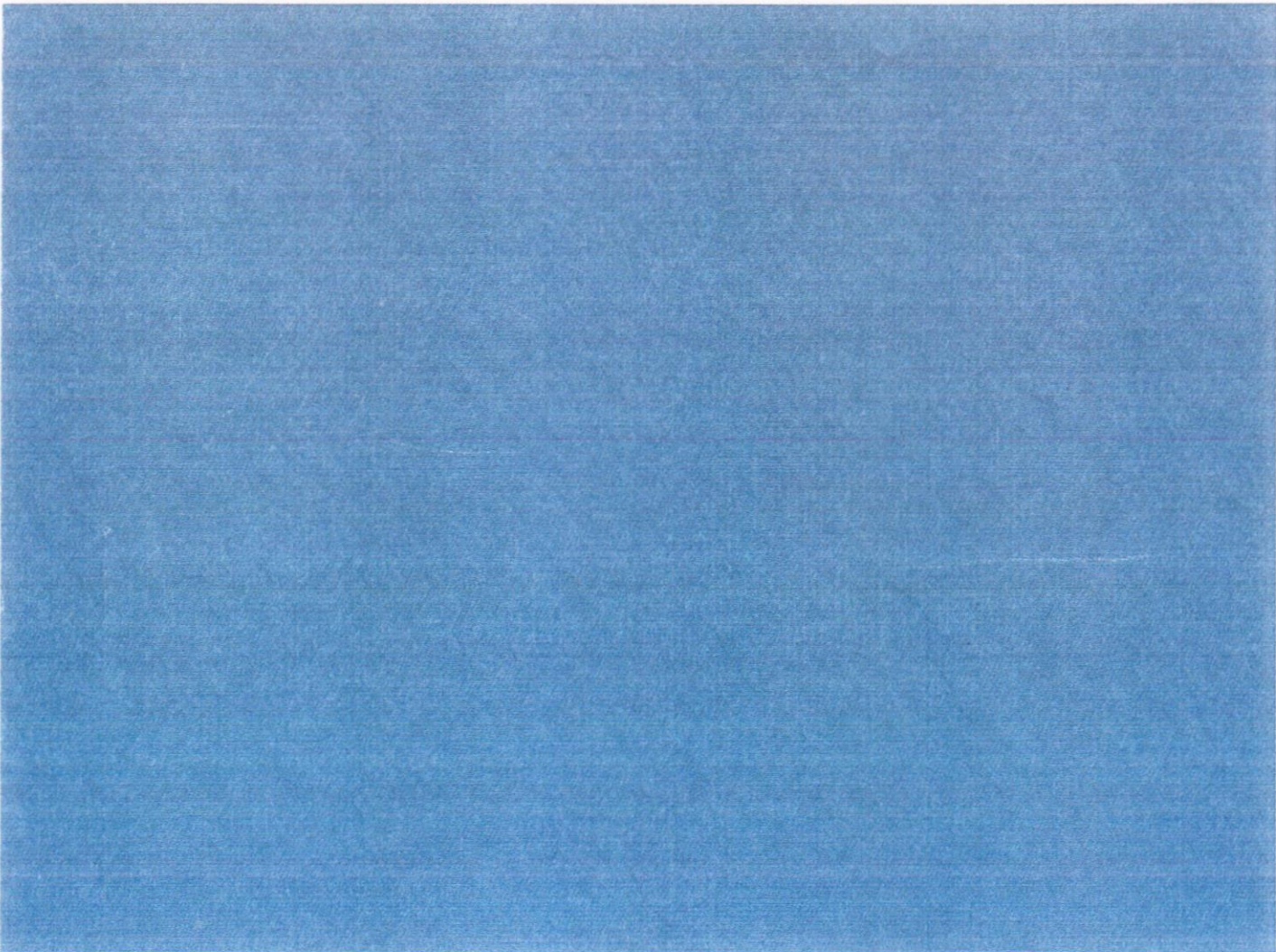


**TITUS COUNTY SECURITY  
PLAN RECOMMENDATIONS**



## Titus County Security Committee Recommendations

To: Titus County Commissioner's Court

From: Titus County Court Security Committee

### **RE: Recommendations for County Courthouse Security Procedures**

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On May 3<sup>rd</sup>, 2018, Administrative District Judge Robert Rolston and District Judge Danny Woodson established the Titus County Security Committee. This committee was formed pursuant to Texas Senate Bill 42, which took effect on September 15, 2017. Members of the Committee are:

