

# **NACOGDOCHES MUNICIPAL COURT** **EMERGENCY, SECURITY, CONDUCT &** **COURTROOM PROCEDURE POLICY**

The purpose of this policy is to better insure the safety and overall experience of individuals working and conducting business in the Nacogdoches Municipal Court. This is done by establishing procedures for various types of emergencies, evacuation guidelines, day to day security measures, conduct, decorum, and courtroom procedures established to help meet that goal.

## **Emergency Evacuation Due to Various Situations**

Some emergency events will require the evacuation of the court facility. The presiding judge, court administrator, or the bailiff/warrant officer on site at the court may make the evacuation decision. Evacuation locations are to be kept on a need to know basis. This is to prevent someone from retaliating against court personnel based on knowing where they will be if a threat is received and an evacuation is ordered.

### **1. Primary Location:**

**The primary evacuation location will be the Sally Port at the Police Department, located on Pearl St. in the northwest corner of the building. All court personnel will quickly move to the rear exit of the court building and proceed directly to that location.**

### **2. Secondary Location:**

**In the event the primary location is unavailable or out of service, all personnel will be diverted by the judge, court administrator, or the bailiff/warrant officer to the lobby of the Police Department located on West Main. This location is accessible during the same times as the court is in operation.**

**AFTER ARRIVING AT THE DESIGNATED EVACUATION SITE PERSONNEL MAY BE TOLD TO RELOCATE BY RESPONDING OFFICERS. ADVISE THEM OF UNACCOUNTED FOR COURT PERSONNEL AND FOLLOW THEIR DIRECTIONS**

### **3. Handicapped or Injured Personnel:**

Able-bodied personnel should make all efforts to assist those handicapped or injured to evacuate the building.

### **4. Remain at Evacuation Location:**

All evacuated personnel will remain at the location of evacuation until released by law enforcement personnel on scene. Making sure to advise them of any missing or unaccounted for persons or personnel.

### **5. Civilian Evacuation:**

The bailiff will evacuate the lobby and/or courtroom. In his/her absence the judge will direct personnel of his/her choosing to carry out this task.

### **6. Restrict access to public lobby area**

In the case of bomb threats, hazardous materials, or explosive materials the last court official leaving the building will lock the front lobby door in order to stop the public from entering a potentially dangerous situation.

## **FIRE**

In the event of a fire the judge, bailiff and court administrator will evacuate all personnel and civilians inside the court building to the closest and safest exit. Civilians will be instructed to leave the area and court personnel will meet in the primary or secondary location, whichever is applicable. Court personnel should **call 911** after leaving the building. The judge and bailiff, along with other police personnel will not allow anyone to return to the building until the all clear is given by the fire department.

**FIRE EXTINGUISHERS ARE MAINTAINED UNDER CONTRACT AND ARE CHECKED ANNUALLY IN THE MONTH OF JULY- THERE ARE TWO EXTINGUISHERS IN THE COURT BUILDING ONE IS LOCATED IN THE COURT ROOM BEHIND THE BENCH AREA AND THE OTHER IS LOCATED IN THE HALLWAY OF THE SECURE AREA REAR EXIT**

## **MEDICAL EMERGENCIES**

Medical emergencies will be best left to trained EMS (emergency medical services) personnel. The court staff will notify EMS byway of **dialing 911** Police Dispatch in the event of a medical emergency within the court building or any area immediately outside of the court building. Court personnel will attempt to keep the affected person comfortable until trained help arrives.

## **COURTROOM INCIDENTS**

Sometimes violence erupts inside the courtroom, which necessitates intervention by the bailiff and other police personnel. Should violence erupt in the courtroom, the judge or any other court personnel should activate the panic alarm and all court personnel should exit the courtroom byway of the bailiff's office and secure that door behind them to prevent entry into the secure interoffice area. If it is not possible to exit through the bailiff's office, court personnel should exit the courtroom byway of the door directly behind the bench, located in the southeast corner of the courtroom.

## **KEYLESS ENTRY BADGES SHOULD BE CARRIED BY ALL PERSONNEL WHILE WORKING IN ANY AREA OF THE COURT BUILDING.**

## **LOBBY INCIDENTS**

If violence erupts in the lobby, the panic alarm should be activated at the front counter. All personnel in the front office area should vacate the front counter area and go to the nearest place of safety, that being, out of the line of sight of the perpetrators but still inside the secure interoffice area.

