

**SAN DIEGO COUNTY SHERIFF'S DEPARTMENT
COURT SERVICES BUREAU
POLICIES AND PROCEDURES MANUAL**

DATE	DISSEMINATION	CATEGORY	NUMBER
June 16, 2021	BUREAU-WIDE	BAILIFF AND SECURITY	C.01
SUBJECT: DUTIES AND RESPONSIBILITIES			PAGE 1 of 2

Purpose:

To provide Court Services Bureau (CSB) personnel with basic knowledge of the duties of a bailiff/cover deputy in the courthouse.

Policy:

In accordance with the agreement between the San Diego County Superior Courts and the Sheriff's Department, courtrooms shall be staffed with a bailiff when court is in session unless released by the affected judicial officer or a CSB supervisor.

Procedure:

I. Courtroom Bailiff

- A. The primary function of the bailiff is to provide security and maintain order in the courtroom, thereby ensuring the protection of the court and facilitation of courtroom procedures;
- B. The bailiff should be informative, courteous, and maintain an impartial attitude toward all parties. The bailiff's conduct, demeanor or statements should never betray their opinion regarding the verdict a jury should reach;
- C. The bailiff should not voice opinions in the presence of jurors or witnesses to avoid jeopardizing or influencing the outcome of a case;
- D. The bailiff shall avoid recommending or referring persons appearing in court to any attorney or bail bond agent, nor shall they offer legal advice; and,
- E. The bailiff will notify Dispatch/Control they are available for reassignment when no matter is currently pending or their assigned courtroom is dark, either for the entire day or has no pending matter(s) for a period of time (20 minutes or more) .

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II. Cover Deputy

The functions of the cover deputy are to provide additional security and safe and secure transportation of custodies to and from courtrooms or holding areas.

III. Community Service Officer (CSO) Bailiff (Civil Court)

The primary duties of a CSO Bailiff in civil court are:

- A. Ensure and maintain order in and near the courtroom;
- B. The CSO Bailiff should be informative, courteous, and maintain an impartial attitude toward all parties; the bailiff's conduct, demeanor or statements should never betray their opinion regarding the verdict a jury should reach;
- C. The CSO Bailiff should not voice opinions in the presence of jurors or witnesses to avoid jeopardizing or influencing the outcome of a case;
- D. The CSO Bailiff should avoid recommending or referring persons appearing in court to any attorney or bail bond agent, nor should they offer legal advice; and,
- E. The CSO Bailiff will notify Dispatch/Control they are available for reassignment when there are no matters currently pending or their assigned courtroom is dark, either for the entire day or there are no pending matter(s) for a period of time (20 minutes or more) .

Misconduct on the part of the bailiff, whether in a criminal or civil courtroom could result in criminal charges of contempt of court, as well as disciplinary action by the Sheriff's Department.

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DATE	DISSEMINATION	CATEGORY	NUMBER
January 1, 2003	BUREAU-WIDE	BAILIFF AND SECURITY	C.2
SUBJECT: RESPONSIBILITY OF HANDLING EVIDENCE DURING TRIAL			PAGE 1 of 1

Purpose:

To provide guidelines for Court Services Bureau (CSB) bailiffs when handling evidence during court proceedings.

Policy:

The bailiff, in cooperation with the court clerk, shares responsibility for providing safe handling and preservation of evidence or exhibits during court proceedings.

Procedure:

- I. Responsibility for the handling of evidence in the courtroom is divided as follows:
 - A. Clerk:

Has primary responsibility for the care, custody and control of physical evidence or exhibits during court proceedings.
 - B. Bailiff:
 1. Will assist the court clerk in securing physical evidence to preclude it from being tampered with, altered, lost or destroyed.
 2. At recess, lunch break and at the end of the day's session, assist clerk in gathering and storing any articles of evidence if needed.
 3. It is extremely important that adequate care be taken in the handling and securing of evidence in any court case.

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DATE	DISSEMINATION	CATEGORY	NUMBER
January 1, 2003	BUREAU-WIDE	BAILIFF AND SECURITY	C.3
SUBJECT: MEDIA COVERAGE IN THE COURTROOM			PAGE 1 of 1

Purpose

To establish Court Services Bureau (CSB) guidelines for media access to court proceedings.

Policy

The Court maintains sole discretion regarding media related matters. Deputies shall consult the Court regarding what will be allowed and prohibited. If a security issue arises that cannot be resolved with the Court, the deputy should notify a supervisor.

Procedure:

Policy section only.

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DATE	DISSEMINATION	CATEGORY	NUMBER
July 18, 2014	BUREAU-WIDE	BAILIFF AND SECURITY	C.4
SUBJECT: HANDLING OF FIREARMS /OTHER WEAPONS AS EVIDENCE			PAGE 1of2

Purpose:

To provide guidelines for Court Services Bureau (CSB) deputies and Court Service Officers (CSOs) in the handling of firearms and other weapons as evidence during courtroom proceedings.