- Titus County Judge Brian Lee
- Titus County Attorney John Mark Cobern – Designee Paul Lindsey
- Titus County Commissioner Dana Applewhite
- Titus County Commissioner Al Riddle
- Titus County Auditor's Office Nanette Wilabay
- Titus County Sheriff's Office- Designee Lt. Price
- Titus County District Attorney Chuck Bailey
- Titus County Justice of the Peace Irma Dunn
- Titus County Justice of the Peace Steve Agan
- Titus County Clerk Joan Newman
- Titus County Constable Ray Barrett
- Titus County Constable Chris Durant
- Titus County Bailiff Ken Wilson
- Administrative District Judge Robert Rolston
- District Judge Angela Saucier

#### **I. Key Mandates of Texas Senate Bill 42 that affect us:**

1. Establish a local court security committee to recommend security policies and procedures for Titus County's various courtrooms.
2. Institute training requirements for all court security personnel
3. Add a \$5.00 filing fee in civil cases to pay for court security training.

4. Requires the sheriff, constable, or other law enforcement agency or personnel who provides security for a court to provide a written report to the Office of Court Administration regarding any security incidents involving court security no later than three days after the incident.

**II. Titus County Courthouse security recommendations from the Committee:**

**Hours of Operation:**

1. Unless otherwise directed by Court authorities, normal operating hours for the Courthouse, Justice of the Peace Office and the Annex will be 8:00 am-5:00 pm, Monday through Friday, excluding Titus County holidays as approved by the Commissioner's Court.
2. There may be times when court will be in operation outside the normal business hours to accommodate a jury trial or non-jury trial at the discretion of the Judge.

**III. Entry and Exit Procedures for Persons Entering Courthouse Annex, Justice Center and the Titus County Court House (Non-County Employees):**

1. All persons entering the Annex shall pass through the entrance at 105 West 1<sup>st</sup> Street where the security checkpoint has been established.
2. All persons entering the Justice of the Peace Office shall use the east entrance only, where the security checkpoint has been established.
3. All persons entering the Titus County Courtroom on the second floor of the Courthouse shall pass through the security checkpoint that has been established.
4. All persons entering shall be screened by metal detector when court is in session.
5. **No** firearms (including black powder), knives, clubs, fingernail files, scrapers, razors, utility knives, or any other item deemed dangerous, at the discretion of the security officer will be allowed to pass the security checkpoint.
6. During times court is in session at the Titus County Annex, Titus County Commissioners Courtroom, or Justice of the Peace Court, all persons entering shall pass through the security checkpoint, at the respective location, consisting of a walk through metal detector. If the walk through metal detector signals metal

present the person shall be screened until the source of the metal is known to the Officer / Bailiff operating the metal detector. The Officer should use his or her judgement regarding the use of hand held wand metal detectors and the use of a Terry Frisk.

7. At no time should a Court security officer, bailiff or other employee of Titus County hold or keep safe personal property belonging to another including but not limited to unauthorized knives, firearms or any other item the officer may come in contact with while manning the metal detector. However, if an arrest is made while manning the metal detector, the Officer has full authority of search and seizure.
8. All officers manning the metal detector should familiarize themselves with Texas Penal Code 46.03- Places Weapons Prohibited. All Officers should also be familiar with and have a good understanding of current handgun license laws and any defenses to prosecution granted under either section. All officers manning security checkpoints shall keep up to date on case law and changes in State and Federal law that may impact your duties or enforcement ability at the security checkpoints. Staying compliant with Texas Commission on Law Enforcement education requirements and all required law update classes will suffice as "up to date" on changes in State and Federal Law. Before manning a checkpoint, any officer with questions regarding security checkpoints, licenses to carry or case law should contact their supervisor and if necessary, the Titus County Attorney.
9. Exit from the Courthouse, Annex and Justice of the Peace courtrooms is walk out only-no screening required. All person shall be re-screened prior to re- entry, no exceptions.
10. Except in cases of emergency, all officers manning the metal detector shall stay in compliance with SB42 and Texas Commission of Law Enforcement, requirements.

#### **IV. Entry and Exit Procedures for Titus County Employees and Court Personnel:**

Titus County and District employees, may enter the Titus County Annex, Titus County Justice of the Peace Court or Titus County Courthouse as directed by the Titus County Commissioners Court, Titus County Judge and the Titus County Justice of the Peace utilizing the respective facilities. However, should the need arise, the security officer, bailiff or other law enforcement manning the security checkpoint may, at his/her discretion, screen any employee entering a secured area listed above. Judges may at any time ~~may~~ ORDER additional screening of

employees for any reason or no reason at all.

