not be open to the public per Rule 123(e)(4), Arizona Rules of Supreme Court.

3. Court Security Self-Assessment. Courts shall conduct a court security self-assessment at least every three years.⁴ The local SEPC shall conduct the self-assessment using a security assessment template or checklist and summarize the assessment in a report.⁵ However, court security assessments may be conducted by an outside team with members who have knowledge of court security best practices or who are not employed by the court being assessed. Reports of court security self-assessments shall be shared with local and county SEPCs for use in developing plans for security improvement and for resource justification.

4. Response to a Negative Event.⁶ Court staff shall have a way to report negative events. Each court shall have access to an emergency phone number or access and contact information for a control center operated by law enforcement. Courts shall develop policies related to reporting negative events and shall train employees on those policies.

5. Incident and Threat Reporting.⁷ The court administrator, lead clerk, or a designee shall report all significant threats made against a court, a judge, or a court employee and all significant incidents that occur within the courthouse or its perimeter. The AOC shall establish a process for reporting incidents and threats and shall develop guidelines for defining criteria for what is a major incident or significant threat.

Recommendation: Two levels of incident reporting are recommended: (a) contemporaneous reporting of significant security threats and incidents to the AOC and to employees and stakeholders to be defined by the AOC, and (b) annual reporting of security incident data by courthouse. Information from the first type of incident report shall be securely shared in real time.⁸ The second form of incident reporting should include reports to local and county SEPCs and the AOC.⁹

The second type of report should serve as a basis for determining areas for security improvement and should provide resource and funding request justification from local funding authorities. Moreover, these reports should be required as part of funding requests for monies from the statewide court security fund. This standard follows the national best practice of maintaining records of all threats and incidents for use in local decision-making related to security measures and funding.¹⁰

⁴ Security assessments and security assessment reports shall not be open to the public per Rule 123(e)(4), Arizona Rules of Supreme Court.

⁵ See Court Security Guide, 2005, pp. 6-8, National Association for Court Management. Committee members reviewed the detailed Court Security Assessment tool and report template used by the Superior Court in Pima County.

⁶ See the Glossary for definition of 'negative event'.

⁷ See the Glossary for definition of 'incident', 'threat', and 'significant threat'.

⁸ The committee recommends use of a tiered alert system as used by many government agencies and colleges around the country for alerting those in need of emergency alert information.

⁹ Incident and threat reports are not open to the public per Rule 123(e)(4), Arizona Rules of the Supreme Court.

¹⁰ See Hall, et. al. *Steps to Best Practices for Court Building Security*, pp. 9-10.

Entryway Screening

6. Entryway Screening.

(a) Entrances. Each court shall establish one main entrance through which the public can enter the court building. Additional entryways for the public are allowed if the additional entryways are staffed and use entryway screening of at least one handheld metal detector (magnetometer). Additional entrances may be established to comply with Americans with Disabilities Act (ADA) standards; however, appropriate screening of individuals using such entrances is required.

(b) Screening Devices. Based upon court activity levels, courts will be categorized into one of three tiers, which will determine the level of entryway screening of visitors to the courthouse, using walk through, or handheld metal detectors (magnetometers). (See Appendix C.) Courts that will not be required to have entryway screening due to low court activity levels shall establish policy and procedure for screening during a high conflict or high-risk event. Courts may also choose to use x-ray (fluoroscope) machines in conjunction with metal detector screening.

Courts that do not have a walk through or handheld metal detector at the time these standards are initially adopted shall obtain at least one handheld device for use in the event of a high-risk event¹¹ until such time as the entryway screening protocol based on the courts activity level can be accomplished. Entryway screening shall be by trained court security personnel or law enforcement.

(c) Prohibited Item Signage. Each court building shall have signage posted at each entrance stating that all persons are subject to search by security personnel and that firearms and dangerous weapons are prohibited pursuant to law. Each court shall provide secure lockers at the entryway for storage of firearms pursuant to law. Law enforcement who come to the court for personal business¹² rather than professional business shall be required to store their firearms in secure lockers the same as other persons.¹³ (See Standard 8, Armed Court Personnel in Courthouses for when law enforcement may carry a firearm in a court building.)

(d) Screening Device Training and Calibration. Court personnel or security personnel who conduct entryway screening shall be trained and receive refresher training on the operation of the devices that they use. Each court shall ensure that regular calibration and testing of metal detectors and x-ray machines occur.

(e) Prohibited items. Courts shall develop a list of items prohibited in the court building.¹⁴ The list shall be a part of the local materials in the court security manual and all employees shall be trained on what are prohibited items.

¹¹ 'High risk event' is defined in the Glossary.

¹² E.g. party to a legal matter, witness in a legal proceeding in a capacity other than official law enforcement duties, or an observer of a legal proceeding where not involved in an official law enforcement capacity.

¹³ See Arizona Supreme Court AO 2005-32 and A.R.S. § 38-1113(C)(2) et. seq. (current through 2016).

¹⁴ E.g., Arizona Supreme Court AO 2005-32 establishing authority for presiding judge of county over court security including prohibiting or regulating possession of weapons of potential weapons in the court; e.g. Superior Court for Pima County AO 2014-05 list of items prohibited in the Superior Court of Pima County; Arizona Supreme Court AO 98-0008, list of prohibited items in the Arizona Supreme Court

Policies and procedures shall be developed for the confiscation, handling, and disposition of prohibited items found during entryway screening.¹⁵ Courts shall track the types and amount of contraband detected through screening and maintain monthly reports reflecting that information.

Comment: It is recommended that the AOC develop a list of standard prohibited items that courts should include as a minimum standard in local administrative orders and policies. This list should be part of the tools available in the court security manual for use by local courts.

7. Court Employee Screening. In jurisdictions that do not conduct full entryway screening of all employees, each court must develop a policy on, and randomly carry out, court employee screening upon entry to the courthouse.

Comment: Unfortunately, workplace violence is all too common. It is the risk of workplace violence that can be mitigated through periodic employee screening for prohibited items.

8. Armed Court Personnel in Courthouses. The presiding judge of the county shall determine whether court security officers may carry firearms in the courthouse for the purpose of maintaining court security.¹⁶ Once the AOC Administrative Director adopts a firearms training program, such training must be completed prior to actively carrying a firearm in the courthouse.¹⁷ Contract security guards with valid armed guard cards shall have six month to complete that training. Moreover, courts with armed court security shall develop protocols for court security officer involved shootings.¹⁸

Presiding judges of the county shall establish written policies on the carrying of firearms for personal safety by judicial officers or other court staff. Specifically, the policy shall address the following points: who may carry a firearm, the process for registering or otherwise notifying the court and court security of the status of being armed, the process for confirming training requirements, type of firearm and ammunition that can be carried, and the conformance with all applicable state and local statutes and ordinances.¹⁹ Additionally, until such time as AOC adopts firearm training standards, judges or other court staff authorized to carry firearms shall meet the requirements of Arizona law.

¹⁵ Such policies and procedures shall be in accord with A.R.S. § 12-941 on the disposal of unclaimed property.

¹⁶ See Arizona Supreme Court AO-2005-32, Presiding Judges Authority (establishing duties over court security). Cf. Arizona Supreme Court AO 98-0008 (weapons in the Arizona State Courts Building); Superior Court of Pima County AO 2014-05 (weapons in Pima County Superior Court).

¹⁷ This training requirement does not apply to law enforcement meeting the training requirements of A.R.S. § 38-1113 (current through 2016) or sheriff's officers who are present pursuant to A.R.S. § 11-411 (current through 2016).

¹⁸ The existing use of force code section for armed probation officers would be an example of a comprehensive use of force policy. See ACJA § 6-112.

¹⁹ Ariz. Rev. Stat. § 13-3102(D) (judges carrying firearms in conformance with orders of presiding judge not subject to offense of misconduct involving weapons).

Comment: It is recommended that courts adopt a policy prohibiting law enforcement officers from carrying firearms in the courthouse unless the officers are appearing for official business, providing court security, or responding to an emergency.²⁰ The committee further recommends all law enforcement officers who are allowed to carry firearms in the courthouse be required to sign in and record the purpose for the officer's presence at the court and the courtroom(s) in which the officer has business. This sign-in process allows court security to be aware of the officers' location in the courthouse and the official purpose for which they are present. As a general guiding principal, in policy formulation, law enforcement officers should not be permitted to carry weapons in the courthouse when they are present for personal business or in a personal capacity, such as a party to a case or witness or observer to a case where they were not acting in an official law enforcement capacity.²¹

In-Custody Defendants

9. Entrance for In-Custody Defendants. Courts shall ensure in-custody defendants are brought into and leave the court building through an entrance separated from any public entrance to the courthouse.

Comment: Courts that cannot meet this standard because of the architectural construction of a building shall have written procedures for ensuring that in-custody defendants are segregated from the public when entering and exiting the court to ensure the safety of all.

10. In-Custody Defendants; Transport and Control. In-custody defendants must be transported, controlled, and monitored at all times by appropriately trained court security personnel or law enforcement officer(s).

11. In-Custody Defendants; Protocols for Taking Individuals into Custody. Courts shall have written protocols for taking individuals into custody and securing individuals into custody for transport to a detention facility. Courts should make every effort to alert security personnel or law enforcement responsible for transporting detainees in advance if it is anticipated a litigant will be taken into the immediate custody of a county jail or correctional facility, or otherwise taken into custody.

Facilities, Alarms, and Equipment

12. Duress Alarms.

(a) At Public Transaction Counters. Courts are required to have at least one active and monitored duress alarm "panic button" behind each public transaction counter.

²⁰ See A.R.S. § 38-1113(C)(2) et. seq. (authority to prohibit officers from carrying firearm unless appearing in official capacity or providing security or responding to an emergency).

²¹ See A.R.S. § 38-1113(C)(2) et. seq.; Arizona Supreme Court AO 2005-32.

(b) In the Courtroom. Courts are required to have active and monitored duress alarm “panic buttons” at the judges’ or other judicial officers’ benches and at the courtroom clerks’ stations.

(c) Training on and Testing of Duress Alarms. The court administrator, lead clerk, or a designee shall physically show all employees working in a court building the location of duress alarm “panic buttons” and how and when to use them. The court administrator, lead clerk, or a designee shall ensure testing of duress alarm systems occurs at least quarterly and that such testing is documented. Reports of duress alarm system testing shall be reported to local and county SEPCs.

13. Locking Protocols.

(a) Locked Courtrooms. Courts shall keep public doors to courtrooms locked at all times when a courtroom is not in use. Courts shall install or obtain a type of locking mechanism that will allow the courtroom and judicial chambers to be locked from the inside to allow for the ability to shelter in place, but will also allow emergency exit, such as crash bars, one way door handles, alarmed doors, or remote locks.

(b) Locked Jury Deliberation Rooms. Courts shall keep jury deliberation rooms locked when not in use, unless jury deliberation rooms are behind secured areas.

14. Courtroom, Jury Room, and Perimeter Sweeps. Court security, bailiffs, or designees of the presiding judge or court administrator, shall ensure sweeps of courtrooms, hearing rooms, jury deliberation rooms, and the perimeter of the court building are conducted at least daily. Reports of these sweeps shall be maintained.

