



CHIEF JUDGE ORDER 2019-17  
STATE OF COLORADO  
FIRST JUDICIAL DISTRICT

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WEAPONS AND PROHIBITED ITEMS

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In accordance with the inherent authority of the 1<sup>st</sup> Judicial District to manage their facilities, the Chief Judge of the 1<sup>st</sup> Judicial District hereby enters the following Order prohibiting persons from bringing deadly, dangerous and illegal weapons, concealed or not concealed, inside all court-related facilities located within the District, including, but not limited to: the Jefferson County Administration and Courts Facility located at 100 Jefferson County Parkway, Golden, CO., Gilpin County Courthouse, 2960 Dory Hill Road, Suite 200, Black Hawk, CO.

The courts have the inherent power to regulate their own environment to provide for the safe, effective administration of justice, to enable the courts to perform their duties efficiently, and to provide for their dignity, independence, and integrity. This inherent power is derived from the Constitutional exercise of the courts as one of three co-equal branches of government. It is independent of and exists regardless of any statutory authority. See Article III, Colorado Constitution; *Pena v. District Court*, 681 P.2d 953 (Colo. 1984). This inherent power specifically includes the ability to make orders providing for the safety and security of the court. *Board of County Commissioners v. Weld County v. 19th Judicial District*, 895 P.2d 545 (Colo. 1995). The chief judge of a judicial district has authority to enter such orders as may be needed to provide for the security and safety of the court. Chief Justice Directive 95-01; *Board of County Commissioners, supra*; *People ex. rel. Sullivan V. Swihart*, 897 P.2d 822 (Colo. 1995).

This order includes the common and reception areas, the clerk's office, probation department, private offices, as well as courtrooms. It does not apply to other parts of county buildings utilized for other county operations and it does not apply to the Jefferson and Gilpin County Sheriff's Office, and its deputies and agents, in the discharge of duties pertaining to building security and the transportation of prisoners.

Litigation by its very nature may create strong feelings in participants, which can, unfortunately, be conducive to violence or the threat of violence. The public – litigants, witnesses, victims of crime, jurors, and other participants in the legal system such as judges, magistrates, and court employees – is entitled to feel safe and secure in county and district courthouses, courtrooms and common areas. People are entitled to come to court to seek resolution of disputes or enforcement of rights knowing that, no matter how high the emotions of the participants or how volatile the subject matter of the conflict, they are personally safe from violence, abuse, or the threat of same. Violence, or the threat of violence, in the courts, would inhibit the free exercise of the Constitutional rights of our citizens, and bring the courts into disrepute.

The efficient, effective, and fair administration of justice requires that the public have confidence in the safety and security of the County courthouses and court facilities. This assurance of safety cannot be given if firearms or other weapons are allowed into the county courthouses or court facilities. Legislation regarding carrying concealed weapons may have created some uncertainty or misunderstanding regarding the power of the courts to prohibit weapons in court. It is beneficial to clarify that the authority of the courts to safeguard the administration of justice, being inherent, derived from the Constitutional existence of the courts, and independent of the other two branches of government, is unaffected and unchanged by such legislation or local rules or ordinances.

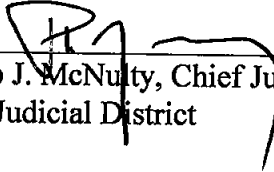
The definitions of the prohibited weapons are as defined by Colorado law, i.e. deadly weapons (currently defined in §18-1-901(1) (e), C.R.S.), firearms (currently defined in § 18-1-901(3)(a), C.R.S.) and dangerous and illegal weapons (currently defined in §§ 18-12-101 & 102, C.R.S.).

IT IS THEREFORE ORDERED as follows:

1. No person except peace officers shall bring any firearms, deadly, dangerous and illegal weapons, concealed or otherwise, into the court areas of the Jefferson County Administration and Courts Facility located at 100 Jefferson County Parkway, Golden, CO., Gilpin County Courthouse, 2960 Dory Hill Road, Suite 200, Black Hawk, CO.
2. A peace officer entering any court facility shall be permitted to carry his or her duty weapon subject to the exceptions listed in Paragraph 3 of this order. The stipulations outlined herein shall apply whether or not the peace officer is then on duty, and regardless of whether the officer is in uniform or civilian clothing. If the peace officer is carrying a weapon and is not wearing the uniform issued by the department for which he or she is employed, which uniform clearly identifies the person as an officer then the officer shall complete the form located at the courthouse security station at the entrance of the building and obtain an identification tag. The identification tag shall be displayed in open view on the shirt or jacket of the person at all times the peace officer is carrying a weapon in the courthouse. This tag signifies to the judicial officers, court employees, courthouse security personnel, and Sheriff's designees that the person is a peace officer and is carrying a weapon.

3. A peace officer, including Jefferson and Gilpin County Sheriff designees, shall not carry or possess a weapon if that person is inside a court facility wherein the officer, or a spouse, significant other, or family member of the officer is a named party or victim in a case pending before the court.
4. No permit authorizing the carrying of concealed weapons shall be construed as abrogating or affecting this order.
5. The Sheriff or Sheriff's designees shall enforce this order. The courts of this judicial district may enforce this order via contempt, or as otherwise allowed by law. Anyone entering any court facility may be subject to search on reasonable suspicion that they might be in violation of this Order.
6. Employees of the Colorado State Judicial Branch are also required to comply with the policy for maintaining a non-violent workplace as set out in Chief Justice Directive 08-06.

Dated: December 30, 2019

  
Philip J. McNulty, Chief Judge  
First Judicial District