All personnel should be accounted for and wait for the bailiff or other law enforcement personnel to give the all clear to return to normal operations.

## **BOMB THREATS**

**First:** Do not turn electrical items and lights on or off. Report the threat in person or by a landline phone. **Discontinue use** of all two-way radio (CB, walkie-talkies), cell phones and pagers.

Any Municipal Court personnel receiving a bomb threat should obtain or try to remember the following information if possible:

1. Caller I.D. - number on phone;
2. Time of call;
3. When the bomb is set to explode;
4. Where the bomb is located;
5. Identity of caller – name, male, female, etc;
6. What kind of bomb it is;
7. What the bomb looks like;
  
8. How the caller sounded
  - a. Nervous
  - b. Excited
  - c. Intoxicated
  - d. Laughing
  - e. Accent
  - f. Speech impediment
  - g. Familiar voice
  - h. Indication of age
  
9. Background noise;
10. Reason for bomb;
11. Time caller hung up

When the caller disconnects, **dial 911** Police Dispatch and advise them of the situation. Immediately after that, notify the judge, court administrator and the bailiff. The bailiff will start the evacuation of the building. In his absence, the judge will evacuate the building or direct person(s) of his/her choosing to do so. Civilians will be told to leave the area immediately and court personnel will meet in the **SECONDARY** evacuation location. No one will be allowed back into the court building until given the all clear by police personnel.

## **THREATS MADE BY PHONE OR IN PERSON**

If a threatening phone call is received, put the caller on speakerphone and obtain as much information as possible, using the same guidelines as that of a bomb threat. When the caller disconnects, advise the judge, bailiff, or court administrator immediately. They, in turn, will notify the appropriate police personnel.

If the threat is being delivered in person and that person does not leave the building, the bailiff should be notified, in his/her absence the panic alarm should be activated. At that time all court personnel should vacate the front counter area and meet in a place of safety in the secure interoffice area of the court building. **Dial 911** and advise police dispatch as to the situation at that time so responding police personnel can be better informed before arriving. Everyone should wait for the appropriate police personnel to respond and take care of the situation.

**A THREAT IS MORE THAN A DISGRUNTELLED CUSTOMER. A THREAT MUST BE A DIRECT OR INDIRECT THREAT OF HARM AND PLACES YOU IN FEAR OF YOUR WELL BEING AND SAFETY**

## **HOSTAGE SITUATIONS**

Should a hostage situation present itself, your personal safety is very important. Only you possess the knowledge at the time of what may be safe or unsafe. Notify the bailiff immediately if he/she is unaware of the situation. If he/she is unavailable, contact police personnel by **dialing 911 Police Dispatch.** The court bailiff and other law enforcement personnel will be responding based on their training and all personnel should follow their directions. There are a few considerations that may be helpful:

1. Will my actions cause danger for myself or someone else?
2. Can I safely hide?
3. Can I safely push the panic button?
4. Can I safely escape?

## **ACTIVE SHOOTER**

Active shooter incidents are rapidly progressing actions that are unpredictable and the steps listed may or may not work, but generally are considered the best possible response to an active shooter.

The Municipal Court already has secure interoffice areas. Personnel should take advantage of this and move to an area not visible to the shooter and remain in that area until law enforcement personnel arrive to release them.

Should an incident occur in the courtroom, personnel should activate the panic alarm, if possible, and then should exit, if possible, out of the courtroom byway of the bailiff's office and secure that door behind them to prevent entry into the secure interoffice area of the court building. If it is not possible to exit through the bailiff's office, they should exit the courtroom byway of the door directly behind the bench, located in the southeast corner of the courtroom. They should then proceed to the primary location or the secondary location, if applicable, and notify police personnel of the situation. The only other circumstance that would warrant leaving the secure interoffice area prior to law enforcement arriving would be because the actor has breached that area of the court building.

Should you have to leave the secure area of the court building, go directly to the primary evacuation location or the secondary location, if applicable, and notify arriving police personnel of the situation and the last know location of any unaccounted for court personnel and/or civilians.

If possible activate any panic alarm that has not been activated, if this is not an option, **dial 911** Police Dispatch and advise them of the situation. If you have moved to a secure location within the secure interoffice area or have evacuated the building and no telephone land line is available but you have a cell phone **dial 911** Police Dispatch and advise them of the situation, giving them the location and number of perpetrators involved and follow their instructions.