15. Secured Access to Non-Public Areas. Areas of the court not open to the public shall be electronic card-key or hard-key controlled. The court administrator, the lead clerk, or a designee shall ensure that doors remain locked at all times and are not propped open.

16. Security Cameras. Courts shall have video cameras in areas including, but not limited to, entryways and common public areas. Security camera systems shall be equipped with recording capability.

17. Exterior Lighting. Each court location shall have exterior lighting at building entrances and exits.

Comment: Where a court facility includes parking areas, it is recommended such parking areas also have exterior lighting.

18. Protection of Critical Locations. Courts shall prevent unauthorized vehicular access to critical areas with obstacles such as, but not limited to, bollards or natural landscapes.

Comment: Courts that cannot meet this standard because of the architectural construction of a building shall have written procedures for ensuring monitoring of areas where vehicle accessibility is within close proximity to the building.

19. Window Coverings. Court windows shall have coverings to prevent views from the outside into the court building. Window coverings must allow visibility from inside to the outside.

20. Creation of Barriers at Public Transaction Counters. Clerk transaction counters and public service windows shall have a barrier between the public customers and court staff. The type and manner of barrier shall be a local decision, based upon evaluation of each courts' design and operations.

21. Bullet-Resistant Material in Courtrooms. Courtroom benches and staff work areas in courtrooms shall be reinforced with bullet-resistant material.

22. Data Centers and Electronic Equipment. Courts with computer data centers shall have separate, secure electronic key-card or hard-key controlled, limited access areas for computer data centers, network equipment, video recording systems, and other critical electronic equipment. Courts shall maintain disaster recovery "hot sites" pursuant to ACJA § 1-507.

Training

23. New Hire Security Training Requirements. All court employees, including judges, shall participate in and complete, whether in person or online, a course in court security. That course should address general security principals, the court security manual, personal safety on the job, emergency preparedness including what to do in a negative event, evacuation routes, and sheltering in place protocols.²²

Comment: It is recognized that judges are subject to a separate orientation program pursuant to ACJA § 1-302 and that court security is generally addressed in that program. However, the committee emphasizes that court security is not a one-size-fits-all topic. As such, court security training provided to newly hired employees, including judges, should not be limited to a one-size-fits-all course that provides generalized content only. Each court will have its own policies and procedures on court security topics such as, but not exclusively: who provides security, what evacuations routes are, how to respond to negative events, who to report security threats and incidents to, and courtroom and courthouse lockdown procedures. In order for effective training to occur, each new employee, including judges, needs to receive training specific to the courthouse they will be working in. Therefore, the committee recommends that the AOC develop new orientation training on court security that has statewide applicability but that the AOC also work with local courts to develop guidelines for training specific to local courts.

²² The committee notes ACJA § 1-302(J)(2) requires new hire orientation for all staff within 90 days of hire. The committee recommends that an amendment be made to § 1-302(J)(2) reducing this time frame to within 30 days of hire.

24. Annual Security Training Requirements. All employees of the Arizona Judicial branch, including judicial officers,²³ shall be required to engage in court security-related training or drills annually.

Comment: Security training in the form of broadly applicable training videos is useful for many security-related topics; however, local training and drills that require employees to actively engage the security protocols of a given court are proved to be the most effective method of ensuring employees are prepared to appropriately react to and manage security incidents. As such, the focus of annual training shall be local court security-related drills and training.

25. In-Service Court Security Officer Training. Court security officers employed by a court must receive annual training including, but not limited to:

- use of force training;²⁴
- metal detection devices and x-ray machines, based on what is used at the officer's court;
- de-escalation tactics;
- defensive tactics;
- active shooter;
- incident reporting;
- policies and procedures on the handling of prohibited items; and
- emergency preparedness.

26. Contract Court Security Training. Private contract court security officers shall be subject to the minimum court security training standards established by the AOC for in-house court security officers. Once implemented, contract security with valid guard cards shall complete AOC training within 6 months of hire by a court.

27. Security Officer Equipment. Court security officers shall restrict equipment and tools carried on their person to items for which they are trained in the use of and, where applicable, certified in the use of. Security officers shall restrict equipment to items approved by the court security officer-training program adopted by the AOC or otherwise designated by the AOC. Court security officers who are armed shall wear a bulletproof vest that is rated to at least the caliber weapon the officer carries.

28. Courtroom, Jury Deliberation Room, and Perimeter Sweep Training. Court employees or court security assigned to conduct daily courtroom, jury deliberation room, or perimeter sweeps shall be trained on how to conduct such sweeps, identification of suspicious items or

²³ The committee recommends judges should receive the same amount of security-related training as employees because they are an integral part of security in the courts and they face similar security risks. The committee recommends the ACJA be amended to include specific court security requirements for judges in keeping with the training structure set forth in the ACJA.

²⁴ The committee recommends that use of force regulations that are similar to ACJA § 6-112 be adopted for court security officers, excluding law enforcement whom the committee recognizes are governed by separate specific use of force laws and regulations.

conditions, protocols for reporting suspicious items or conditions, and securing of the location if a suspicious item or condition is identified.

29. Court Security Officer Training. Court security officers shall be trained in accordance with a court security officer training program developed by or approved by the AOC Administrative Director. The Committee makes the following recommendations related to court security officer training:

- A security training workgroup should be developed to collaborate with the AOC Education Services Division to determine the specific training curriculum and annual training hours necessary for an effective, security officer training, education, and certification program.
- Trainers be approved by the AOC or AZ POST certified.
- There be a method for establishing the proficiency of current security officers for purposes of determining if any court security officer training program adopted or approved by the AOC needs to be completed in whole or in part by the officer.
- Court security officers, including contracted private court security, be readily identifiable via clothing or some type of marking on their clothing.

30. Firearms Training. Any person providing court security to a court, excluding POST certified law enforcement officers, shall complete training in the use of firearms as designated by the AOC before being allowed to carry a firearm within the court. Contract security with a valid guard card for armed guards shall have six months to complete AOC training.

Comment: The committee recommends that any person, whether court security armed for court security purposes or judges or other court employees authorized to carry a firearm for personal security, complete training similar to that established for Arizona probation officers in the Arizona Code of Judicial Administration. The committee further recommends that firearms standards be adopted for armed court security, excluding POST certified law enforcement officers that are similar to the standards in the Arizona Code of Judicial Administration. The committee recommends that the AOC Administrative Director approve such training and standards.²⁵

²⁵ The committee notes A.R.S. § 13-3102(D) provides for judges to be held to the standard for those who obtain a concealed carry permit. However, the committee strongly encourages that all persons authorized to carry a firearm in a court, excluding law enforcement who have separate training standards, be trained and held to a uniform standard.

IMPLEMENTATION RECOMMENDATIONS

1. The Court Security Standards will be implemented via a three-year, phased implementation period for the court security standards. (See Appendix B.)
2. The AOC has established a preliminary structure of tiers for categorizing courts by activity level, which will be used to determine the level of entryway screening. (e.g., Appendix C.)
3. The AOC has developed a process for courts to seek an exception to the standards at the request of the Presiding Judge based either on a request from the court's funding authority or on the Presiding Judge's own initiative, with exceptions encompassing both delay and timing of implementation or departure from standards. Requests for exceptions shall be made on a yearly basis on the form approved by the Administrative Office of the Courts and shall be submitted to the Administrative Director.
4. The AOC shall pursue legislation to establish a statewide court security fund to assist local courts with one-time outlays for security equipment and security system improvements. The fund will be non-lapsing and non-reverting. The AOC shall determine the best source of monies for the fund.

Local courts will continue to pursue local funding for court security personnel and ongoing security-related court operations.

5. The AOC has secured the services of Donald Jacobson as a consultant to assist in the implementation of the court security standards.
6. The AOC shall develop policies and procedures for assessment of or accountability for compliance with the court security standards, particularly standards that require training, certification, and testing.
7. The term of the Court Security Standards Committee is extended by separate Administrative Order.

GLOSSARY

The following definitions govern the meaning of terms within the standards:

Standard - A court security standard is a policy or measure that is required to be in place in order to improve the general state of security in a court building and to ensure the personal safety and security of the public, judges, judicial officers, court staff, city and county employees, and the law enforcement officers and court security officers that protect them.

Guideline - A court security guideline is a policy or measure that is recommended to be in place in order to improve the general state of security in a court building and to ensure the personal safety and security of the public, judges, judicial officers, court staff, city and county employees, and the law enforcement officers and court security officers that protect them.

Incident - An incident is an action or communication that causes or threatens to cause personal injury, property damage, or disruption of courthouse proceedings.

Hierarchy of seriousness of incident - In descending order: (1) incident against persons, (2) incident against property, (3) threats without violence.

High-risk event – The following characteristics are commonly associated with high-risk events: multiple victims involved in the matter, incidents involving female victims and multiple offenders, homicides that involve intimate partners and family relationships, celebrated or featured articles or media coverage that are associated with the matter, and demonstrations that may occur before, during, or after hearings or otherwise are associated with the events of the case.²⁶

Negative event - A negative event is an event that has potential to, or does cause interruption of court operations or poses a risk to the safety and security of those in and around a court facility. Negative events may include, but are not limited to, threats, such as threats to the physical safety of someone on or associated with a court, bomb threats, or suspicious or unattended packages; security incidents such as physical violence, active shooter, hostage taking; and other incidents such as cyber-attacks, medical emergencies, fires, severe weather, or power outages.

Significant threat – Any threat against court personnel, including judge and court staff that impacts operations of the court.

Threat - A statement of an intention to inflict pain, injury, damage, or other hostile action on someone (court employee) or an institution (court building) in retribution for something done or not done now or in the future. A threat is synonymous with a threatening remark, warning, or ultimatum such as a menace to a person or institution. A threat can be a person or a thing likely to cause damage or danger.

²⁶ See National Association for Court Management, *Court Security Guide* p. 24. June 2005

APPENDIX B

**CHART OF PHASED THREE-YEAR
IMPLEMENTATION PLAN**

Standard	Year 1	Year 2	Year 3
Governance & Administration Court Security Committee (SEPC) Security Self-Assessment & Report Security Manual Incident Response Policies Incident Reporting Policies Policy on Armed Personnel Other Security Policies	✓		
In-Custody Defendants	✓		
Training New Hire Training		✓	
Annual Court Employee Training Task Specific Training		✓	
Security Officer Training Firearms Training			✓
Facilities & Equipment Duress Alarms Locking Protocols Courtroom, Jury Room, Perimeter Sweeps Secured Access to Non-Public Areas Cameras Exterior Lighting Window Coverings Public Counters, Benches, & Clerk Stations Protecting Critical Areas		✓	
Entryway Screening Visitors Employees			✓

APPENDIX C

TIERED ENTRYWAY SCREENING REQUIREMENTS BASED ON COURT ACTIVITY LEVEL

Court Hearing Frequency & Judicial Officers	Level of Entryway Screening
1. One or more full-time judicial officers, court proceedings occur throughout daily business hours and on a daily basis	Entryway screening during courthouse business hours e.g., business hours are 8:00 a.m. – 5:00 p.m. ²⁷
2. Full-time or part-time judicial officer(s), court proceedings held to 2 to 3 days a week and occur only a few hours a day (court proceedings do not occur daily throughout the week)	Entryway screening during hours of court proceedings. e.g., court proceedings occur Tuesday and Wednesday 8:30 a.m. to noon.
3. Single full-time judicial officer or part-time judicial officer(s), court proceedings occur infrequently (generally occur 1 to 2 days a week and only a few hours each day)	Request for exemption from regular entryway screening standard; however, entryway screening should occur upon request of a judicial officer for a high conflict or high-risk hearing.

