

RULE 33. Hamilton County Courthouse

As such, the Hamilton County Courthouse and the allocation of space therein rests within the authority of the Court of Common Pleas.

(A) ACCESS TO DISABLED - It is the intention of the Court that the Courthouse, as far as reasonably possible, be accessible to all persons including those with disabilities. The Court Administrator is hereby designated to consider grievances and is directed wherever reasonable, to take that action necessary to accommodate persons with special needs.

(B) USE OF FACILITIES - Persons, groups or companies wishing to utilize facilities within the Courthouse for any purpose other than ordinary Court business shall first make application in writing to the Court Administrator who shall grant or deny said application based upon the following:

1. The extent to which said activity will interfere with the proper and routine operations of the Court or other agency housed within the Courthouse.
2. The appropriate nature of the activity and its reflection on the solemn purpose of the Court and the justice system.
3. The applicant(s) ability to insure the Court and the County against any damage and/or peril which may result from this activity.
4. The safety and security of the applicant, the public and employees of the County and the Court.

The provisions of the County Commissioners' Policy for all Solicitations, Distributions, and Gatherings dated December 10, 1986, shall be complied with unless otherwise amended or repealed.

(C) SMOKING PROHIBITED

Except within judicial space and where otherwise designated, smoking is prohibited within the Courthouse.

1. Within judicial space which includes the assigned courtroom, chambers and jury room of each judge, activities are within the control of that particular judge. All cigarettes, cigars and smoking devices must be extinguished prior to entering the Courthouse. The Court Administrator shall see that proper signage is posted to inform the public of this regulation.

2. The Court Administrator shall designate on each floor sufficient space to allow those of the public who wish to do so to smoke. Reasonable effort shall be made to contain smoke in this area and to prevent it from migrating to nonsmoking areas. Where possible, smoking areas should be located such that the general public does not have to pass through the smoking area to access other public facilities.

In designating smoking areas, the Court Administrator should take into consideration the requests of the elected officials who occupy facilities on that floor of the Courthouse.

(D) HAMILTON COUNTY COURTHOUSE SECURITY POLICY

In the interest of providing the highest level of security for the persons visiting, required to attend, or employed in the Hamilton County Courthouse, the Court has established the following security policies:

1. Security Policy and Procedure Manual

The Hamilton County Sheriff, with advice and assistance from the Court Administrator, shall develop and present to the Court a proposed written Security Policy and Procedure Manual governing security of the Court and its facilities. The manual shall include a physical security plan including the installation of walk-through metal detectors and x-ray equipment to provide security screening at Courthouse entrances; routine security operations; a special operations plan; a hostage situation response plan; a high risk trial plan; and emergency procedures (fire, bomb, disaster).

2. Court Security Advisory Committee

The Facilities Committee of this Court shall advise the Court on issues of security. This Committee shall review and make recommendations to the Court regarding any proposed security policy and any amendment or revision to the Security Policy and Procedure Manual and in the performance of this duty shall confer with the following:

- a. A designee or representative of each of the Courts housed in the Hamilton County Courthouse;
- b. The Hamilton County Sheriff;
- c. The Hamilton County Clerk of Courts
- d. The President of the Hamilton County Commissioners;
- e. A trial lawyer;
- f. A citizen representative.

3. Persons Subject to Security Screening

All persons entering the Courthouse shall be subject to security screening. Screening shall occur for each visit to the Courthouse during hours of operation regardless of the purpose.

Notwithstanding the above: all elected officials whose offices are maintained in the Courthouse, Court employees, Clerk of Court employees, Law Library staff, Building Superintendent staff, Probation Officers, including those Probation Officers authorized to carry firearms when on official business and uniformed Police Officers (on official business, see Rule 33, Section 5(b) and 5(c)), shall be exempt from security screening. Proper identification (see Rule 33, Section D(13)) must be displayed by the above-exempted group in order to gain access to the Courthouse. Court, Clerk of Court, Law Library, Building Superintendent staff and Probation Officers who require access after operating hours may be granted such general access by the

Presiding Judge of the Court of Common Pleas. Similarly, Court, Clerk of Court, Law Library and Building Superintendent staff who require access through the garage entrance of the Courthouse may be granted such by the Presiding Judge of the Court of Common Pleas. All requests for special access privileges shall be in writing.

