

FILED  
SUPERIOR COURT OF CALIFORNIA  
COUNTY OF SANTA BARBARA

JAN - 3 2017

Darrel E. Parker, Executive Officer  
*Carrie Taylor*  
Carrie Taylor, Deputy Clerk

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7 SUPERIOR COURT OF THE STATE OF CALIFORNIA,  
8 IN AND FOR THE COUNTY OF SANTA BARBARA  
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11 **IN RE: COURTHOUSE SECURITY**

)  
) **AMENDED GENERAL ORDER**  
) **OF THE PRESIDING JUDGE**  
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14 This General Order amends the court's General Order of October 1, 2008.

15 **THE COURT FINDS AS FOLLOWS:**

16 The Santa Barbara Superior Court provides court services to the communities of Santa  
17 Barbara County. Court users include persons from within Santa Barbara County who come  
18 before our courts seeking justice in the resolution and adjudication of disputes. Those  
19 involved in court cases sometimes experience frustrations and hostilities which have resulted  
20 in violence in the courthouse. All persons who come before our courts are entitled to a safe  
21 and secure courthouse, to the extent reasonably practical.

22 The Santa Barbara County Sheriff is the Court Security Officer, responsible for  
23 providing security within and without all court locations in Santa Barbara County. Providing  
24 such security is necessary to ensure the safety for all court users and personnel, including, but  
25 not limited to, litigants, witnesses, attorneys, families, court employees, judicial officers, and  
26 all other individuals who come before, or conduct business without courts.

27 Reported incidents of courthouse violence in California, and across the nation, have  
28 given rise to a justified increased concern for the safety of those who use our courts.

1 Courthouse violence is a real and present risk that gives rise to the need to ensure  
2 proper courthouse security.

3 One of the most effective ways to ensure proper courthouse security is by use of  
4 weapons screening.

5 Courthouse weapons screening should be no more intrusive than is reasonably  
6 necessary to ensure effective detection of items that could reasonably be used as weapons and  
7 to ensure such items are not allowed to be brought within the courthouse.

8 As the Court Security Officer, the Sheriff should develop a list of items that could  
9 reasonably be used as weapons and not permitted within the courthouse. Said list should be  
10 submitted to the Presiding Judge for approval. Said list should be revised from time to time,  
11 as needed.

12 All persons entering the courthouse should be given reasonable notice by way of  
13 appropriate signage that their persons and property shall be subject to search and screening.  
14 Such search and screening is necessary to ensure proper court security.

15  
16 **NOW, THEREFORE, IT IS ORDERED:**

17 To the extent reasonably and economically practical, the Santa Barbara County  
18 Sheriff, in conjunction with court contracted private security personnel, shall conduct  
19 weapons search and screening at all court locations. Such search and screening may include  
20 use of metal detection equipment; x-ray equipment; physical pat-down of persons; inspections  
21 of property; and by use of other methods and equipment reasonably calculated to detect items  
22 that could reasonably be used as weapons.

23 All persons entering or otherwise present in any court location shall consent to such  
24 search and screening upon request by the Sheriff. Proper signage advising that persons are  
25 subject to search shall be posted and shall be deemed a request to conduct search and  
26 screening. Entering a court location shall be deemed consent to such search and screening.  
27 Any person who refused to permit such search and screening shall be prohibited from entering  
28 the court location.

1 The court may utilize non-sworn, private security personnel to effectuate and conduct  
2 such search and screening. A request to search and/or screen by such private security  
3 personnel shall be deemed a request by the Sheriff under the authority of this order.

4 Appendix "A" hereto is a list of items that, although otherwise lawful to possess,  
5 nevertheless pose an unacceptable security risk within a court location. No person shall be  
6 allowed to enter a court location while in possession of any items described in Appendix "A".  
7 Appendix "A" may be revised from time to time. Each revision shall be submitted to the  
8 Presiding Judge for approval and incorporation herein.

9 No person entering, or otherwise present, within a court facility shall possess any  
10 alcoholic beverage, controlled substance and related paraphernalia (whether medicinal or  
11 recreational), a firearm, knife, teargas, Taser, stun gun, or similar weapons or devices, as  
12 defined or listed in Penal Code §§ 171(b), 244.5, 12401, and 12402, and these items are  
13 included in Appendix "A". This prohibition shall be enforced whether or not the person  
14 possesses a valid license, certificate, permit or prescription therefore.

15 Notwithstanding the above, the Sheriff is authorized, in his discretion, to exempt from  
16 this prohibition, a peace officer displaying current, valid, and official photographic  
17 identification, who is on official business within the court facility; PROVIDED, HOWEVER,  
18 that a peace officer shall not possess any weapons within a court facility wherein a proceeding  
19 is pending in which the peace officer is a party.

20 At each court location, the Court shall cause to be posted signage that is clearly visible  
21 to the public prior to entry, declaring the prohibition of the possession of items referenced  
22 herein and further notifying that all persons are subject to search.

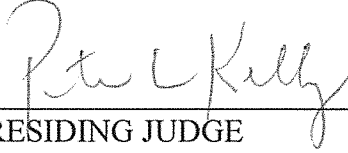
23 Nothing in this order is intended to, nor shall be construed as to, diminish the legal and  
24 lawful authority of the Sheriff to perform any and all functions of a peace officer.

25 The Court may enforce this order by sanctioning any violation of the order as a  
26 contempt of court and imposing any monetary or other punishment provided by law,  
27 including, without limitation, Code of Civil Procedure §§ 177.5 and 1218. However, nothing  
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1 in this order shall limit arrest and prosecution under any other law, including, without  
2 limitation, Penal Code § 166 and/or Penal Code § 602(y).