²⁷ National Center for State Courts Best Practices for Court Security, 2016, recommends screening stations be staffed 30 minutes before and after business hours or court proceeding hours.



SURPRISE CITY COURT

SECURITY POLICY AND PROCEDURES MANUAL

Revised June 1, 2016

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INTRODUCTION

This handbook has been prepared for use by security guards. The purpose of this handbook is to recognize the vital role that security guards plays in the proper functioning of court operations and to promote a better understanding of the duties and responsibilities of security guards.

A person serving in the capacity of security guard is expected to provide several services including maintaining courthouse security and decorum, assistance in the daily operation of the court, attendance to the jury, if requested, and assistance to the general public. In order to maximize the ability of security guards to provide these services efficiently, some degree of uniformity in courtroom procedure is essential. While total uniformity is not possible due to the diverse nature of criminal and civil matters conducted, standardization of security guard activities, where feasible, is implemented by this handbook.

As needs change, procedures must also change. Recognizing this, this handbook is designed to be supplemented periodically by adding new provisions and deleting or amending existing provisions.

I. COURT SECURITY PERFORMANCE STANDARDS

COURT SECURITY GUARDS SHALL:

1. Report for duty at their scheduled time and perform a security check of the building prior to opening doors. This will include turning on the screening equipment and unlocking the doors at 8:00 a.m.
2. Not leave their work station unattended at any time during business hours.
3. Maintain a professional appearance uniforms and shoes in such a manner as to project a positive image of Surprise City Court. Good personal hygiene is mandatory.
4. Immediately report any problems with the security equipment to court management, such as malfunctioning equipment including x-ray machine, walk-through magnetometer, computers, cameras, or handheld metal detector (AKA Hand Wand).
5. Treat all customers with respect. Answer questions while ensuring the screening process takes priority.
6. Allow admittance to service animals by individuals with a disability. Handlers are not required to provide identification for the service animal. Reference Exhibit A, page 22.
7. Detect and stop prohibited items from entering the building by thorough screening of court customers. Strive for zero tolerance in banned items entering the courthouse.
8. Anyone who identifies themselves as a member of the media is to be allowed into the building as any other member of the public. After they are screened, notify a member of court management (court administrator or court supervisors) of their presence and of any special requests they may have.
9. Ask customers to remove items that will obviously trigger the magnetometer.
10. Conduct a thorough search with the handheld metal detector if the magnetometer alarm is triggered.
11. Be alert when operating the x-ray machine to all items being viewed. If a **Code Red** is triggered, immediately follow instructions on page 10.
12. In the event of an emergency requiring immediate police presence, call **911**, or **PRESS THE SILENT DURESS BUTTON**. Panic buttons are also located inside each courtroom and at each front counter station. Corresponding lights are located in the ceiling near the front entrance.
13. Monitor activities in the courtrooms and the lobby for any unusual activity. This should be done by physical patrol as well as by observing security system monitors.
14. Track and manage Temporary Security Badges for Court visitors. All badges must be returned at the end of each day. Temporary Badges shall be given to court employees only, unless otherwise directed by court management.
15. Escort supply drivers into guard area for delivery and signature acknowledgement if minimum of two security guards are present.
16. In the event of a high-profile hearing with potential for disruption, court management will notify security guards. Closely monitor designated courtroom for potential intervention if necessary by calling police.

A. Procedures Prior To Opening Doors:

1. Assigned security guards shall arrive each day no later than scheduled time. The court lobby, Prosecutor's lobby, interview rooms, courtrooms, jury assembly room and public restrooms will be inspected at the beginning of each day to determine whether communications, equipment, locks, lighting and other mechanical equipment are operational. In the event defects are discovered, court management shall be notified. Court management is defined as any court employee serving in the capacity as a supervisor or above.
2. The courthouse lobby and courtrooms, prosecutor's lobby, and public restrooms shall be inspected for graffiti on walls or furniture, contraband and other suspicious or potentially harmful items. Upon locating any such item, court management shall be notified, including police department if necessary.
3. Security guards shall scan all courtrooms and lobby area throughout the day.
4. As persons enter the courthouse, security guards shall:
 - a. ensure all smoking materials, including e-cigarettes are extinguished, per signage;
 - b. monitor for signs of extreme intoxication, or if causing disruption do not allow entrance and notify court management.
 - c. monitor for concealed weapons or other potentially hazardous materials, per signage;
 - d. ensure that the tone of voice and demeanor of anyone entering the courthouse is not loud, boisterous or causing disruption;
 - e. monitor to identify persons who may need assistance, either informational or physical;
 - f. advise court management of the existence of any fact which may interfere with the proper functioning of court including the identification of persons who may be intoxicated or unruly;
5. Security guards shall advise court management of any problems, or other unusual situations, which have occurred within the confines of the courthouse properties as soon as possible.

B. Procedures While Court Is In Session:

1. During the time court is in session, security guards shall periodically patrol between the courtrooms, the court's lobby and Prosecutor's lobby to observe the actions of those in the building. The tone should be low as loud sounds may cause proceedings to be disrupted.
2. If a school group or a group from another organization enters the courthouse to observe, security guards shall notify court management the name of the group and its responsible parties and then direct the group into the lobby. Advise the group leader that the tone should be low in order to avoid disrupting court proceedings.
3. If any disruption occurs within the courthouse, including front counters, security guards shall take immediate action to control the situation. Security guards shall call **911**, or **PRESS THE SILENT DURESS BUTTON** to secure the presence of law enforcement when necessary. In a non-emergency situation where police presence is requested, security guards may call police dispatch directly at **extension 2-4722**.

C. Procedures For Closing Court:

1. Security guard shall inspect all areas of the courthouse: the court lobby, prosecutor's lobby, all interview rooms, courtrooms, jury assembly room and public restrooms will be inspected at the end of each day to determine whether communications, equipment, locks, lighting, other mechanical equipment are operational. In the event defects are discovered, court management shall be notified.
2. Ensure that all perimeter doors have been secured in the lobby, the exit door next to the jury assembly room, the exit door designated as 'Emergency Only' inside Courtroom Three, and the hallway door in the administrative area exiting into the police parking lot.
3. Court security guard shall be relieved of their duties when all persons have concluded their business within the courthouse and court closing procedures have been completed. On occasion, court business will not be concluded prior to the close of business and at least one (1) security guard will be required to remain on duty until such a time that all business is concluded and all customers have exited the building.
4. Turn off and secure all electronic screening equipment and assigned computers.

II. UNIFORMS

Court security guard shall wear the uniform approved by contract agency while on duty.

III. TRAINING

The City expects that security guards will be properly trained and credentialed for their assigned position by the contract employment agency. Any facility specific considerations or expectations should be located within this guide. Should security guards have additional questions, it is expected that they will promptly present them to court administration.

Security guards will use the following applications on a regular basis: Microsoft Outlook for email, Excel for statistical reporting, and Word for Incident Reports. Additional training related to their assigned post on equipment and/or computers is available upon request.

IV. WEAPONS SCREENING POST PROCEDURES

The purpose of these procedures is to provide for the orderly operation of the court security screening area and assist in the performance of daily duties. The purpose of security screening is to prevent or deter the carriage of any explosive, incendiary device or other deadly or dangerous weapons into the courthouse by screening all property intended to be carried into the courthouse by using weapon detection procedures as described herein; and assuring that the screening of all persons affords for uniform, courteous efficient treatment to the maximum extent practicable. These procedures are to be followed unless otherwise directed by order of Surprise Police, or upper level Court management.

Please remember that the job you do is a vital part of the operation of the Surprise City Court.

A. DRESS CODE

1. Security guards will wear only the uniforms approved by the Court. Clothes must be clean and pressed. A complete uniform must be worn at all times while on post.
2. Security guards with shoulder-length or longer hair must keep it pinned or tied back.
3. Male security guards must keep their hair neatly combed and trimmed above collar length. All security guards will be clean shaven every day; neatly trimmed beards or mustaches are permitted.

B. GENERAL POST ORDERS

1. All security guards must read and become familiar with the post orders.
2. Learn and become familiar with all screening equipment, radios and computer monitoring equipment. Notify court management as soon as possible of any equipment concerns.
3. Learn and become familiar with Silent Duress Buttons, their locations, and corresponding lights which are located in the ceiling above the entry into the courthouse.
4. Know what is expected of you in emergency situations.
5. If the x-ray machine, or walk-through magnetometer becomes inoperable, screening must continue using the handheld metal detector.
6. If necessary, hold or store prohibited items, including weapons, in a secure locker. Log customer identity with information retrieved from a state issued identification card.
7. Lost and found items:
 - i. Track lost and found items each day on the screening report,
 - ii. All items still unclaimed at end of the month should be sent to the Court Administrator
8. Immediately report any suspicious packages or articles left unattended to the police department. **Do not touch, move or open.** Notify court management immediately thereafter.

C. CONDUCT WHILE ON POST

1. Security guards will conduct themselves in a professional manner at all times.
2. Security guards will be courteous at all times.
3. At all times remain calm, composed and vigilant. Refrain from making any derogatory remarks.
4. Report incidents to your Supervisor and court management as soon as feasible.

5. Be as helpful as possible when asked for information without compromising your security post. If necessary, ask the person to wait a minute if you are in the process of screening someone else.
6. A security guard should never inform anyone of ways to avoid detection.
7. Do not discuss and/or debate any topics of a sensitive nature with anyone while working in the screening area.
8. Do not visit or socialize in restricted court areas/work areas at any time. You may use the employee break room and patio.
9. Do not allow anyone behind the x-ray belt unless they cannot safely pass through the magnetometer, such as someone stating medical concerns. Anyone passing behind the x-ray machine must still be searched.
10. Discreetly report anyone loitering or looking suspicious around your post to court management.

D. POSITION - DUTY ASSIGNMENTS

Position # 1 – Magnetometer (Walk-Through Metal Detector): The walk-through metal detector is located adjacent to the x-ray machine. At least one security guard is positioned by the walk-through metal detector, facing the entrance, greeting all incoming persons.

