

THE 22nd JUDICIAL DISTRICT: DOLORES AND MONTEZUMA COUNTIES

ADMINISTRATIVE ORDER 2018-03

SECURITY ORDER RE: SECURITY AND WEAPONS IN COURT FACILITIES

This Order replaces and supersedes Administrative Order 13-01 which is hereby repealed. This Order is entered pursuant to Chief Justice Directive 95-01 and Colorado case law.

Around the United States and the State of Colorado there have been instances of violence or threats of violence occurring at Court facilities.

All members of the public, including litigants, witnesses, victims of crime, jurors and other participants in the legal system such as probation officers, attorneys, court personnel, magistrates and judges are entitled to be safe and secure while in court facilities. Litigation by its very nature may create strong feelings in participants, which may result in violence or threats of violence.

All persons entering a Courthouse have a right to be treated with courtesy and dignity and in a professional manner.

This entitlement to safety can not be maintained if firearms or other weapons are permitted in court facilities, except as controlled by the court security officers.

Courts have the inherent power to regulate their facilities. As an independent branch of government, this inherent power derives from the Colorado Constitution, Article III. This inherent power is independent of any statutory authority. Courts are accordingly empowered to provide independent rules for the safety and security of the public in court facilities. See, *The Board of County Commissioners of Weld County v. 19th Judicial District*, 895 P.2d. 545 (Colo. 1995).

IT IS THEREFORE THE ORDER OF THE CHIEF JUDGE OF THE 22ND JUDICIAL DISTRICT THAT;

All persons, who seek to enter the Combined Court facilities of the 22nd Judicial District in Montezuma County located at 865 N. Park St. in Cortez, Colorado, will be required to proceed through court security located at the front doors of that facilities. All persons entering the Montezuma County Combined Courts building, except as noted

below, are subject to a professional and courteous electronic screening of that person and their papers and effects.

Any persons who refuse to undergo the screening, will be denied entry to the Court facilities.

Judges, probation officers or staff of the Courts or the Probation Department of the 22nd Judicial District are exempt from the requirement of a screening, provided those persons enter the Combined Courts building through entrances that are locked and which are accessible only by such Judges, probation officers or staff with a key or similar device issued by the 22nd Judicial District. If any judge, probation officers or staff member of the Courts of the 22nd Judicial District or the Probation Department of the 22nd Judicial District seek to enter the court facilities through the front door of the facility, that person will be required to undergo a security screening.

The Sherriff of Montezuma County is empowered to adopt such policies and procedures for the security screening and any follow-up screening as are reasonable and consistent with state wide standards for security screenings.

No person other than as exempted below, may enter the Montezuma County Combined Courts building with any type of weapon.

Possession of a concealed weapons permit does not give the possessor any right to enter a court facility with any weapon.

Illegal weapons will be seized by a law enforcement officer. Anyone who is legally in possession of a legal weapon and who attempts to enter the facility will be instructed to leave the building with the weapon. Such persons will be granted admission once they are no longer in possession of such weapon. The Court Security officers will not be responsible to store or keep any weapon which is not allowed into the Court Facility pursuant to this order.

Court Security Officers and peace officers who are in uniform and present on official business of the police agency they work for, may retain their weapons with notice to court security officers.

Any peace officer who is armed but not in uniform, must declare that they are armed to the Court Security officers immediately upon entry into the Courthouse. Peace officers who are not in uniform and who retain their weapons must have valid identification, showing them to be a "peace officer," as defined below, with them when they enter the Courthouse.

Any peace officer who is not in uniform and who is carrying a weapon while in the Courthouse will be provided with an identification badge by Court Security when they enter the Courthouse. The identification badge given to non-uniformed peace officers will clearly identify that person as a peace officer with a weapon. Any non-uniformed police officers must wear and clearly display the identification badge at all times that they are in the Courthouse. Said officers will return the badge to court security when they leave the building. All peace officers, who choose to keep their weapons, must comply with the directives from the Court Security Officers.

Any peace officer, whether in uniform or not, who is attending court in which they have a personal interest as party, witness, in support of a family member or friend or who has a vested personal interest in the outcome of the case may not enter the court facility with any weapon. Such police officers will be subject to electronic screening the same as any member of the public.


As used in this order, "Weapons" includes firearms, knives, chemical sprays, electric "Taser" type weapons, any of any kind of weapons described in C.R.S. 18-12-106(e) and 18-12-101, or anything else that the security officer believes may pose a security threat.

"Peace officers" as used in this order means Colorado "P.O.S.T." Certified officers who are employed as a Sheriff, a Sheriff's deputy, Chief of Police, Patrolperson, Detective, Marshall, Colorado State Patrol Officer, CBI Investigator and the investigator for the District Attorney. "Peace officer" also includes Federal law enforcement officers who are authorized by their agency to carry a firearm as a part of their employment. "Peace Officer" does not include local or state law enforcement officers from states outside of Colorado.

This Order shall be enforced by the Sheriff and his designees. The Courts of this Judicial District may also enforce this order via contempt or as is otherwise provided by law.

This order will be effective as of April 2, 2018.

SO ORDERED on March 22nd, 2018,



Douglas S. Walker
Chief Judge, 22nd Judicial District