**DO NOT TRY TO BE A HERO, TAKE CARE OF YOURSELF AND FOLLOW THE INSTRUCTIONS LISTED ABOVE.**

## **WEATHER RELATED INCIDENTS**

When severe weather is approaching the area, the judge, bailiff and court administrator should monitor conditions via the national weather service, the Internet and the police dispatch desk for indications that would require taking cover.

Should conditions require taking cover, visitors and court personnel should be moved to the jury room and restrooms (the most interior rooms that do not have exterior walls or windows) and keep the doors shut.

All persons remaining in the building should be instructed to sit on the floor with their heads between their knees and hands covering the back of their heads.

In the event that electrical service is lost, the keyless employee badges will open interior doors, working off of stored battery power for up to 5 (five) hours.

## **SUSPICIOUS - PACKAGES, MAIL, POWDERS, SUBSTANCES OR POSSIBLE EXPLOSIVE MATERIALS**

### **Suspicious Power or Substances**

If anyone receives a parcel that may possibly contain a suspicious power or substance you should do the following:

- Notify the judge, bailiff or court administrator.
- Secure the area so that no one may enter.
- Turn off all air conditioning/heating units.
- DO NOT move the article containing suspected substance.
- Secure the article containing suspected substance by placing a box, trashcan, or similar object over it so that particles are not allowed to spread.
- Persons having had direct contact with the suspected powder or unknown substance should wash their hands with hot water and soap and await first responders to advise them on decontamination procedures.
- The affected area should be closed off and all personnel should gather in a separate area of the court building and await further instructions of first responders (EMS/FIRE/RESCUE).
- After these steps have been taken you should **dial 911** Police Dispatch or if no city landline is available **dial 911** Police Dispatch on a cell phone and advise them of the situation.

## Possible Explosive Material

The letter/parcel bomb recognition points are listed below. These points will usually but not always appear in multiples on actual explosive devices.

- Foreign mail, airmail, and special delivery
- Excessive postage
- Hand written or poorly typed addresses
- Incorrect titles
- Title but with no name
- Misspellings of common words
- Oily stains/discolorations/corrosion
- No return address
- Excessive weight
- Rigid envelope
- Lopsided or uneven envelope
- Protruding wires/batteries/tinfoil or other metal items (i.e. nails, washers, bolts, etc.)
- Any crystallized substance on or in the envelope
- Noticeable odors coming from the envelope/package
- Excessive securing material (i.e. masking or duct tape, string, staples, etc.)
- Restrictive markings such as confidential, personal, etc.
- Visual distraction

If anything of this nature is received do not open or otherwise tamper with the letter or parcel. Leave it where it is and contact the judge, bailiff, or court administrator. They in turn will start evacuation of the building immediately. Civilians will be asked to exit the building, without being told why, as quickly and calmly as possible and court personnel will evacuate to their **SECONDARY** evacuation station (lobby of the main police building) and await instructions from police personnel. The Bailiff will check the building one last time to make sure that no one remains inside. In his/her absence the judge or court administrator or a person acting under his or her direction will make one final check of the building to see if anyone remains. The last court official leaving the building will lock the lobby door. Once out of the building the judge, court administrator, or bailiff will **dial 911** police dispatch and advise them of the situation. Under no circumstance will anyone be allowed to return to the building until police personnel give the all clear.



# **MUNICIPAL COURT SECURITY MEASURES**

Security for the judge, court employee's, court building, courtroom and the public are of the utmost concern to the City of Nacogdoches. In addition, a security plan aids in the implementation of the rules for conduct and decorum by giving everyone entering the facility a sense of well being, safety, and order.

## **SECURITY INSPECTION OF THE MUNICIPAL COURT BUILDING**

Upon arrival and prior to the court allowing the public access to the building, and after the public is no longer allowed access to the Municipal Court building the bailiff, court administrator, judge or a person of his/her choosing will perform the following inspections:

1. Visually inspect the exterior of the building. Check windows, doors, parking lot, and lights for damage, need of repair or maintenance. The judge should be notified if there is anything out of order.
2. Inside the court building all areas that are open to the public (i.e. courtroom, lobby, and restrooms) will be checked for contraband, left property, damage or anything out of the ordinary.
3. At the end of the business day all the above-mentioned areas will be rechecked and verify that the safe and all exterior and interior doors are closed and locked.