Duties of this Position:

- a. Maintain integrity of the entry lanes by ensuring that unauthorized persons do not gain access to the secure area.
- b. Monitor and observe the passage of all persons through the magnetometer.
- c. Direct all persons to place all carried items on x-ray belt.
- d. Physically check all items divested or carried in, including items of clothing, electronic equipment, (i.e. pagers, lap tops, radios, telephones). For list of potential weapons, see page 12.
- e. Continuously monitor for any items that do not result in alarm. If you identify materials that do not activate the alarm, verify alarm settings with test equipment.
- f. Everyone entering the building must be screened, even if they just stepped outside for a moment and remained within your view through the glass panels.
- g. Serve as an information resource for customers to facilitate an orderly operation of the checkpoint.
- h. Verify all credentials—if you are not familiar with a city employee, ask to see their city-issued ID.
- i. Perform secondary search with the handheld metal detector if necessary.
- j. Watch lobby exit doors to ensure entry to the secure area is not allowed.
- k. If security is compromised, determine the risk level and contact the police department and/or court management. If necessary, do not allow persons to enter or leave until security is restored.

Position # 2 – X-ray security guard / Bag Inspection: X-ray machine is located next to the magnetometer. The security guard is positioned in front of the computer screen of the x-ray machine.

Duties of this Position:

- a. Conduct x-ray examination of all hand carried items presented to the secure area. Search for explosives, incendiaries, weapons, and any prohibited items.

- b. Upon consent conduct physical inspections of baggage.
- c. If a bag is to be checked, stop x-ray operation and complete the inspection.

E. WALK-THROUGH MAGNETOMETER

1. This unit sets up a low magnetic field that detects metal mass carried by a person. Its function is to eliminate a possible prohibited item being concealed on the person. This device has an audible alarm and alarm lights that change from green to red depending on the amount of metal detected. The alarm will activate and the lights will turn red when the person walking through the magnetometer is carrying more metal than the minimum amount the machine is set to detect.
2. If the alarm activates as someone is walking through the magnetometer, ask them to step back through, remove any items not visible, including heavy chains, empty all objects (keys, coins, money clips, etc.) from their pockets, remove their belt, and walk through again. If the alarm activates a second time, have the person step aside for hand-screening.
3. If a person provides information regarding implanted medical devices that prohibit them from passing through the magnetometer, ask them first to remove any prohibited items and place them on the conveyor belt and then direct them to pass through the area behind the x-ray machine and hand-screen them.
4. Only one person at a time may enter the walk-through magnetometer with their hands clearly visible. A person walking through the magnetometer with their hands inside their pockets should be directed to pass through again.
5. Do not ask people to remove hair accessories, shoes, or jewelry unless it is extraordinarily heavy. When it is obvious they have no other metal on their person except the articles listed above, use the handheld metal detector.
6. Belts with large buckles and metal belts should be removed prior to entering the metal detector. Persons who fail the metal detector the first time after having removed all metal items from their pockets will be asked to remove their belts. After a second failure, use the handheld metal detector to screen them. People refusing to remove their belts may be instructed to leave the premises.
7. Always check for weapons and potential weapons whenever anyone places items in the tray. All knives, of any type or blade length, must be removed from the building. Exercise sound judgment when determining potential for dangerous weapons. Refer to section L on page 12 for list of potentially dangerous weapons. Please note this list is not inclusive.
8. All books, magazines, newspapers, file folders, or any other article that is carried must be sent through the x-ray machine.
9. Stop all strollers and infant carriers before the person pushing or holding them walks through the metal detector. The children must be removed from the stroller or a carrier and be carried through the magnetometer by the parent or walk through on their own if they are old enough. Strollers and carriers must be physically inspected.
10. People in wheelchairs, with walkers, metal braces, canes, or crutches should be brought around the metal detector and be directed for screening with the handheld metal detector. Never ask them to walk without the assistance device. Ask the individual in a wheelchair to raise him or herself up from the chair (leaning from one side to the other) to look underneath for concealed weapons.
11. Always speak up and give clear and precise instructions to the person walking through the magnetometer. Remain in control of the situation and yourself, be firm and assertive, but never become aggressive or confrontational.

12. All persons, except security guards coming into the courthouse must be screened before reentering the building.

F. **HANDHELD METAL DETECTOR (aka Hand-Wand)**

1. This is a small handheld unit that is used to determine the specific location of a metal mass or to hand-screen a person who cannot go through the walk-through metal detector. Do a quick test across a metal item (e.g. a watch) to be sure; it will beep.
2. Security guard will hold the detector approximately one (1) inch from the person's body and start a systematic search of the person's entire body.
 - a. If a metal mass is found, the detector will sound. Ask the person to identify and divest him/herself of the item at the detected location.
 - b. All alarms must be accounted for by items being divested of the identified area.
 - c. Screen the rest of the person's body for other possible items.
 - d. Once all alarms are accounted for, return the person's belongings and allow the person to proceed into the courthouse.
 - e. Note: Replacement batteries will be kept in the security office for the handheld metal detector. Before you use the last ones, send an email to court management requesting additional batteries.

G. **X-RAY MACHINE AND CONVEYOR BELT**

1. **ALWAYS BE ALERT!** Keep your eyes on the monitor at all times while operating the machine.
2. Never talk to anyone while operating the x-ray machine except to call for a bag check.
3. When asked for general court information, refer them to the information board inside the main entrance or to the front counter.
4. Always stop the conveyor belt when there is nothing on it. If the conveyor belt is stopped, nothing will slip through if you not looking at the monitor.
5. Keep your finger on the stop button whenever the conveyor belt is moving. Be ready for a "**CODE RED**" at all times. "*Code Red*" is defined on next page.
6. If a "**CODE RED**" item is seen, stop the conveyor belt. Never let it run through the machine where the owner can take it. Immediately notify Police and court management that a "**CODE RED**" is in effect and that you have a weapon or explosive device in the x-ray machine. Never take the owner's word that it is a toy gun or that it is a cigarette lighter.
7. When an unidentifiable item is discovered, stop the conveyor belt. Take control of the item and gain consent of the owner for a physical inspection of the item.
8. Make sure that items passing through the x-ray machine do not become caught at the end of the conveyor belt or fall off the chute. This is the responsibility of the x-ray operator when the walk-through metal detector security guard is occupied.
9. All restricted items, other than "**CODE RED**" items, found by x-ray screening must be taken back to the owner's vehicle and then recorded on the weapons log. If the customer has no vehicle, they may store the item in a locker until their business with the court is completed.
10. All items left at the screening post should be treated as Lost and Found. (Reference page 6, General Post Orders, Section B 6).
11. Do not open a purse, bag, or briefcase that is left at the screening station unless you have a witness. If the owner cannot be immediately located, inform court management and they will handle it.

12. If the x-ray machine is not operational, all persons entering the courthouse must be screened with the handheld metal detector and bags must be searched. Follow procedures as described in Section F.

H. **"CODE RED"** – Definition and Procedures

1. **"CODE RED"** pertains only to **FIREARMS** and **EXPLOSIVES** and is in effect the minute the x-ray operator detects the item on the monitor, or when a weapon is discovered during a screening.
2. **If an explosive device is detected** on the monitor, Security guard shall immediately stop the conveyor belt and notify his/her co-worker to call **911**, or **PRESS THE SILENT DURESS BUTTON**, which will notify police and then remain at his/her station to make sure no one can reach the controls and bring the weapon out of the machine.
3. Do not touch or attempt to remove the item from the conveyor belt. **DO NOT** return the item even if suspect leaves or says they will leave.
4. **If an explosive device is detected**, the other security officer(s) should begin immediate evacuation procedures to remove all customers inside the courthouse. **DO NOT** evacuate through the front doors as this will bring people into close proximity of the explosive device. Instead, evacuate through the Exit located nearest to courtroom three. Remember to check the restrooms. In addition, notify court management and the Prosecutor's Office to evacuate guard from the building.
5. **DO NOT** for any reason run the explosive device out of the machine until instructed to do so by the Police. Under no circumstances is the owner allowed to touch the item or the bag in which it is contained.
6. Never accept the owner's word that it is just a toy and not dangerous.
7. Ascertain to whom the bag belongs and have that person step to the side and wait for the police. If the person runs, do not attempt to restrain him/her and do not chase them. Be prepared to provide a description to police.
8. As soon as the x-ray operator calls **"CODE RED"** the other security guard will inform any person waiting to be screened that their possessions will be hand-screened.
9. An incident report must be written for a **"CODE RED"** and submitted to your supervisor and Court Administrator.
10. Establish an efficient pattern with which to search items as quickly and as thoroughly as possible.
11. Continue manual screening until the machine has been cleared by police.
12. When the x-ray machine has been cleared, resume to normal screening routine as quickly as possible.

I. **WHEN TO CALL POLICE**

1. **"CODE RED"** Anytime a firearm and/or explosive is seen on the x-ray monitor or discovered during a screening.
2. If someone barges through the screening station without being cleared and does not stop when directed to do so. Immediately call **911**, or **PRESS THE SILENT DURESS BUTTON** for police response and then notify court management. Do not leave the station unattended.
3. When suspected controlled substances or drug paraphernalia are found in a bag or in the trays on the x-ray belt and the person refuses to remove it from the courthouse.
4. When someone is exhibiting inappropriate behavior at the screening station such as refusing to cooperate and the situation cannot be controlled by Security Guard.

5. When someone threatens physical harm to you or your co-workers, the judges, court staff, or any other person in the building.
6. When someone reports to you that they have heard another person threatening you with physical harm, or your co-workers, the judges, court staff, or any other person in the building.
7. Whenever there is a loud argument, or fight in the lobby, at a front counter window, or other area in the courthouse that may result in physical injury to someone.
8. Sworn Surprise Police Officers will be able to use their ID badges for emergency-only access during regular business hours in the court administrative area including the drive through gate into the secured parking lot, the pedestrian gate between the secured and public parking lots, and the NW entrance into the courthouse.

J. X-RAY MACHINE SCREENING PROCEDURES – How to screen the following items:

1. Purses: Lay purse flat on its side and ensure items inside will not fall out. If necessary, wrap the purse strap around the purse so it does not get caught in the conveyor belt.
2. Large Wallets: Place wallets not carried in a person's pocket, flat on the conveyor belt, or in the bowl if it fits inside.
3. Briefcases: Lay flat on belt making sure briefcase is securely fastened.
4. Bags/Backpacks: Place article on belt in such a way that contents do not spill out.
5. Books: Place on conveyor belt and send through the x-ray machine.
6. Boxes/Wrapped Packages: If small enough, send through the x-ray machine. If not, hand-check it. If there is an unidentifiable object, the box must be inspected or returned to the owner's vehicle.
7. Office supply delivery drivers should be escorted to the court supply clerk and then escorted back out only if another security employee is present and available to continue screening customers. If only one security employee is present, call court management about the delivery and ask them to come out to verify and sign for the products.

K. BAG AND PARCEL CHECKING

ALL BAGS AND PARCEL CHECKING REQUIRES OWNER CONSENT OR THE ITEM(S) MUST BE REMOVED FROM THE FACILITY.

