

LA PAZ COUNTY
SUPERIOR COURT CLERK
MEGAN SPIELMAN

19 AUG 12 PM 3:33

**IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF LA PAZ**

In Re the Matter of:

REGULATING USE OF PHOTOGRAPHIC
AND VIDEO RECORDING DEVICES
IN A LA PAZ COUTNY COURTHOUSE
AND OTHER LA PAZ COUNTY
COURT FACILITIES OUTSIDE OF
COURTROOMS



S1500AO201900005

**ADMINISTRATIVE ORDER
NO. S1500AO-201900005**

The presiding judge is responsible for establishing court security policies and procedures in accordance with Rule 122.1 and Supreme Court Administrative Order Nos. 2017-79 and 2012-22, which recognize “the safety of those who participate in the judicial process is essential to serving the citizens and doing justice in all cases” and therefore, the need to protect the privacy and security interests of crime victims, individuals seeking protective orders, witnesses, and jurors, and to ensure the safety of all who visit or work in court facilities.

Many people at a court facility are compelled to be there for jury service, to appear as a witness, including undercover law enforcement officers, or to conduct business that is private or not yet public and can only be done at a court. Having their image recorded and displayed on the internet can put these persons in jeopardy, expose them to embarrassment and intimidation, and discourage participation in the judicial process. Additionally, recordings of the interior of court facilities, including security officers and devices could be used to circumvent court security protocols.

IT IS THEREFORE ORDERED, except as provided in this Order, that all types of video recording, photography, including sharing video or live-streaming to social media sites, or other types of broadcasting (hereinafter collectively referred to as “recording”) are prohibited in any facility during its use as a court; building entrances, exits, and adjacent restricted parking areas unless the person proposing a recording obtains advance written consent of the subjects and permission of the presiding judge or designee. This prohibition extends to recording the inside of a court facility through a door or window. This prohibition also extends to court offices not located in a courthouse.

IT IS FURTHER ORDERED, that a person who seeks to make a recording in a court facility other than a courtroom must submit a written request to designated court staff that provides the name of the requester, the written consent of persons to be recorded, and the proposed recording location, date, time, and manner. To assure timely response, the request should be made at least two business days prior to the proposed date. If permission for the proposed activity is denied due to an unacceptable location, date, time, or manner, and some alternative is acceptable, the court must inform the requester of that alternative.

IT IS FURTHER ORDERED that scheduled court-connected ceremonial proceedings, such as adoptions and marriages, or other events may be recorded without written permission subject to the authority of judges, Clerks of the Court, or court administrators to limit or terminate recording that is disruptive to court operations or that compromises court security.

IT IS FURTHER ORDERED that recording is permitted at the following courthouse locations: (e.g. museum space, photographs of historic courthouse features, etc.)

IT IS FURTHER ORDERED that this Order does not prohibit use of a personal recording device or scanner to copy a case file document that is otherwise available for

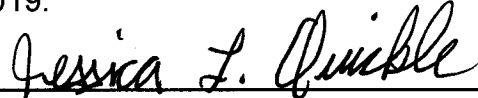
public inspection and copying. This Order does not extend to offices at a court facility occupied by non-court agencies such as city or county attorney, city clerk, or public defender.

IT IS FURTHER ORDERED that a law enforcement officer with a body-worn camera may activate the recording function of the camera when providing security within a court facility or when responding to a call for law enforcement assistance.

IT IS FURTHER ORDERED that court personnel provide notice and enforce this order as follows:

1. The court will post a copy of this Order on the court's web site.
2. The court will post a warning sign regarding the conduct prohibited by this Order at every public entry point of facilities governed by this Order.
3. Assigned court staff or security officers who observe a person violating this Order will:
 - a. advise the person of the violation orally,
 - b. provide a written Photography and Video Recording Violation Warning in a form like the attached sample,
 - c. direct the person to immediately stop and delete the recording,
 - d. if the person does not comply, direct the person to leave the facility, and
 - e. if the person does not comply, call law enforcement.

DATED this 12th day of August 2019.