4. Uniform Law Enforcement and Security Officers

a. Four (4) uniformed armed Sheriff deputies shall be assigned generally to the Courthouse specifically for the purpose of providing court security. Additional deputies shall be assigned by the Sheriff for the transportation of prisoners within the Courthouse.

b. All security officers, including Sheriff's deputies and the Clerk's criminal bailiffs attending the Municipal Court, assigned to court security shall be certified to carry a firearm with annual recertification. These officers shall receive specific training on Courthouse security and weapon instruction specific to the Court setting.

5. Weapons and Explosives

a. No weapons shall be permitted in the Courthouse except those carried by court security officers or as defined in Section b. below.

b. Law enforcement officers acting within the scope of their employment as a witness or on official business shall be allowed to carry their official side arm within the Courthouse.

(See also Section 3 of this rule)

c. In all cases, law enforcement officers who are parties to a judicial proceeding as a plaintiff, defendant, witness, or interested party outside of the scope of their employment shall not be permitted to carry their official sidearm within the Courthouse. (See also Section 3 of this rule)

d. No person entering or while on Courthouse property shall carry or possess explosives or items intended to be used to fabricate an explosive or incendiary device, either openly or concealed, except for official business.

6. Cell Phones, Cameras, Pagers, Laptop Computers, and Other Electronic Devices

a. Unless otherwise permitted in accordance with Rule 30 of these Local Rules, the operation of any cellular or portable telephone, camera (still or video), pager, beeper, computer, radio, or other sound or image recording or transmission device is prohibited in any courtroom or hearing room, jury room, judge's chambers or ancillary area (to be determined in the sole discretion of the Court) without the express permission of the Court. All such devices must be turned off in the above-listed areas at all times.

b. Duly licensed attorneys and their paralegals/assistants appearing in court, courthouse employees, public safety officers, authorized contractors and vendors, court staff, and any others authorized by the Court are exempt from the prohibition set forth above unless ordered by the Court.

c. Any person or persons violating this Rule are subject to sanctions for contempt and or criminal prosecution, and may be ejected from any restricted area described above or from the courthouse, and any item or device operated in violation of this Rule may be confiscated by court staff or courthouse security personnel and held until the offending person(s) leave(s) the courthouse. In no event shall the Court or any court or security personnel be liable for damage to any device confiscated and/or held in accordance with this Rule.

Amended 11/1/2010

7. Prisoner Transport Within The Courthouse

a. Prisoners shall be transported into and within the Courthouse through areas which are not accessible to the public wherever possible. When a separate entrance is not available, and public hallways must be utilized, prisoners shall be handcuffed behind the back and, when appropriate, secured by leg restraints. If prisoners must be transported through hallways and entrances accessible to the public, public movement in the area should be restricted during the time of prisoner transport.

b. Prisoners shall be held in a secured holding area, where practicable, while awaiting court hearings and during any recess.

c. Law enforcement officers transporting prisoners shall accompany prisoners to the courtroom, remain during the hearing or trial and return prisoners to the secured holding area. Judicial bailiffs shall not have specific responsibility for the transport or custody of prisoners.

8. Duress Alarms for Judges and Court Personnel

All courtrooms and hearing rooms shall be equipped with a duress alarm connected to a central security station located for highest response time from the Hamilton County Sheriff. Duress alarms shall be located on the Judge's bench, in the Judge's chambers, at the work stations of the courtroom bailiff, courtroom clerk, constable or law clerk and at reception stations to court support agency offices. Testing of duress alarms shall be done regularly by the Hamilton County Sheriff.

9. Closed Circuit Video

Closed circuit video surveillance shall be allocated to the four corner entrances, hallways, lobbies, courtrooms (Currently in Municipal Court) and parking areas of the Courthouse. Such closed circuit video surveillance system shall be monitored by trained security staff employed by the Hamilton County Sheriff.

10. Restricted Access to Offices

The general public shall not be permitted, unless otherwise invited, in the area that houses office space for Judges and other court personnel or court support agency.

11. After Hours Security

Restricted access equipment shall be installed at the evening entrance to the Courthouse and at the garage entrance to the Courthouse which shall prohibit entry to any persons after general operating hours other than those persons granted general access authority pursuant to Section 3 above.