1. Inform the person that their bag will need to be opened for a physical inspection. The bag owner should open the bag for you. Ask the owner to remove items obstructing your view.
2. Ask if there are any needles or sharp objects inside the bag by which you could be injured. You may want to wear a glove while checking a bag. Always proceed cautiously.
3. Always do a complete check of the bag. Make sure all smaller bags (make-up cases, coin purses, cigarette cases, etc.) inside the larger bag are opened for your inspection.
4. When a restricted item is found, inform the person that the article cannot be brought into the building and that he or she must remove it or store it in a locker until their business with the court is completed.
5. When you find drug paraphernalia, including syringes, ask the person to remove it from the building. Exception: prescribed medication and/or supplies for Diabetics.
6. Never open anything left at the post without a witness. If the owner cannot be immediately located, inform a member of court management guard and they will handle it

7. Always remain calm, courteous, and polite, even when provoked.
8. Umbrellas. Umbrellas should be slightly opened to ensure they do not contain weapons. Likewise, slightly turn the handles to see if they are rigid as the handle itself could be a knife.

L. SCREENING STATION **POTENTIAL WEAPONS** LIST – Restricted Items (This list not inclusive)

Alarms (audio)	Mace
Alcohol	Martial Arts Devices
	Meat Cleavers
Baseball Bats	Metal Club
Batons	Metal Fingernail Files
Bicycle Chains	Motorcycle Chains
Blackjacks	
Bolts	Ninja Pins
Box Cutters	Pen Guns
Brass knuckles	Pepper Spray
Bullets	Plastic Knuckles
Bullet Magazines	Pliers
Butterfly Knives	Projectile Devices
Chains	Railroad Spikes
Clubs	Razors
CO2 Canisters	Razor Blades
Corkscrews	
Crochet Hooks	Safety Pin (Large)
	Sharp, Pointed Scissors
Dart/ Daggers	Screwdriver
Drug Paraphernalia	Spikes
	Stakes
Facsimile of Weapons	Sterno
Flammable Liquids	Straight Razors/Blades
Forks	Stun Guns
	Swiss Army Knives
Gun Lighters	Swords
	Syringes (unless prescribed)
Hammers	
Handcuffs	Tear Gas
Horseshoes	Throwing Stars
	Tools/Wrenches
Knitting Needles	Toy Guns/ Weapons, including Flare Guns
Knives	
Letter Openers (dagger type)	
Lock Picks	

There are too many miscellaneous items to list that could be used as a potential weapon. Use your best judgment to determine if an item is to be allowed in the building. It is better to disallow something if you are not sure than to let it go by and discover it was used as a weapon.

Religious Articles. Certain religious articles may be considered sacred, and opening them may result in desecration. If there is no indication of tampering, no further screening is required.

Please note that prosthetic appliances and device tools are permitted in the building if identified as such.

M. SPEAK ASSERTIVELY

1. Be confident while on post and remain calm at all times. Remember you are in control of the situation.
2. Speak clearly and concisely when giving directions for walking through the magnetometer.

N. TRAFFIC CONTROL INSIDE THE COURTHOUSE

1. Security guard is responsible for keeping an orderly flow of traffic going through the post.
2. Do not allow more than one person at a time to enter the walk-through magnetometer.
3. Do not allow anyone to *enter* through the exit doors.
4. Do not allow anyone to bypass the screening process without proper identification.

O. ID BYPASS WHILE CONDUCTING OFFICIAL BUSINESS

1. Special deference will be provided to Judges, immediate staff of the court, and immediate staff of the Prosecutor's Office for security bypass procedures appropriate to the Courthouse.
2. Surprise Police Officers in full uniform may bypass security screening without presenting an ID.
3. All plainclothes Surprise Police Officers may bypass security screening by presenting their commission card or Department picture ID badge *while conducting official business*.

All uniformed or plainclothes/undercover police officers and Sheriff's deputies from cities and counties within the State of Arizona may bypass security with their badge and commission cards. If they do not have their commission cards with them, they may not bypass; displaying their badge alone is not acceptable. At this point, the officer will have two (2) options: 1) retrieve the commission card; 2) leave the building to remove all of the restricted equipment, including their weapons, and take it to their vehicle.

4. All plainclothes (undercover) police officers carrying a weapon must visibly display their ID badge at all times while in the building. EXCEPTION: Undercover Surprise Police Officers may bypass security screening by presenting Department ID badge or commission card. They may carry a weapon without displaying their badge when in the building.
5. Civilian employees of police departments may not bypass security. Including uniformed civilian employees. If they are not a commissioned officer, they must go through the screening process.
6. All law enforcement personnel entering the Court on **PERSONAL business** must pass through the security station. They will not be allowed to bring a firearm or any other restricted item into the building. Personal business includes their appearance in court as a **Defendant or a victim of events which occurred in the course of their duties.**
7. Retired police officers, out-of-state police officers and Sheriff's deputies **may not** bypass security.
8. Anyone caught allowing an unacceptable or expired ID to bypass, unless instructed to do so in special circumstances, is subject to removal from service with the Surprise City Court.
9. Persons in the Custody of Armed/Unarmed Law Enforcement Officers are exempt from routine screening if the law enforcement officer presents appropriate identification. Accommodations have been provided for custodial persons to be escorted to this facility through the sally-port in the police department and to present themselves in Courtroom One. However, on occasion police officers may bring a person in custody for an initial appearance and come through the front door.

P. REPORT OF LOST AND FOUND PROPERTY

1. Log all lost and found items each day on the *Lost & Found Property Report* (Page 20). Attach this report to any items remaining in lost and found and forward to Court Administrator at end of month.
2. Place all logged property in a plastic bag and secure in the security office file cabinet. This bag should be turned over to the Court Administrator on the first business day each month.
3. No security guard shall use, borrow, or take possession of ANY lost or found property under any circumstances.

Q. EXHIBITS

1. Exhibits brought into the building by a private attorney or a participant in a case must be properly screened.
2. Some exhibits may be too large for the x-ray machine and will need to be carefully screened with the handheld metal detector.
3. If an exhibit is too large for the x-ray machine and cannot be adequately screened with the handheld metal detector, then security guard must take possession of the exhibit and call the courtroom to verify that the exhibit is expected.
4. Any exhibit that consists of, or contains an item that would normally be restricted, must be detained at the screening station until security guard can verify that the exhibit is expected.
5. Security guard will take possession of the restricted item and personally escort it to the courtroom bailiff/clerk.

R. DELIVERIES

1. All deliveries and delivery personnel must go through screening. If articles are too big to fit through the x-ray machine, inquire as to the contents, check the contents if the packages are not sealed, and then check the paperwork. If the packages are sealed, contact the supply clerk receiving the delivery for verification.
2. All U.S. Mail Carriers delivering into the courthouse must pass through the security screening, their mail put through the x-ray machine, and be searched with the handheld metal detector
3. If court guard is not readily available to sign for the delivery, a security officer may sign after verifying that the invoice/bill description matches the actual product delivered.

S. EMERGENCY SITUATIONS

1. Some emergencies occur in the public area of the court while others occur in the guard area. If the emergency impacts human safety and/or life, call **911** immediately, or **PRESS THE SILENT DURESS BUTTON**. As soon as possible thereafter, security guard should notify nearest available court guard of the immediate danger and begin evacuation procedures. Likewise, if danger is imminent in the back guard area, a guard member will immediately notify security guard to begin evacuation procedures.
2. In the event of a medical emergency, every attempt must be made to ensure that the emergency response team has fast, unobstructed access to its destination. If people are in line to be screened, have them move out of the way by moving into the prescreen overflow area, or move outside.
3. All emergency response teams should enter through the main lobby entrance (Police/Fire) unless otherwise directed.

4. In the event there is a fire, bomb threat, or other situation requiring the evacuation of the building, clear the screening station as quickly as possible; turn off and secure all equipment, and get the two-way radios for communication with court management who will be evacuating the building through the back into the secure guard parking lot, or the public parking lot whichever is safest.
5. Assist in the orderly evacuation of the building. See City of Surprise evacuation plan posted in hallway outside Courtroom Two; copy included in this plan. Reference page 17.
6. Do not allow anyone except police, fire, or medical personnel responding to the call to enter the building while the incident is being evaluated.
7. Once the evacuation is complete, exit to the front of the building to maintain crowd control.
8. When the “all clear” has been given, security guard should re-enter the building without allowing anyone else to enter, reactivate and test all equipment.
9. Allow court guard approximately five (5) minutes to enter the building and return to their work stations prior to admitting anyone else.
10. Court customers must be rescreened and **may not** bypass security.

T. EMERGENCY PROCEDURE FOR EVACUATION

1. X-ray Technician
Turn x-ray machine off and remove key. Take key and radio with you. Position yourself outside at the public entrance/exit doors so unauthorized persons do not enter the building.
2. Walk-through magnetometer Technician
Take the handheld metal detector with you and assist people out of the building via the exit doors in the lobby. Verify that the building is empty by checking the courtrooms, restrooms, court lobby and prosecutor’s lobby, and then position yourself outside at the entrance/exit doors.

U. POWER FAILURE

1. The emergency lighting system will provide low-level lighting if daylight is not available.
2. Immediately turn off x-ray machine and walk-through magnetometer and secure the equipment for protection against damage from the power surge/spike when power resumes.
3. Stop the screening process and **DO NOT** allow anyone except emergency personnel to enter until instructed to do so by court management.
4. Remain at your workstation unless instructed otherwise by court management.
5. Contact court management by radio or by cellular phone to give a status report.
6. Be alert for fire or smoke, and if detected, follow evacuation procedures after calling **911**, OR **PRESS THE SILENT DURESS BUTTON**.

V. SERVICE ANIMALS (A.R.S. §11-1024)

1. There shall be no discrimination against individuals with disabilities, nor those who use service animals.
2. Although pets are not allowed inside the building, an individual stating the animal is necessary for assistance with a disability, must be allowed entry.
3. Individuals with a disability should be provided the same services and access as afforded to others.
4. Handlers are not required to provide identification for the service animal.

5. An individual with a disability is not required to disclose disability related information. You may however, ask if the service animal is being used *because* of a disability.
6. The service animal may be excluded from a public place if:
 - a. There is a direct threat to the health or safety of others.
 - b. The animal disrupts court proceedings, such as emitting loud noises.
 - c. The animal poses an undue burden.
7. The handler is responsible for any damage caused by the service animal.
8. **Service animal is defined as any dog or miniature horse** that is trained to perform tasks for the benefit of an individual with a disability. *Service animal* does not include other species of animals, whether wild or domestic or trained or untrained. (§11-1024.J.5)
9. See attached **Exhibit A** for more information (§11-1024; U.S. Department of Justice, Civil Rights Division, *Disability Rights Section*)

W. ADA MOBILITY AIDS

1. Individuals with a disability who use manual or power wheelchairs or other assistance devices should be provided the same services and access to the same areas of the court as afforded to others.
2. Individuals with disabilities use many kinds of devices for mobility. Some use walking assistive devices such as walkers, canes, walking sticks, crutches, or braces. If a walking stick is presented as an assistive device, ensure that it does not conceal a blade. Other mobility devices include manual or power wheelchairs, electric scooters, or Segways. (See page 32 for more information).
3. Individuals with pacemakers may proceed through the magnetometer as the magnetic screen is not strong enough to affect implanted medical devices. However, if they are concerned about walking through the magnetometer, have them step around and hand-wand them instead.