## **KEY AND KEYLESS BADGE ENTRY**

Key and keyless badge entry into the city municipal court is given on a limited basis. Listed below are the persons authorized to have actual door keys and keyless badges and those authorized to have keyless badges only.

Door keys and keyless badges:

1. Municipal Court Judge
2. Municipal Court Administrator
3. Municipal Court Bailiff/Warrant Officer
4. Custodial Supervisor
5. Primary Custodian servicing the court building

Keyless badges only:

1. Municipal Court Clerks
2. All Officers of the Nacogdoches Police Department
3. City Maintenance
4. Information Technology Techs

**UPON TERMINATION OF AN EMPLOYEE OF THE MUNICIPAL COURT THE JUDGE WILL TAKE POSSESSION OF ALL KEYS AND KEYLESS BADGES AND MAINTAIN THEM IN A LOCK BOX.**

**Alarm codes for the municipal court building are limited to the Judge, Court Administrator, Clerks, and Bailiff, the Primary Custodians assigned to the court building, and the Senior Advisor over the Nacogdoches Police Department Explorers Program.**

**ENTRY INTO THE SECURE INTEROFFICE AREA OF THE MUNICIPAL COURT**

Upon notification by non-court personnel requesting entry into the interoffice area of the court building, the Judge, Bailiff, or Court Administrator shall:

1. Determine the purpose of their visit
2. Allow entry if appropriate
3. City employee's will be given access and their needs attended to
4. A court employee will escort family members or guest of court employee's, vendors, or non-city maintenance or contract workers.

**ENTRY INTO THE PUBLIC AREAS OF THE MUNICIPAL COURT BUILDING**

All person entering the Municipal Court building, with the exception of those listed below, are subject to security screening. This will be done to create a safe and weapon-free environment.

1. If necessary, the Bailiff, any other city officer, or any officer instructed to do so by the presiding judge will accomplish security screening by using a hand held metal detector, and conducting manual examination of all receptacles and items that warrant examination.

2. Any person refusing to undergo security screening shall be denied access to areas of the Municipal Court building and told to leave the property.
3. While performing screening operations, security personnel are not authorized to consider a person's race, gender, age, or disability, as defined by Federal and State laws.
4. The following persons shall not be required to undergo security screening:
  - a. City of Nacogdoches Municipal court personnel.
  - b. Texas Peace Officers who present proper identification or who are uniformed.
  - c. Federal Law Enforcement Officers who present proper identification or who are uniformed.
  - d. City of Nacogdoches employees performing official duties, who present proper identification, are uniformed or are know to court personnel.
  - e. Fire or Emergency Services (EMS) personnel responding to an emergency call at the Municipal Court facility.
5. The Judge, Bailiff, or Court Administrator and their respective designees, reserve the right to require any person, including those excluded, to be screened as required by operational necessities.

The following prohibited items and all illegal/prohibited weapons **shall not be allowed** in the Municipal Court building. Any person carrying a prohibited item shall be instructed to immediately depart the facility; if they refuse to comply they will be subject to arrest under Texas Penal Code Sec. 30.05 or 30.06. Any person carrying an illegal/prohibited weapon, as defined under Ch. 46 of the Texas Penal Code, will be subject to arrest.

1. The only persons authorized to carry handguns, any other firearms, and defensive/non-lethal weapons into the Municipal Court building are Texas or Federal Officers that are uniformed or provide proper identification and have official business with the court.
2. Persons who possess a valid license to carry a concealed handgun are prohibited from bringing a handgun into the Municipal Court facility.
3. All illegal and legal chemical agents, such as mace, tear gas, C/N or C/S gas, O.C. Pepper spray, et cetera, are not authorized to be carried into the Municipal Court facility.
4. Other prohibited items; Security personnel shall, at all times, use sound judgment in evaluating devices, materials or substances that, while not in violation of the Texas Penal Code or specifically mentioned above, may pose a threat to the security or safety of Municipal Court personnel or the public. Such items will be deemed prohibited on a case-by-case basis. Security personnel shall carefully evaluate electronic devices such as cellular telephones, pagers, et cetera. If the exact nature and function of the device cannot
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9. Security personnel shall carefully evaluate electronic devices such as cellular telephones, pagers, et cetera. If the exact nature and function of the device cannot be determined, the possessor of the device shall be instructed to secure the item in their vehicle.