12. Incident Reporting

a. Every violation of law that occurs within the Courthouse shall be reported to the Hamilton County Sheriff.

b. When any type of weapon or explosive is confiscated from an individual entering the Courthouse, the Hamilton County Sheriff shall check for any open warrants on the individual who was found in possession of the weapon or explosive.

c. The Hamilton County Sheriff shall report to the Presiding Judge of the Court of Common Pleas, on the appropriate form, any violation of law or security incident that may take place within the Courthouse.

d. The Hamilton County Sheriff shall annually tabulate such incidents and report such to the Presiding Judge of the Court of Common Pleas of Hamilton County, Ohio prior to the last day of January of each year.

13. Training

The Hamilton County Sheriff shall annually hold meetings and review emergency response procedures with the Courts, Court support agency staff, Clerk of Court staff, Law Library staff and Building Superintendent staff to ensure preparedness. Such meetings shall take place within 60 days after delivery of the incident report. The Hamilton County Sheriff, at these meetings, shall review and update the Court and attending staff regarding the Court Security Plan.

14. Proper Identification

All Court employees, Clerk of Court employees, Law Library staff, Building Superintendent staff and Probation Officers working or making appearances in the Courthouse shall be provided with and shall display an identification card which shall contain, at least, a photo of the employee, the employee's name, the employee's job title (i.e. Clerk of Court employee, etc...), employing agency (if applicable) and the employee's signature. Also, uniformed Police Officers shall display their badges as identification to gain access to the Courthouse or shall be able to provide any other identification as is available to that individual. The application form for this identification card can be picked up in the Court Administrator's office, Room 205, Courthouse. The application form will include a statement of agreement that the individual will not bring weapons or explosives into the Courthouse and the application form must be signed. Signing the application form will also serve as a release allowing the Court to perform a police record check. The photograph for the I.D. will be taken in room 205, Courthouse, or other appropriately equipped location and will be affixed to the I.D. A duplicate of each card shall be kept by the

Court Administrator's office. All such cards shall be returned and defaced upon the termination of employment.

15. Night Cleaning and Maintenance Staff

All night cleaning and maintenance staff will be required to carry and produce, upon entry to the Courthouse, the same proper identification as indicated in Section 13 above. A police record check will be performed on all night cleaning and maintenance staff. All nighttime staff will be subject to the same regulations as described in this Rule. Access to the Courthouse shall be through the appropriate after hours entrance.

16. Mail and Package Delivery

All U.S. Post Office mail and related packages from the U.S. Post Office or other delivery services (i.e., Federal Express, etc...) will be required to be examined by the Courthouse x-ray equipment prior to being forwarded to the Courthouse for delivery. All larger deliveries (i.e., envelope, stationary, furniture and equipment, etc....) shall be made through the garage entrance of the Courthouse or other appropriate delivery location and will be subject to a hand search by a Hamilton County Sheriff Deputy or a designee (if after hours) and may also be reviewed by a hand-held metal detection device, if appropriate.

17. Local Attorney Exemption

All local attorneys may obtain proper identification from the Clerk of Courts office allowing the attorney to be exempt from security screening, subject to any direction or order by the Sheriff, any Sheriff's deputy, or authorized courthouse security personnel. This identification will be similar to the badge noted in Section 13 of this Rule and will be shown upon entering the Courthouse.

The Court Administrator for the Court of Common Pleas has been designated by the Court as the person to authorize the attorney's badges. The applications for the badges can be picked up in Room 410, Courthouse, between 8:00 a.m. and 4:00 p.m. The completed application shall be returned to Room 410. The Court Administrator will verify the status of attorney's Supreme Court of Ohio registration.

The badge will then be issued by Common Pleas Clerk of Court staff. Attorneys will have photographs taken in Room B-25, Hamilton County Courthouse, between the hours of 8:00 a.m. and 3:30 p.m. A photograph of the attorney, the attorney's name (in large print), the Court Administrator's signature and an authorized date of issuance will appear on the card.

The badge issued to any attorney and the exemption from security screening may be revoked at any time by the Court Administrator or any Judge of this Court.