X. ADDITIONAL INSTRUCTIONS

1. Unless otherwise instructed, remain at the security post at all times until properly relieved.
2. Break times may vary based on customer volume and post coverage.
3. Post must be manned by two security guard at all times. Exception is allowed for security guard to scan the public areas of the building including court guard areas, and to escort delivery of supplies to court administrative area.
4. Submit all assigned monthly reports to Court Administrator by the 10th of each following month.
5. Prepare and submit Incident Reports for each event to your Supervisor and Court Administrator using template format.
6. Report all court related complaints/concerns to your Supervisor and the Court Administrator.
7. Security guard will respond to all disturbances only to provide a presence until police arrive.
8. Court guard will call **911**, or **PRESS THE SILENT DURESS BUTTON** if a physical altercation erupts inside a courtroom and immediately after call security guard for a presence until police arrive to take control of the situation.
9. No eating while on duty at the post; however, beverages are allowed. Breaks may be taken in the security office.
10. Security guard will notify court management of any serious disturbances, altercations, or stated threats to any court guard via email or telephone depending on the urgency.

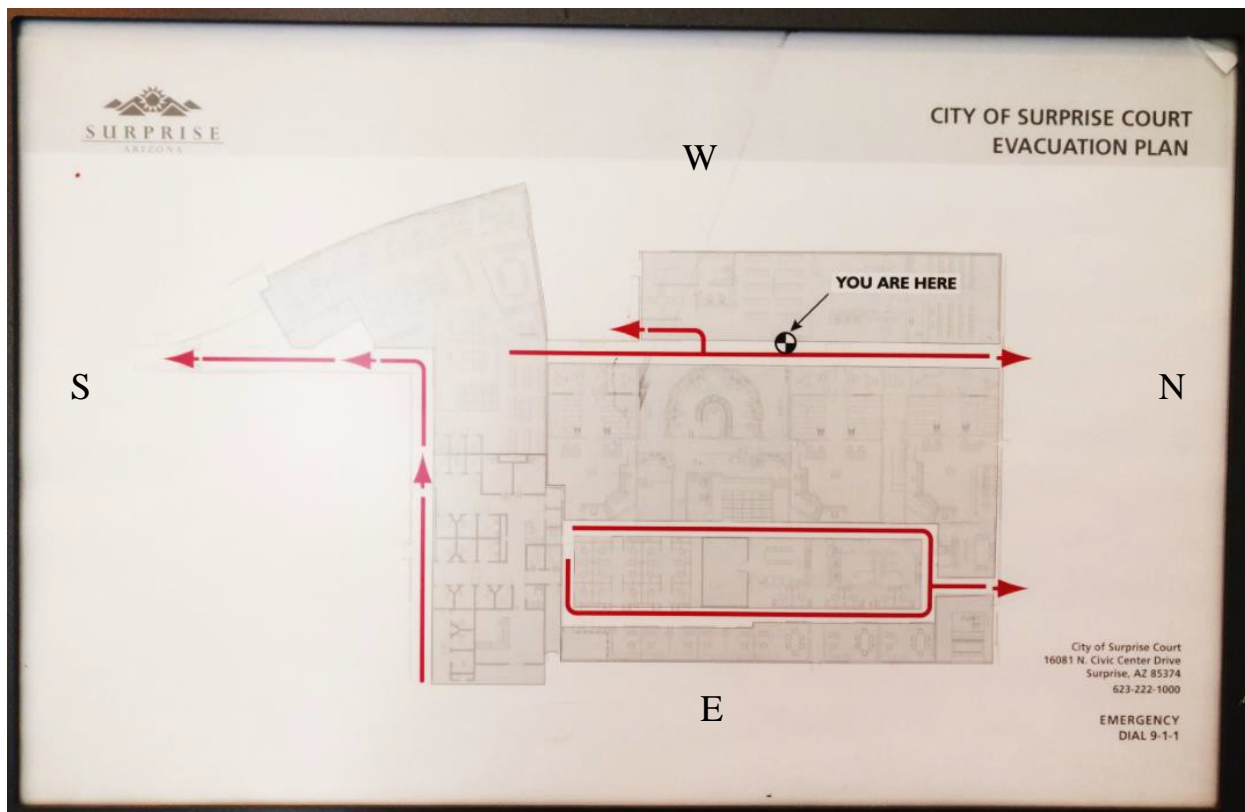
Y. WORK SCHEDULE FOR SECURITY GUARD

Regular business hours are: Monday – Friday, 8:00 a.m. – 5:00 p.m., excluding holidays.

1. 0745 Report to work station at least 15 minutes before doors open; turn on and test equipment. Unlock the doors only to those courtrooms with a scheduled docket for that day. See electronic docket.
2. 0800 Security guard will unlock the front lobby entry/exit doors. Begin and continue security screening process throughout the day.
3. 1700 Turn off all screening equipment at end of business day; secure the handheld metal detector, test equipment, radios, and all small devices inside the security office. Remain at the post until all members of the public have exited the building. This may extend past 5:00 p.m. on occasion. Lock all courtroom doors after the building is confirmed empty of customers.

Z. EMERGENCY EVACUATION PLAN

1. Plans are located at the following locations:
 - i. In the (public) hallway near courtroom two
 - ii. In the administration area (back) in the hallway behind courtroom two, and
 - iii. In the area next to supervisors office



COURT SECURITY INCIDENT REPORTING FORM

Date of Incident _____ Time of Incident _____

Location: _____

- | | | |
|--|-----------|----------|
| A. Was there a weapon involved? | _____ Yes | _____ No |
| B. Were any threats made? | _____ Yes | _____ No |
| C. Was anyone in fear of being harmed? | _____ Yes | _____ No |
| D. Was an assault committed? | _____ Yes | _____ No |
| E. Was anyone injured? | _____ Yes | _____ No |
| F. Was law enforcement notified? | _____ Yes | _____ No |
| G. Were any hostages involved? | _____ Yes | _____ No |
| H. Were any arrests made? | _____ Yes | _____ No |

Statement of Facts: (Please explain any 'Yes' answers. Attach additional sheets if necessary.)

Persons Involved in the Incident: _____

Witnesses to the Incident: _____

Prepared By: _____

_____ Date of Report

cc: Contractor
Surprise City Court

Lost & Found Property Report		SURPRISE CITY COURT		Court Security
DATE Found	ITEM	DESCRIPTION OF ITEM	How was this resolved?	
4/1/16	Wallet	i.e.: Light Bro Leather women's wallet; no cash	Owner claimed it on 4-2-16	
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
		Submitted by:		
Submit this report at the end of each month to the Court Administrator along with any unclaimed items as described herein.				



Surprise City Court



Day of Week	Date	Persons Screened	Firearms	Knife/Edge Weapons	Prohibited Items
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Monday					
Tuesday					
Wednesday					
Thursday					
Friday					
Totals		0	0	0	0
Submitted By:				Date:	
This report will be submitted at the end of the last business day of the month to the Court					

EXHIBIT A

11-1024. Service animals; rights of individuals with disabilities; violation; classification; definitions

A. Any person or entity that operates a public place shall not discriminate against individuals with disabilities who use service animals if the work or tasks performed by the service animal are directly related to the individual's disability. Work or tasks include assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing nonviolent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities and helping individuals with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal's presence and the provision of emotional support, well-being, comfort or companionship do not constitute work or tasks.

B. It is not discriminatory to exclude a service animal from a public place if one or more of the following apply:

1. The animal poses a direct threat to the health or safety of others.
2. The animal fundamentally alters the nature of the public place or the goods, services or activities provided.
3. The animal poses an undue burden.

C. Public places may maintain a general no pets policy if it is not used to exclude service animals and if it does not grant rights to any person to bring the person's pet into a public place that otherwise does not permit pets.

D. A service animal handler is liable for any damage done to a public place by the service animal or service animal in training.

E. Any trainer or individual with a disability may take an animal being trained as a service animal to a public place for purposes of training it to the same extent as provided in subsections A, B and C of this section.

F. A zoo or wild animal park may prohibit a service animal, including a dog guide or service dog, from any area of the zoo or wild animal park where the service animal may come into direct contact with the animals contained in the zoo or wild animal park. Service animals shall not be excluded from public walkways or sidewalks or from any area that allows for physical barriers between the service animals, dog guides or service dogs and the animals in the zoo or wild animal park. Any zoo or wild animal park that prohibits dog guides and service dogs shall provide without cost adequate facilities for the temporary confinement of dog guides and service dogs. The facilities shall be adequate to accommodate the anticipated attendance of legally blind, deaf or persons with physical disabilities, shall be in an area not accessible to the general public, shall provide water for the dog guides and service dogs and shall otherwise be safe, clean and comfortable. The zoo or wild animal park on request by a legally blind person who is required to leave that person's dog guide or service dog pursuant to this subsection shall provide a sighted escort if the legally blind person is unaccompanied by a sighted person.

G. The driver of a vehicle approaching a legally blind pedestrian who is carrying a cane that is predominately white or metallic in color, who is using a service animal or who is assisted by a sighted person shall yield the right-of-way and take reasonable precautions to avoid injury to the pedestrian and the service animal. The pedestrian has the same rights as any other person whether or not the pedestrian is carrying the cane, using a service animal or being assisted by a sighted person. Drivers shall take the same precautions with respect to pedestrians who have a disability other than blindness and their service animals. A driver who violates this subsection is liable for damages for any injury caused to the pedestrian or the service animal.

H. Any person or entity that violates subsections A through G of this section is guilty of a class 2 misdemeanor.

I. This section is not intended to affect any civil remedies available for a violation of this section.

J. For the purposes of this section:

1. "Direct threat to the health or safety of others" means that a significant risk to the health or safety of others exists and cannot be eliminated by modification of policies, practices or procedures or by the provision of auxiliary aids or services.

2. "Discriminate" means discriminatory actions prescribed in section 41-1492.02 and includes:

(a) Refusing to permit an individual with a disability to enter a public place with a service animal or interfering with the individual's right to enter or use the public place.

(b) Failing to provide an individual with a disability the same services and access to the same areas of the premises as afforded to others.

(c) Attempting to impose a charge, fee or deposit because an individual with a disability is accompanied by a service animal.

(d) Requiring an individual with a disability to disclose disability related information. However, a public accommodation may ask if the animal is a service animal being used because of a disability.

(e) Requiring provision of identification for the service animal.

3. "Individual with a disability" means an individual who has a physical or mental impairment that substantially limits one or more of the major life activities of the individual.

4. "Public place" means any office or place of business or recreation to which the general public is invited, whether operated by a public or private entity and includes all forms of conveyance, including taxis, tow trucks and ambulances.

5. "Service animal" means any dog or miniature horse that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Service animal does not include other species of animals, whether wild or domestic or trained or untrained.

6. "Wild animal park" means an entity that is open to the public on a regular basis, that is licensed by the United States department of agriculture as an exhibit and that is operating primarily to conserve, propagate and exhibit wild and exotic animals.