#### **DAY –TO-DAY SECURITY MEASURES FOR THE JUDGE, BAILIFF AND COURT PERSONNEL**

The day-to-day security of the Municipal Court hinges on implementation of security procedures used by the judge, court administrator, bailiff, and court clerks. This is accomplished by development of consistent work habits to meet that goal.

1. All court employees will carry keyless entry badges **at all times** while working and moving about the Municipal Court building.
2. All court employees will be made aware of the location and use of all panic alarms, video monitoring devices, and their use.
3. Video monitoring devices will be checked on a daily basis, the judge or bailiff on a semi-annual basis, that being in the months of May and October, will check all panic alarms and gauge the response time of the alarm company. Coordinating with the Police department's radio dispatch to check the call back time of the alarm company. Panic alarms are directed from the alarm company to police dispatch, in turn, dispatch will send officers to respond. Whereas, the building security alarm goes directly to the court office itself, just like that of residential alarm.
4. The bailiff will carry a portable radio at any time court is in session. This will serve as an external communication source. In addition to being able to communicate directly with police dispatch, the radio is also equipped with a panic button that alerts police dispatch to check on the officer assigned to that radio.
5. During court proceedings the bailiff will monitor the gallery for any disturbances or rule violations, and monitor the entrances and the lobby for disturbances.

6. When court is in session the jury room and bailiff office doors will remain closed and locked and accessible only by keyless badge entry. The public entrance utilized by the public will remain unlocked until court has adjourned. The only exception to this is during pre-trials, at that time the jury room will be opened for the prosecutors use. During pre-trials the office area housing the clerks, front counter, and judge's office will be secured and locked to prevent entry by any member of the public.
7. The bailiff, court administrator, or clerks will keep the public entry to the courtroom locked if court is not in session. It will be unlocked just prior court proceedings. This will allow for better screening of the public prior to their entry into the courtroom.
8. Personal restraints (hand cuffs) will be used when a physical arrest is made in the courtroom or an arrested subject is brought before the court for arraignment. No other restraints are believed to be needed for this lower level court at this time.

## **REPORTING OF COURT SECURITY INCIDENTS**

Security incidents in the Municipal Court have two reporting requirements. The first is to the Office of Court Administration. This is required under the Code of Criminal Procedure, Article 102.017(f) that sets out the authorized uses of funds collected by Municipal courts for security purposes. The governing body of the City of Nacogdoches administers that fund. The second is the Nacogdoches Police Department. These reports are required as a matter of department policy and mandated state and federal reporting requirements.

The Office of Court Administration (OCA) requires the following information to be reported on their official form within three days of a reportable incident. The following are guidelines and required information for that form:

1. The presiding judge of the Nacogdoches Municipal Court, in the absence of a bailiff or other city police officer, will submit the report to the OCA. Otherwise, the bailiff is the designee responsible for the filing of this report to the state unless otherwise instructed by the Municipal Court Judge.
2. A security incident is any adverse event that threatens the security of a person or property, or causes or may cause significant disruption to functions of the court due to a breach in security. This includes, but is not limited to, threats to harm a person or property, disorderly conduct, physical assaults, escapes or escape attempts, a weapon is not found or not declared and is discovered later, weapons or unauthorized items are found and the person becomes disruptive over court personnel directions to surrender the item or leave the court building, or any other serious situation involving security issues that disrupts court activities.

3. This report does not include medical emergencies, personnel issues, requested officer “stand-bys”, or the report of possible trouble unless an incident actually occurs. Complete this report only for court-related offices.
4. This report will include the offender’s name and pertinent information, description of incident, witness names and contact information, if charges were filed, location of incident (courtroom, lobby, parking area etc.), if a weapon was involved, or if any injuries occurred.

The following are reports required by the Nacogdoches Police Department related to incidents that occur within and the immediate area of the Municipal Court Building. These reports will be completed in accordance with the Nacogdoches Police Department Directives Manual. These reports will be completed and forwarded through the chain of command within the Police Department.

1. Standard Offense Report – along with, if available – photos and audiovisual recordings.
2. Use of Force Report
3. Copy of the OCA report