Jessica L. Quickle, Presiding Judge
La Paz County Superior Court

PHOTOGRAPHY AND VIDEO RECORDING VIOLATION WARNING

1. Arizona Supreme Court Rule 122: Use of Recording Devices in a Courtroom, prohibits use of recording devices in a courtroom unless permission is given by the judge in advance.
2. Arizona Supreme Court Rule 122.1: Use of Portable Electronic Devices in a Courthouse, authorizes judges, clerks of court, and court administrators to “limit or terminate [recording] activity that is disruptive to court operations or that compromises courthouse security.”
3. Arizona Supreme Court Administrative Order No. 2017-79: Authorizes the presiding judge in each county to establish court security policies and procedures.
4. Administrative Order No. ____ - ____: Regulating Use of Photographic and Video Recording Devices in the Courthouse and Other Court Facilities Outside of Courtrooms, prohibits use of recording devices unless permission is given by the presiding judge in advance.
5. You have been observed violating one or more of the above rules and orders governing photography, videotaping, and filming in a court facility, you are:
 - a. Directed to immediately stop photographing and video recording.
 - b. If you refuse, you will be directed to immediately leave the court facility.
 - c. If you refuse, law enforcement will be called and you will be required to leave the court facility, may be arrested, may be held in contempt of court, and may be charged with criminal offenses including:
 - (1) A.R.S. §§ 13-1502 or -1503: Criminal Trespass
 - (2) A.R.S. § 13-2904(A)(1)-(4): Disorderly Conduct
 - (3) A.R.S. § 13-2921(A)(2)-(4): Harassment

Sample Recording Violation Warning

The Court has a responsibility to provide a safe environment for all persons working or having business in the La Paz County Superior Court. Supreme Court Administrative Order 2005-32 provides authority for presiding judge of the county to prohibit or regulate the possession of weapons or potential weapons in areas assigned to or controlled by the court. Restricting the presence of firearms, weapons, or other dangerous items of any type in the court building is essential to providing court security.

Section 38-1113 of the Arizona Revised Statutes regulates the carrying of firearms by peace officers and retired peace officers. The statute provides, among other things, that peace officers may be prohibited from carrying firearms in court buildings, except when acting in their official capacity and carrying peace officer identification and that peace officers or retired peace officers may be prohibited from carrying firearms in court buildings except when providing court security or responding to an emergency, if a presiding judge has established rules or policies consistent with the statute that establishes such prohibition.

Now, therefore, pursuant to Supreme Court Administrative Order 2005-32 and A.R.S. § 38-1113,

IT IS ORDERED that firearms, weapons, and other dangerous items shall not be brought into any La Paz County Court Facilities. Firearms may be carried by peace officers acting in their official capacity and carrying peace officer identification¹ or by peace officers or retired peace officers providing court security or responding to an emergency. Any other person carrying a firearm into any La Paz County Court Facility must be authorized by the presiding judge of the county.

IT IS FURTHER ORDERED THAT firearms may be carried by court security officers authorized by the Presiding Judge to be armed, must meet training requirements and may only carry a firearm when present for official duties.

IT IS FURTHER ORDERED that all persons, packages, purses, briefcases, boxes, and other containers may be examined upon entering the building through public access areas. Means of examination are at the discretion of the Court Security staff.

IT IS FURTHER ORDERED that any person who lawfully possesses a firearm, but is not specifically authorized by this policy to do so in the court building (including a person with concealed weapons permit) is responsible for storing the firearm in a safe manner either outside the court building or in a gun locker provided by the court. If all designated weapons lockers are in use, persons lawfully possessing a firearm shall store it in a safe manner outside of the court building.

¹ Officer conduct and weapons screening policy is further outlined in attached appendix A.

IT IS FURTHER ORDERED court security personnel shall have the discretion to ban entry into any La Paz County Court Facilities or temporarily store any item thought to pose a security risk. Questions or complaints should be referred to Clerk of the Superior Court.

**LA PAZ COUNTY COURTS
OFFICER CONDUCT AND
WEAPONS SCREENING POLICY**

INTRODUCTION

The provision of safety and security in court facilities is a critical aspect of an efficient and effective court operation. The limitation of weapons and other contraband from the confines of the court is a basic component of a practical and effective contraband reduction program.

PURPOSE

To establish a procedure for weapons screening of persons entering the La Paz County Courthouse by court security personnel.

SCOPE

This policy applies to all members of the La Paz County Courthouse security staff who are assigned to weapons screening duties.

POLICY AND PROCEDURE

I. Officer Conduct

- A. Court security personnel assigned to screen all individuals and parcels entering the La Paz County Courthouse shall familiarize themselves with the proper operation of the screening device and shall be able to competently operate said equipment.
- B. All court security personnel shall receive and successfully complete training in the proper operation of said screening equipment.
- C. Court security personnel shall treat individuals subject to screening with dignity and courtesy.
- D. Court security officers assigned to screening shall maintain a professional demeanor and shall not allow themselves to be distracted from the screening procedure. Screeners shall be polite and courteous to all entering the building, but involvement in social interaction shall not interfere with the screening process.
- E. If an individual enters the screening area, private social interaction shall cease and attention shall be focused on the screening process.
- F. Court security officers shall not leave their assigned posts unless properly relieved.

II. Screening Procedures

A. Screening device post

1. All persons entering the entrance of the La Paz County Courthouse shall be screened.
2. On-duty law enforcement officers shall be allowed to retain their weapons while in the court facility unless the officer is a party to a personal case pending before the court. Upon presentation of proper credentials, on-duty officers shall be allowed to bypass the screening process as directed by the screener. Non-uniformed law enforcement officers shall be instructed to immediately identify themselves with the court officer in the courtroom in which they have business.