EXHIBIT B

U.S. Department of Justice
Civil Rights Division
Disability Rights Section



Frequently Asked Questions about Service Animals and the ADA

Many people with disabilities use a service animal in order to fully participate in everyday life. Dogs can be trained to perform many important tasks to assist people with disabilities, such as providing stability for a person who has difficulty walking, picking up items for a person who uses a wheelchair, preventing a child with autism from wandering away, or alerting a person who has hearing loss when someone is approaching from behind.

The Department of Justice continues to receive many questions about how the Americans with Disabilities Act (ADA) applies to service animals. The ADA requires State and local government agencies, businesses, and non-profit organizations (covered entities) that provide goods or services to the public to make "reasonable modifications" in their policies, practices, or procedures when necessary to accommodate people with disabilities. The service animal rules fall under this general principle. Accordingly, entities that have a "no pets" policy generally must modify the policy to allow service animals into their facilities. This publication provides guidance on the ADA's service animal provisions and should be read in conjunction with the publication [ADA Revised Requirements: Service Animals](#).

DEFINITION OF SERVICE ANIMAL

Q1: What is a service animal?

A: Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person's disability.

Q2: What does "do work or perform tasks" mean?

A: The dog must be trained to take a specific action when needed to assist the person with a disability. For example, a person with diabetes may have a dog that is trained to alert him when his blood sugar reaches high or low levels. A person with depression may have a dog that is trained to remind her to take her medication. Or, a person who has epilepsy may have a dog that is trained to detect the onset of a seizure and then help the person remain safe during the seizure.

Q3: Are emotional support, therapy, comfort, or companion animals considered service animals under the ADA?

A: No. These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, they do not qualify as service animals under the ADA. However, some State or local governments have laws that allow people to take emotional support animals into public places. You may check with your State and local government agencies to find out about these laws.

Q4: If someone's dog calms them when having an anxiety attack, does this qualify it as a service animal?

A: It depends. The ADA makes a distinction between psychiatric service animals and emotional support animals. If the dog has been trained to sense that an anxiety attack is about to happen and take a specific action to help avoid the attack or lessen its impact, that would qualify as a service animal. However, if the dog's mere presence provides comfort, that would not be considered a service animal under the ADA.

Q5: Does the ADA require service animals to be professionally trained?

A: No. People with disabilities have the right to train the dog themselves and are not required to use a professional service dog training program.

Q6: Are service-animals-in-training considered service animals under the ADA?

A: No. Under the ADA, the dog must already be trained before it can be taken into public places. However, some State or local laws cover animals that are still in training.

GENERAL RULES

Q7: What questions can a covered entity's employees ask to determine if a dog is a service animal?

A: In situations where it is not obvious that the dog is a service animal, staff may ask only two specific questions: (1) is the dog a service animal required because of a disability? and (2) what work or task has the dog been trained to perform? Staff are not allowed to request any documentation for the dog, require that the dog demonstrate its task, or inquire about the nature of the person's disability.

Q8: Do service animals have to wear a vest or patch or special harness identifying them as service animals?

A: No. The ADA does not require service animals to wear a vest, ID tag, or specific harness.

Q9: Who is responsible for the care and supervision of a service animal?

A: The handler is responsible for caring for and supervising the service animal, which includes toileting, feeding, and grooming and veterinary care. Covered entities are not obligated to supervise or otherwise care for a service animal.

Q10: Can a person bring a service animal with them as they go through a salad bar or other self-service food lines?

A: Yes. Service animals must be allowed to accompany their handlers to and through self-service food lines. Similarly, service animals may not be prohibited from communal food preparation areas, such as are commonly found in shelters or dormitories.

Q11: Can hotels assign designated rooms for guests with service animals, out of consideration for other guests?

A: No. A guest with a disability who uses a service animal must be provided the same opportunity to reserve any available room at the hotel as other guests without disabilities. They may not be restricted to "pet-friendly" rooms.

Q12: Can hotels charge a cleaning fee for guests who have service animals?

A: No. Hotels are not permitted to charge guests for cleaning the hair or dander shed by a service animal. However, if a guest's service animal causes damages to a guest room, a hotel is permitted to charge the same fee for damages as charged to other guests.

Q13: Can people bring more than one service animal into a public place?

A: Generally, yes. Some people with disabilities may use more than one service animal to perform different tasks. For example, a person who has a visual disability and a seizure disorder may use one service animal to assist with way-finding and another that is trained as a seizure alert dog. Other people may need two service animals for the same task, such as a person who needs two dogs to assist him or her with stability when walking. Staff may ask the two permissible questions (See Question 7) about each of the dogs. If both dogs can be accommodated, both should be allowed in. In some circumstances, however, it may not be possible to accommodate more than one service animal. For example, in a crowded small restaurant, only one dog may be able to fit under the table. The only other place for the second dog would be in the aisle, which would block the space between tables. In this case, staff may request that one of the dogs be left outside.

Q14: Does a hospital have to allow an in-patient with a disability to keep a service animal in his or her room?

A: Generally, yes. Service animals must be allowed in patient rooms and anywhere else in the hospital the public and patients are allowed to go. They cannot be excluded on the grounds that staff can provide the same services.

Q15: What happens if a patient who uses a service animal is admitted to the hospital and is unable to care for or supervise their animal?

A: If the patient is not able to care for the service animal, the patient can make arrangements for a family member or friend to come to the hospital to provide these services, as it is always preferable that the service animal and its handler not to be separated, or to keep the dog during the hospitalization. If the patient is unable to care for the dog and is unable to arrange for someone else to care for the dog, the hospital may place the dog in a boarding facility until the patient is released, or make other appropriate arrangements. However, the hospital must give the patient opportunity to make arrangements for the dog's care before taking such steps.

Q16: Must a service animal be allowed to ride in an ambulance with its handler?

A: Generally, yes. However, if the space in the ambulance is crowded and the dog's presence would interfere with the emergency medical staff's ability to treat the patient, staff should make other arrangements to have the dog transported to the hospital.

CERTIFICATION AND REGISTRATION

Q17: Does the ADA require that service animals be certified as service animals?

A: No. Covered entities may not require documentation, such as proof that the animal has been certified, trained, or licensed as a service animal, as a condition for entry.

There are individuals and organizations that sell service animal certification or registration documents online. These documents do not convey any rights under the ADA and the Department of Justice does not recognize them as proof that the dog is a service animal.

Q18: My city requires all dogs to be vaccinated. Does this apply to my service animal?

A: Yes. Individuals who have service animals are not exempt from local animal control or public health requirements.

Q19: My city requires all dogs to be registered and licensed. Does this apply to my service animal?

A: Yes. Service animals are subject to local dog licensing and registration requirements.

Q20: My city requires me to register my dog as a service animal. Is this legal under the ADA?

A: No. Mandatory registration of service animals is not permissible under the ADA. However, as stated above, service animals are subject to the same licensing and vaccination rules that are applied to all dogs.

Q21: My city / college offers a voluntary registry program for people with disabilities who use service animals and provides a special tag identifying the dogs as service animals. Is this legal under the ADA?

A: Yes. Colleges and other entities, such as local governments, may offer voluntary registries. Many communities maintain a voluntary registry that serves a public purpose, for example, to ensure that emergency staff know to look for service animals during an emergency evacuation process. Some offer a benefit, such as a reduced dog license fee, for individuals who register their service animals. Registries for purposes like this are permitted under the ADA. An entity may not, however, require that a dog be registered as a service animal as a condition of being permitted in public places. This would be a violation of the ADA.

BREEDS

Q22: Can service animals be any breed of dog?

A: Yes. The ADA does not restrict the type of dog breeds that can be service animals.

Q23: Can individuals with disabilities be refused access to a facility based solely on the breed of their service animal?

A: No. A service animal may not be excluded based on assumptions or stereotypes about the animal's breed or how the animal might behave. However, if a particular service animal behaves in a way that poses a direct threat to the health or safety of others, has a history of such behavior, or is not under the control of the handler, that animal may be excluded. If an animal is excluded for such reasons, staff must still offer their goods or services to the person without the animal present.

Q24: If a municipality has an ordinance that bans certain dog breeds, does the ban apply to service animals?

A: No. Municipalities that prohibit specific breeds of dogs must make an exception for a service animal of a prohibited breed, unless the dog poses a direct threat to the health or safety of others. Under the "direct threat" provisions of the ADA, local jurisdictions need to determine, on a case-by-case basis, whether a particular service animal can be excluded based on that particular animal's actual behavior or history, but they may not exclude a service animal because of fears or generalizations about how an animal or breed might behave. It is important to note that breed restrictions differ significantly from jurisdiction to jurisdiction. In fact, some jurisdictions have no breed restrictions.

EXCLUSION OF SERVICE ANIMALS

Q25: When can service animals be excluded?

A: The ADA does not require covered entities to modify policies, practices, or procedures if it would "fundamentally alter" the nature of the goods, services, programs, or activities provided to the public. Nor does it overrule legitimate safety requirements. If admitting service animals would fundamentally alter the nature of a service or program, service animals may be prohibited. In addition, if a particular service animal is out of control and the handler does not take effective action to control it, or if it is not housebroken, that animal may be excluded.

Q26: When might a service dog's presence fundamentally alter the nature of a service or program provided to the public?

A: In most settings, the presence of a service animal will not result in a fundamental alteration. However, there are some exceptions. For example, at a boarding school, service animals could be restricted from a specific area of a dormitory reserved specifically for students with allergies to dog dander. At a zoo, service animals can be restricted from areas where the animals on display are the natural prey or natural predators of dogs, where the presence of a dog would be disruptive, causing the displayed animals to behave aggressively or become agitated. They cannot be restricted from other areas of the zoo.

Q27: What does under control mean? Do service animals have to be on a leash? Do they have to be quiet and not bark?

A: The ADA requires that service animals be under the control of the handler at all times. In most instances, the handler will be the individual with a disability or a third party who accompanies the individual with a disability. In the school (K-12) context and in similar settings, the school or similar entity may need to provide some assistance to enable a particular student to handle his or her service animal. The service animal must be harnessed, leashed, or tethered while in public places unless these devices interfere with the service animal's work or the person's disability prevents use of these devices. In that case, the person must use voice, signal, or other effective means to maintain control of the animal. For example, a person who uses a wheelchair may use a long, retractable leash to allow her service animal to pick up or retrieve items. She may not allow the dog to wander away from her and must maintain control of the dog, even if it is retrieving an item at a distance from her. Or, a returning veteran who has PTSD and has great difficulty entering unfamiliar spaces may have a dog that is trained to enter a space, check to see that no threats are there, and come back and signal that it is safe to enter. The dog must be off leash to do its job, but may be leashed at other times. Under control also means that a service animal should not be allowed to bark repeatedly in a lecture hall, theater, library, or other quiet place. However, if a dog barks just once, or barks because someone has provoked it, this would not mean that the dog is out of control.

Q28: What can my staff do when a service animal is being disruptive?

A: If a service animal is out of control and the handler does not take effective action to control it, staff may request that the animal be removed from the premises.