3 This Order is effective immediately.

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5 DATED: 1/3/17

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8 PRESIDING JUDGE  
9 Santa Barbara County Superior Court  
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**APPENDIX 'A'**

**1.0 Prohibited items – by Statute:**

**1.1** Prohibited items shall include all weapons or instruments described in the following California Penal Code sections:

**1.1.1** 171b P.C. – Unauthorized possession of weapons in state or local public buildings or at public meetings.

**1.1.2** 244.5 P.C. – Stun gun or taser.

**1.1.3** 21510 P.C. – Switch blade knife/gravity knife having a blade longer than two inches.

**1.1.4** 22900 P.C. – Tear gas weapon.

**1.1.5** 16590 P.C. – Generally prohibited weapons.

**2.0 Prohibited items by order of the Court shall include the following:**

**2.1** General prohibited items listed as follows:

**2.1.1** Firearms possessed by anyone other than peace officers, regardless of a permit to carry a concealed weapon (CCW). The only exceptions to this are judicial officers who possess a valid CCW and authorized armored car personnel during the course of business.

**2.1.2** Firearms possessed by peace officers when attending Family Law Court or when the peace officer is a party to an action pending before the Court.

**2.1.3** All bullets and ammunition possessed by anyone other than peace officers, regardless of a permit to carry a concealed weapon (CCW). The only exceptions to this are judicial officers who possess a valid CCW and authorized armored car personnel during the course of business.

**2.1.4** All taser guns.

**2.1.5** All stun guns.

**2.1.6** All gun-shaped lighters.

**2.1.7** Toy or replica guns.

**2.1.8** Handcuffs, except those possessed by sworn peace officers.

1           **2.2 Chemical agents listed as follows:**

2           **2.2.1** All mace, pepper gas, animal repellent, butane fuel, and spray/aerosol  
3                           cans.

4           **2.3 Knives as listed:**

5           **2.3.1** Buck type – all size blades.

6           **2.3.2** Swiss Army/Pen knives – all size blades.

7           **2.3.3** Utility knives – all size blades.

8           **2.3.4** Butter/steak knives – all size blades.

9           **2.3.5** Multi-tool type knives – all size blades.

10          **2.3.6** Concealable/disguised knives – all size blades.

11          **2.3.7** All locking blade knives – all size blades.

12          **2.4 Scissors listed as follows:**

13          **2.4.1** All types.

14          **2.5 Razors listed as follows:**

15          **2.5.1** Single blades.

16          **2.5.2** All box cutters.

17          **2.5.3** All “Exacto” type tools (open retractable razor with handle).

18          **2.6 Clothing items listed as follows:**

19          **2.6.1** Excess clothing beyond what is reasonable for personal use and  
20                           current weather conditions.

21          **2.7 Tools listed as follows:**

22          **2.7.1** All tools, including but not limited to, screwdrivers, pliers, wrenches,  
23                           hammers, etc., unless possessed by authorized maintenance personnel  
24                           of the Court or County or Court/County approved  
25                           maintenance/contractor personnel.

26          **2.7.2** Ice picks.

27          **2.7.3** Corkscrews.

28          **2.8 Miscellaneous items include:**

**2.8.1** Darts.

**2.8.2** Letter openers.

**2.8.3** Pieces of heavy duty wire/heavy gauge chains.

- 1           2.8.4 Laser pointers – except those for use by attorneys in courtroom
- 2                   presentations.
- 3           2.8.5 Skateboards/skates.
- 4           2.8.6 Needles/syringes (possessed by non-diabetic person(s) or persons
- 5                   without prescriptions).
- 6           2.8.7 Handcuff keys – except those possessed by sworn peace officers.
- 7           2.8.8 “Come-along” sticks/key chain size.
- 8           2.8.9 Flammable liquids.
- 9           2.8.10 Open alcohol containers.
- 10          2.8.11 Knitting needles.
- 11          2.8.12 Any item modified to incorporate brass knuckles, including but not
- 12                   limited to belt buckles, purse handles, cell phone covers, etc.
- 13          2.8.13 Sporting equipment that may be used as a weapon, including but not
- 14                   limited to baseball/softball bats, tennis racquets, trekking poles, field
- 15                   hockey sticks, and cleated/spiked shoes.
- 16          2.8.14 Rocks over two inches in diameter.

16          **2.9    Controlled Substances:**

- 17           2.9.1 As defined under the California Health and Safety Code.
- 18           2.9.2 California Penal Code section 4573(a).
- 19           2.9.3 Controlled Substance Act, 21 U.S.C. section 812.
- 20           2.9.4 All associated paraphernalia.

21 **NOTE:** In all cases, a sworn supervisor or their designee may use their discretion to  
22 determine if any item (other than those listed above) presents a safety or security risk to the  
23 court environment and may exclude that item from being brought into the court facility when  
24 deemed appropriate. When such discretion is exercised, the employee prohibiting a  
25 particular item from being brought into the court facility shall prepare a memorandum. The  
26 memorandum shall include a description of the item and the justification for not allowing the  
27 item into the court facility. The memorandum shall be directed to the Court Services

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1 Lieutenant via chain of command. The Lieutenant will forward a copy of the memorandum  
2 to the Presiding Judge, the Assistant Presiding Judge, and Court's Chief Executive Officer.

3  
4 DATED: 1/3/17

5 Peter C Kelly  
6 Presiding Judge  
7 Santa Barbara County Superior Court