Provisions should be made to accommodate undercover officers who are in the court facility. It is important that they not be publicly identified.

3. The court security officer assigned to the screening post shall conduct a test of the screening device each day prior to the opening of the Courthouse facility to ascertain that it is in proper working order.
4. Should the screening device not be in proper working order, the officer conducting the test shall notify the security support at once so that maintenance and repair may be performed in a timely manner. Screening shall be conducted by use of handheld screening devices until the screening device is again in working order.
5. Immediately upon entering the facility, individuals shall be greeted by the screening officer and instructed as follows:
 - a. If the person has any prohibited item in their possession (see page 3) they must return it to their vehicle before proceeding through the screening process. Officers shall require individuals to activate any permitted electronic devices, i.e. laptop computers, palm pilots, etc. to insure they are working prior to entering the facility. See attachment A for a sheet to be given to the general public if Security Personnel is questioned by the General Public.
 - b. All packages, parcels, purses, and briefcases shall be placed either on the screening table or on the x-ray conveyor (if x-ray equipment available) without being opened. The screening officer may open and visibly inspect any item. If deemed necessary, it shall also be subject to screening by a hand-held screening device. Visual searches shall be as non-invasive as possible. Screening officers shall limit their search to finding prohibited items. Officer may request person take packages, backpacks, etc. back to their vehicle if not needed for court.

- c. All metal objects (loose change, keys, watch, pen(s), belts, jewelry, etc.) shall be placed in the provided container to be retrieved after passing through the screening device.
 - d. Persons wearing items or clothing with excessive metal (i.e. bib overalls, coveralls, non-removable belts) may be denied access to the Courthouse if the clothing activates the scanning device. The aforementioned items may be removed and placed through the x-ray scanning device if available.
6. Should an individual refuse to allow any package, parcel, purse, or briefcase to be examined or refuses to proceed through the screening device (except for medical reasons as outlined below), the individual may be allowed to terminate the screening process, collect his/her property and exit the facility.
 7. If an individual passes through the screening device and activates the alarm, he/she shall be given the opportunity to ascertain whether any metal object may have been overlooked. However, should the individual decide to terminate the screening process, and collect his/her belongings, he/she shall be allowed to do so.
 8. An individual who has activated the alarm and still desires entry to the facility shall be asked to re-examine their person for additional metal objects and deposit any found into the provided container. They shall then pass through the screening device again. Should the alarm be activated again, the individual shall be screened using a hand-held screening device.
 9. Should contraband be discovered, the item(s) shall be confiscated and a person who has the power of arrest shall be contacted forthwith. Proper disposition shall then be made of the contraband as well as the individual transporting it. Should it become necessary, during such an incident, other persons desiring to enter the court facility may be instructed to wait outside and the entrance shall be secured by security personnel until such time as the situation has been resolved.

Should the individual exit the facility prior to the arrival of appropriate law enforcement assistance, court security officers shall not pursue the individual but will notify local law enforcement. Should the individual not flee, a person with appropriate power of arrest may make a custodial arrest as permitted by law.

10. Should an individual indicate that passing through the screening device would create a potential health hazard (i.e. pace maker, lactating mother or other valid medical condition); the screening officer shall require verification of said condition. The individual shall be allowed to bypass the screening device and may be subject to a pat-down search of their person. Female Probation Officers are available for female pat-down.

III. Prohibited Items

- A. The following is a list of prohibited items. Individuals found in possession of such items shall be required to return such items to his/her vehicle as a condition of entry:
1. Legal firearms
 2. Legal knives or edged instruments
 3. Aerosol sprays
 4. Pepper spray
 5. Chemical mace
 6. Non-working electronic devices
 7. Razor blades
 8. Scissors
 9. Utensils or tools of any kind
 10. Knitting needles or hat pins
 11. Heavy metal items such as locks, chains, handcuffs, large keys
 12. Any item which could be construed as a potential weapon by the screening officer
- B. The La Paz County Courthouse shall not store or voucher any items to be reclaimed later.

IV. Public Notice

It is recommended that courts compose and prominently post a notice that outlines the screening policy and procedure of the court.

V. Violation

Violation of this policy may result in arrest.

The following items are prohibited from being brought into any La Paz County Courthouse by the General Public.

- 1) Any sharp objects including screwdrivers, pointed scissors, and needle point.**
- 2) Large Tools**
- 3) Handguns**
- 4) Rifles**
- 5) Shotguns**
- 6) Stun Guns**
- 7) Pepper Spray/Mace**
- 8) Any other item deemed to be a security risk at discretion of Courthouse Security Personnel**

The Security Deputy at the desk will not hold any of the above items.

Per order of:

**Presiding Judge
La Paz County Sheriff
Clerk of the Court**