Q29: Are hotel guests allowed to leave their service animals in their hotel room when they leave the hotel?

A: No, the dog must be under the handler's control at all times.

Q30: What happens if a person thinks a covered entity's staff has discriminated against him or her?

A: Individuals who believe that they have been illegally denied access or service because they use service animals may file a complaint with the U.S. Department of Justice. Individuals also have the right to file a private lawsuit in Federal court charging the entity with discrimination under the ADA.

MISCELLANEOUS

Q31: Are stores required to allow service animals to be placed in a shopping cart?

A: Generally, the dog must stay on the floor, or the person must carry the dog. For example, if a person with diabetes has a glucose alert dog, he may carry the dog in a chest pack so it can be close to his face to allow the dog to smell his breath to alert him of a change in glucose levels.

Q32: Are restaurants, bars, and other places that serve food or drink required to allow service animals to be seated on chairs or allow the animal to be fed at the table?

A: No. Seating, food, and drink are provided for customer use only. The ADA gives a person with a disability the right to be accompanied by his or her service animal, but covered entities are not required to allow an animal to sit or be fed at the table.

Q33: Are gyms, fitness centers, hotels, or municipalities that have swimming pools required to allow a service animal in the pool with its handler?

A: No. The ADA does not override public health rules that prohibit dogs in swimming pools. However, service animals must be allowed on the pool deck and in other areas where the public is allowed to go.

Q34: Are churches, temples, synagogues, mosques, and other places of worship required to allow individuals to bring their service animals into the facility?

A: No. Religious institutions and organizations are specifically exempt from the ADA. However, there may be State laws that apply to religious organizations.

Q35: Do apartments, mobile home parks, and other residential properties have to comply with the ADA?

A: The ADA applies to housing programs administered by state and local governments, such as public housing authorities, and by places of public accommodation, such as public and private universities. In addition, the Fair Housing Act applies to virtually all types of housing, both public and privately-owned, including housing covered by the ADA. Under the Fair Housing Act, housing providers are obligated to permit, as a reasonable accommodation, the use of animals that work, provide assistance, or perform tasks that benefit persons with a disabilities, or provide emotional support to alleviate a symptom or effect of a disability. For information about these Fair Housing Act requirements see HUD's [Notice on Service Animals and Assistance Animals for People with Disabilities in Housing and HUD-funded Programs](#).

Q36: Do Federal agencies, such as the U. S. Department of Veterans Affairs, have to comply with the ADA?

A: No. Section 504 of the Rehabilitation Act of 1973 is the Federal law that protects the rights of people with disabilities to participate in Federal programs and services. For information or to file a complaint, contact the agency's equal opportunity office.

Q37: Do commercial airlines have to comply with the ADA?

A: No. The Air Carrier Access Act is the Federal law that protects the rights of people with disabilities in air travel. For information or to file a complaint, contact the U.S. Department of Transportation, Aviation Consumer Protection Division, at 202-366-2220.

For more information about the ADA, please visit our website or call our toll-free number.

ADA Website

www.ADA.gov

To receive e-mail notifications when new ADA information is available, visit the ADA Website's home page and click the link near the bottom of the right-hand column.

ADA Information Line

800-514-0301 (Voice) and 800-514-0383 (TTY)

24 hours a day to order publications by mail.

M-W, F 9:30 a.m. – 5:30 p.m. , Th 12:30 p.m. – 5:30 p.m. (Eastern Time)
to speak with an ADA Specialist. Calls are confidential.

For people with disabilities, this publication is available in alternate formats.

Duplication of this document is encouraged.

July 20, 2015

EXHIBIT C

U.S. Department of Justice
Civil Rights Division
Disability Rights Section



Wheelchairs, Mobility Aids, and Other Power-Driven Mobility Devices

Overview

The Department of Justice published revised final regulations implementing the Americans with Disabilities Act (ADA) for title II (State and local government services) and title III (public accommodations and commercial facilities) on September 15, 2010, in the Federal Register. These requirements, or rules, clarify and refine issues that have arisen over the past 20 years and contain new, and updated, requirements, including the 2010 Standards for Accessible Design (2010 Standards).

People with mobility, circulatory, respiratory, or neurological disabilities use many kinds of devices for mobility. Some use walkers, canes, crutches, or braces. Some use manual or power wheelchairs or electric scooters. In addition, advances in technology have given rise to new devices, such as Segways®, that some people with disabilities use as mobility devices, including many veterans injured while serving in the military. And more advanced devices will inevitably be invented, providing more mobility options for people with disabilities.

This publication is designed to help title II entities (State and local governments) and title III entities (businesses and non-profit organizations that serve the public) (together, “covered entities”) understand how the new rules for mobility devices apply to them. These rules went into effect on March 15, 2011.

- Covered entities must allow people with disabilities who use manual or power wheelchairs or scooters, and manually-powered mobility aids such as walkers, crutches, and canes, into all areas where members of the public are allowed to go.
- Covered entities must also allow people with disabilities who use other types of power-driven mobility devices into their facilities, unless a particular type of device cannot be accommodated because of legitimate safety requirements. Where legitimate safety requirements bar accommodation for a particular type of device, the covered entity must provide the service it offers in alternate ways if possible.

Other Power Driven Mobility Devices

- The rules set out five specific factors to consider in deciding whether or not a particular type of device can be accommodated.

ity, different rules apply under the ADA than when it is being used by a person without a disability.

Wheelchairs

Most people are familiar with the manual and power wheelchairs and electric scooters used by people with mobility disabilities. The term “wheelchair” is defined in the new rules as “a manually-operated or power-driven device designed primarily for use by an individual with a mobility disability for the main purpose of indoor or of both indoor and outdoor locomotion.”

Other Power-Driven Mobility Devices

In recent years, some people with mobility disabilities have begun using less traditional mobility devices such as golf cars or Segways®. These devices are called “other power-driven mobility device” (OPDMD) in the rule. OPDMD is defined in the new rules as “any mobility device powered by batteries, fuel, or other engines . . . that is used by individuals with mobility disabilities for the purpose of locomotion, including golf cars, electronic personal assistance mobility devices . . . such as the Segway® PT, or any mobility device designed to operate in areas without defined pedestrian routes, but that is not a wheelchair.” When an OPDMD is being used by a person with a mobility disability,

Choice of Device

People with disabilities have the right to choose whatever mobility device best suits their needs. For example, someone may choose to use a manual wheelchair rather than a power wheelchair because it enables her to maintain her upper body strength. Similarly, someone who is able to stand may choose to use a Segway® rather than a manual wheelchair because of the health benefits gained by standing. A facility may be required to allow a type of device that is generally prohibited when being used by someone without a disability when it is being used by a person who needs it because of a mobility disability. For example, if golf cars are generally prohibited in a park, the park may be required to allow a golf car when it is being used because of a person’s mobility disability, unless there is a legitimate safety reason that it cannot be accommodated.



2 ADA Requirements

Assessment Factors

In deciding whether a particular type of OPDMD can be accommodated in a particular facility, the following factors must be considered:

- the type, size, weight, dimensions, and speed of the device;
- the facility's volume of pedestrian traffic (which may vary at different times of the day, week, month, or year);
- the facility's design and operational characteristics (e.g., whether its business is conducted indoors or outdoors, its square footage, the density and placement of furniture and other stationary devices, and the availability of storage for the OPDMD if needed and requested by the user);

- whether legitimate safety requirements (such as limiting speed to the pace of pedestrian traffic or prohibiting use on escalators) can be established to permit the safe operation of the OPDMD in the specific facility; and
- whether the use of the OPDMD creates a substantial risk of serious harm to the immediate environment or natural or cultural resources, or poses a conflict with Federal land management laws and regulations.

It is important to understand that these assessment factors relate to an entire class of device type, *not* to how a person with a disability might operate the device. (See next topic for operational issues.) All types of devices powered by fuel or combustion engines, for example, may be excluded from indoor settings for health or environmental reasons, but may be deemed acceptable in some outdoor settings. Also, for safety reasons, larger electric devices such as golf cars may be excluded from narrow or crowded settings where there is no valid reason to exclude smaller electric devices like Segways®.

Based on these assessment factors, the Department of Justice expects that devices such as Segways® can be accommodated in most circumstances. The Department also expects that, in most circumstances, people with disabilities using ATVs and other combustion engine-driven devices may be prohibited indoors and in outdoor areas with heavy pedestrian traffic.



4 ADA Requirements

Policies on the Use of OPDMDs

In deciding whether a type of OPDMD can be accommodated, covered entities must consider all assessment factors and, where appropriate, should develop and publicize rules for people with disabilities using these devices.

Such rules may include –

- requiring the user to operate the device at the speed of pedestrian traffic;
- identifying specific locations, terms, or circumstances (if any) where the devices cannot be accommodated;
- setting out instructions for going through security screening machines if the device contains technology that could be harmed by the machine; and
- specifying whether or not storage is available for the device when it is not being used.

verbally that the OPDMD is being used because of a mobility disability, that also must be accepted as credible assurance, unless the person is observed doing something that contradicts the assurance. For example, if a person is observed running and jumping, that may be evidence that contradicts the person's assertion of a mobility disability. However, it is very important for covered entities and their staff to understand that the fact that a person with a disability is able to walk for a short distance does not necessarily contradict a verbal assurance – many people with mobility disabilities can walk, but need their mobility device for longer distances or uneven terrain. This is particularly true for people who lack stamina, have poor balance, or use mobility devices because of respiratory, cardiac, or neurological disabilities. A covered entity cannot ask people about their disabilities.

Credible Assurance

An entity that determines it can accommodate one or more types of OPDMDs in its facility is allowed to ask the person using the device to provide credible assurance that the device is used because of a disability. If the person presents a valid, State-issued disability parking placard or card or a State-issued proof of disability, that must be accepted as credible assurance on its face. If the person does not have this documentation, but states



ADA Requirements 5

Staff Training

Ongoing staff training is essential to ensure that people with disabilities who use OPDMDs for mobility are not turned away or treated inappropriately. Training should include instruction on the types of OPDMDs that can be accommodated, the rules for obtaining credible assurance that the device is being used because of a disability, and the rules for operation of the devices within the facility.

**For more information about the ADA,
please visit our website
or call our toll-free number.**

ADA Website: www.ADA.gov

To receive e-mail notifications when new ADA information is available, visit the ADA Website and click on the link near the bottom of the right-hand column.

ADA Information Line

800-514-0301 (Voice) and
800-514-0383 (TTY)

Call M-W, F 9:30 a.m. – 5:30 p.m., Th
12:30 p.m. – 5:30 p.m. (Eastern Time) to
speak with an ADA Specialist (calls are
confidential) or call 24 hours a day to
order publications by mail.

For people with disabilities,
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January 2014

**ACKNOWLEDGMENT OF
Surprise City Court Manual for Contracted Security
Guards**

By signing and dating, you are acknowledging receipt of a copy of the Surprise City Court Manual for Contracted Security Guards, Administrative Order 2016-XX. Revised Effective May XX, 2016

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