

	<b>GENERAL ORDER</b>	<b>Effective: 10-01-2021</b>	<b># 06-04</b>
		<b>Section: Specialized Functions</b>	<b>Replaces or Modifies: GO 06-04</b>
		<b>Title: Court Security</b>	
<b>Issued by: Chief Deputy Mattie Provost</b>			

**Purpose:**

To establish guidelines to ensure that the Fort Bend County Sheriff's Office (FBCSO) is in compliance with Senate Bill 42 passed by the Texas Legislature in its 85<sup>th</sup> regular session and signed into law by the Governor which concerns Judicial and Courthouse Security (the effective date of this legislation was 09-01-17).

**Policy:**

All employees of the FBCSO shall follow guidance found in this General Order concerning provision of security to judges and courthouses.

**Definitions:**

Court Security Officer – A deputy sheriff selected to the specialized assignment of Bailiff / Court Security.

Court – Includes appellate, district, statutory county, county, municipal, and justice of the peace courts established by the State of Texas.

**Procedure:**

- I. Specialized Assignment as Bailiff / Court Security
  - A. Provisions of General Order 03-02 concerning specialized assignments will be followed for selection of personnel to perform these duties.
  - B. Upon selection for this specialized assignment the employee must obtain a court security certification issued by the Texas Commission on Law Enforcement (TCOLE). This certification must be obtained prior to the first anniversary of the date the employee begins duties as Bailiff / Court Security.
    - 1. Exception - Employees performing duties as Bailiff / Court Security on 09-01-17 must obtain this certification prior to 09-01-19.
  - C. The Division Commander over the Bailiff / Court Security function is responsible for insuring that certification requirements are met and shall verify that certification is present for each employee serving in this specialized assignment.
  - D. Any Deputy Sheriff of the FBCSO may provide Bailiff / Court Security services on a temporary or emergency basis if so directed by supervisory personnel without regard to specialized training. This may include but is not limited to personal protection duties associated with Judges when not in a court setting due to a specific threat or risk situation. Any such assignment must have approval of Bureau Commander or Higher authority.
  
- II. Court Security Policies and Procedures
  - A. The Chief Deputy shall appoint a FBCSO representative to a Court Security Committee established under Texas Government Code Section 74.092 (a)(13)
  - B. The Chief Deputy shall establish appropriate mechanisms to implement any security

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policies and procedures for courts adopted under said Section 74.092(a)(13).

- C. If conflict exists between policies and procedures for courts adopted under said Section 74.092(a)(13) and FBCSO General Orders, employees shall follow FBCSO General Orders and orders from supervisory personnel. Any such conflict shall be reported to the Chief Deputy for resolution.
- D. Nothing in this General Order prevents an employee from lawfully executing an appropriate order from a Court.
- E. Bailiffs / Court Security personnel are to follow direction from judges concerning courtroom issues related to the proper functioning of the judge's courtroom and the lawful objective of maintaining security and decorum.
- F. Bailiffs / Court Security personnel are not to perform duties that tend to hinder the primary function of maintaining order/security (examples include but are not limited to inordinate performance of purely clerical functions, activities associated with being a personal assistant, and other activities that prevent focus being placed on vigilance).

### III. Security Incidents involving Courts

- A. In any situation where the FBCSO becomes aware of an incident that involves a threat to court security (either through an overt act or attempt/conspiracy to act) the incident details shall be reported in writing via the chain of command to the Chief Deputy within 24 hours of the event. Events include but are not limited to threats/assaults against a judge or any participant in a trial or proceeding, breach of security barriers in an active attempt to commit a crime, escape of inmate... [Verbal report to the Chief Deputy via chain of command shall be made as soon as possible on any serious incident].
- B. The Lieutenant over the Court Security function will ensure that a written report on any such incident is provided to the State Office of Court Administration within 3 business days after the date the incident occurred. Further, this Lieutenant will ensure that a copy of the report is provided to the presiding judge of the affected court and/or the local administrative judge as applicable. [Texas Code of Criminal Procedure Article 102.017 (f)]
  - 1. This written report is confidential and exempt from disclosure under Chapter 552 of the Texas Government Code.
  - 2. Provision of reports are deemed accomplished if reports are submitted in accordance with procedures established by the State Office of Court Administration.

IV. The Constables normally provide security for the Justice of Peace Courts; however, in cases where the FBCSO provides this security or is called upon to act – provisions of this General Order are applicable.

V. Only the Sheriff or Chief Deputy may authorize exceptions to this General Order.