NOTE: It is expected that the security officer(s) become familiar with regular county employees. Security officers will make themselves familiar with the District Judges and their court reporters, the District Attorney/Assistant District Attorney, County Judge, County Commissioners, Sheriff, Justice of the Peace and other local officials. These individuals will have no screening and priority (front of the line) entry privileges on their respective court days.

If a Titus County employee, District Court employee or elected official becomes a party to or potential witness in a pending case set before any court in Titus County, the employee should notify their supervisor or elected official and the security officer at 903-577-6736 within 48 hours of becoming aware of the situation. The supervisor shall make sure that court security personnel are aware of any such issue. An employee who becomes a party in a pending case in Titus County shall be screened as a non-employee.

**V. Escort Requests and Parking:**

1. It is preferable for Judges to park in an area covered by the county's surveillance cameras.
2. Judges, in their discretion, may notify the Sheriff's office (903-572-6641) or the courts bailiff as soon as possible prior to their arrival. Law enforcement will meet the Judge upon his/her arrival and provide escort to the courtroom or chambers. This is especially preferable on jury or docket call days due to large crowds.
3. A person attending a court proceeding, party to a suit, attorney or court staff may request an escort to their vehicle through the Judge in charge of the Court in session. Officers may escort these individuals to their respective vehicle. However, a security officer should not leave his post at the security checkpoint until released by either the Judge or another officer.

**VI. Package Delivery**

1. All packages and parcels delivered to the Courthouse, Annex or Justice of the Peace, are subject to screening by law enforcement.

## **VII. Response to Courthouse/Courtroom Disorder/Critical Incident Response**

1. The use of Secure-Tech panic buttons and 911 should **ALWAYS** be used in cases of emergency.
2. The Bailiff / Security officer will update the Sheriff's Office if additional assistance is needed in the Courtroom.
3. During high profile cases, and/or at the request of the presiding Judge, the Titus County Jail or the Prosecuting Attorney, extra court security officers may be stationed in the Courtroom during the announcement of verdict, sentencing or other times deemed appropriate.
4. During any incident that requires evacuation, the secure areas will be the Judge's chambers or law library at the annex. The secure area at the Titus County courthouse will be the County Judge's chambers. The secure area at the Justice of the Peace is the respective Judge's chambers. The specific secure area may be changed by the bailiff and other officer's present, depending on the location of the disturbance and other factors.

## **VIII. Inmate Escort and Courtroom Conduct**

1. All incarcerated inmates shall be transported to the Courtroom with full leg shackles, a belly belt, and handcuffs. Exceptions due to handicap conditions will be at the discretion of the Titus County Jail officer, Judge and bailiff.
2. Inmates shall normally be seated at the direction of the Judge or Court Security Officer or bailiff in charge. During plea days, writ hearings, or other non-jury days, at the Annex, inmates **SHALL be seated in the Jury room**, away from other members of the public unless otherwise directed by the Judge or Court Security.
3. Officers transporting inmates should attempt to minimize close contact with the Judge, court staff and officers of the court.
4. If space is available, there will be one empty chair between inmates. Inmates shall not talk, gesture, or signal to anyone in the gallery while in the courtroom. Inmates will communicate with law enforcement, Judges, court personnel or their attorney only.
5. During all phases of any proceeding, Titus County Jail officer will notify the bailiff or court security officer when delivering inmates to the location in

question.

6. During ALL phases of any proceeding involving a Jury (including jury selection and trial) all inmates **shall** be dressed in street clothes for trial. Inmates should be brought from the jail to a designated area in shackles and handcuffs. The bailiff and escorting officer shall coordinate removal of restraints out of sight of potential or actual jurors to the extent possible. **ANY INMATE NOT WEARING HANDCUFFS AND SHAKLES SHALL WEAR HIDDEN ELECTRIC SHOCK COMPLIANCE DEVICES CURRENTLY USED BY THE TITUS COUNTY JAIL. OTHER ELECTRONIC SHOCK DEVICES MAY BE USED AS TECHNOLOGY ADVANCES. ALL DEVICES SHALL BE TESTED BY THE TITUS COUNTY JAIL ADMINISTRATION OR DESIGNEE ON A REGULAR BASIS TO INSURE THEY ARE OPERATING CORRECTLY. IN ADDITION TO THIS REGULAR TESTING, TITUS COUNTY CORRECTIONAL OFFICERS SHALL TEST THE SHOCK DEVICE BEFORE PUTTING IT ON ANY INMATE FOR TRANSPORT. ANY ELECTRONIC SHOCK COMPLIANCE DEVICE THAT IS OPERATING ABNORMALLY SHALL NOT BE USED.**
7. Any inmate deemed violent or a security/escape risk shall, at the request of the Sheriff and approval of the presiding Judge, remain in either full or partial restraints during courtroom presence. Reasonable effort should be exercised to balance the need to restrain the Defendant while preserving any prejudicial effect before a potential or actual jury.
8. When court business is finished, all inmates will be escorted back to the jail by Titus County Jail Officers. This includes inmates sentenced to probation or released so that proper processing of the inmate may be accomplished.

#### **IX. Conduct of Courtroom Gallery**

1. The Bailiff and ultimately the Judge will be responsible for conduct of any courtroom gallery present during court proceedings.
2. All persons will refrain from talking during any court proceedings.
3. Persons in the courtroom will not attempt to talk to, gesture, signal, or otherwise communicate with any inmate or non-inmate defendant present in

the courtroom.

4. Family members or other personnel will not interfere with the transport of any inmate to and from the jail.
5. No inmates are allowed in the District Clerk's office, District Attorney's Office, County Clerk's Office or any Judges Office.
6. All cell phones, tablets, cameras and other electronic devices will be off when brought into the courtroom. Any violation of this will result in the cell phone or other device being taken by the Bailiff and returned at the conclusion of court and/or being held in contempt of court.
7. No recordings of proceeding or pictures may be taken while court is in session without prior written consent from the Judge of the court.
8. Any unusual disturbing activity, such as repeated exit/ entry from the courtroom during proceedings, shall be addressed by the Bailiff.
9. Any officer or bailiff has authority to detain any individual that refuses to comply with the Courtroom conduct rules listed above for a determination by the Judge of Contempt of Court.
10. Officers may detain, arrest or cite anyone that violates Texas Penal Code 42.01- Disorderly Conduct or other Penal Code violation that occurs in their presence as set forth in the Texas Code of Criminal Procedure and Texas Penal Code. The detained or arrested person should be brought before the Judge of the Court in session before transporting him/her to jail.  
However, if the conduct of the individual detained or arrested is unreasonable and he/she continues to be disorderly, the officer or bailiff may transport that individual directly to the Titus County Jail for officer safety and protection of the public.

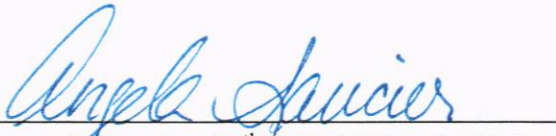
#### **X. Long Term Goals**

It is the committee's recommendation that County Court, ~~Commissioners Court~~ and District Court be held in a central location as to reduce the number of officers it takes to man the multiple courtrooms and metal detectors.

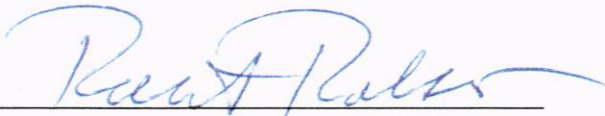


**XI. Final Recommendation of the Committee**

The foregoing Titus County Court Security Plan Recommendations to the Titus County Commissioners Court was formally approved by a majority or unanimously by the Titus County Security Committee on this 23rd day of May, 2019.



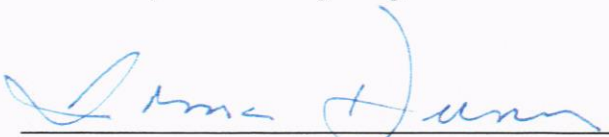
Angela Saucier, 76<sup>th</sup> Judicial District Judge



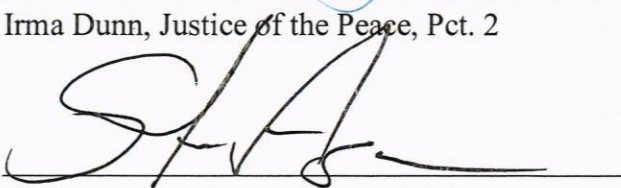
Robert Rolston, 276<sup>th</sup> Judicial District Judge



Brian Lee, Titus County Judge



Irma Dunn, Justice of the Peace, Pct. 2



Steve Agan, Justice of the Peace, Pct. 1, 3 & 4