Policy:

The bailiff is responsible for the inspection, unloading and rendering safe of all firearms or weapons brought into court as an exhibit. Normally, the investigating agency will have completed this task prior to bringing it to the hearing or trial.

Procedures:

- I. In every instance that applies, the bailiff shall:
 - A. Make sure the firearm is not loaded and separate any ammunition from the firearm; storing it out of plain view, preferably in a sealed container.
 - B. Secure a trigger guard lock or plastic zip tie to the trigger guard and/or through the barrel of the firearm. The trigger guard lock or zip tie will remain on the weapon for the duration of the hearing unless removed by order of the court.
 - C. At the termination of the hearing, if one was used, the trigger guard lock will be replaced with a zip tie. This tie will remain on the weapon when the court clerk takes control of the firearm and stores it in the court evidence room.
- II. The bailiff is responsible for rendering safe all other types of weapons brought into the courtroom for possible use as evidence during a hearing; edged weapons should be boxed or sealed in a container.
- III. In the rare event a firearm or weapon is going to be presented as an exhibit in the courtroom assigned with a CSO as the bailiff, they will immediately contact their sergeant and request a deputy respond to properly secure the firearm/weapon; which may include taking possession of it if presented at the Weapons Screening Station. Once the firearm/weapon is properly secured, the CSO will resume

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control of the trial and the exhibit. At the end of each day, deputy will confirm the weapon has been properly secured.

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DATE	DISSEMINATION	CATEGORY	NUMBER
May 17, 2013	BUREAU-WIDE	BAILIFF AND SECURITY	C.5
SUBJECT: COURT ORDERED REMANDS			PAGE 1 OF 1

Purpose:

To establish guidelines for Court Services Bureau (CSB) deputies when taking court remanded subjects into custody.

Policy:

When a person is remanded into custody by a judge, the deputy will remove the person from the courtroom without delay. Before a remanded person can be transported to jail, a copy of the court order and all booking paperwork must be completed.

Procedure:

- I. After a person is remanded into custody, the deputy will obtain a copy of the remand order (minutes) from the court clerk.
- II. The deputy will take the individual to a court holding facility to complete the pre-book screening and inventory process; refer to CSB P&P Section E.14.
- III. The prisoner shall not be transported to jail without a copy of the court order, a completed Booking and Intake/Property Form (J-15), and the Intake Screening Form.

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DATE	DISSEMINATION	CATEGORY	NUMBER
May 12, 2005	BUREAU-WIDE	BAILIFF AND SECURITY	C.6
SUBJECT: COVERING OF COURTROOM WINDOWS			PAGE 1 of 1

Purpose:

To provide the personnel of the Court Services Bureau (CSB) with guidelines for the covering of courtroom windows.

Policy:

Deputies responding to actual or potential emergencies in courtrooms must be able to see in the department to determine whether an emergency exists. They must be able to observe the activities taking place and gather intelligence to determine the best method of assisting those in need.

With this in mind, it is in the best interests of the public, court staff and deputies that a clear line of sight through the courtroom windows be maintained. Bailiffs shall not cover windows in any courtroom unless directed to do so by a judicial officer. If so directed, they will cover the window immediately and notify a supervisor of the order as soon as practicable.

Procedure:

Policy section only.

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DATE	DISSEMINATION	CATEGORY	NUMBER
November 4, 2020	BUREAU-WIDE	BAILIFF AND SECURITY	C.07
SUBJECT: BAILIFF AND STAFF EMERGENCY OPERATIONS BRIEFING			PAGE 1 of 2

Purpose:

To establish procedures within the Court Services Bureau (CSB) for briefings between bailiffs and staff on actions to be taken during emergency situations.

Policy:

It will be the responsibility of each bailiff to provide their courtroom staff with an overview of appropriate actions, both of the bailiff and the staff members, during an emergency event.

Procedure:

At a minimum of once a year, or upon an assignment to a new judge, changes in court staff, or as needed based on the court calendar, the bailiff shall meet with the court clerk, the court reporter, and the judge to discuss procedures and actions that will take place during emergency situations that may arise.

Emergency situations that should specifically be discussed are:

1. Medical emergencies;
2. Unruly, boisterous spectators;
3. Unauthorized person(s) approaching the bench;
4. Attempted taking of a person from law enforcement custody using force or violence, with or without injury, by two or more persons;
5. Unruly, boisterous defendant;
6. Defendant approaching the bench;
7. Defendant attack on attorney or court staff;
8. "Table flip" by defendant;
9. Bailiff being overtaken;

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10. Disturbance reported in a neighboring courtroom or hallway;
11. Report of fire in courthouse – fire alarm activation;
12. Report of shots fired in courthouse – active shooter;
13. Hostage situation;
14. Courthouse evacuation;

The briefing should cover the respective roles and responsibilities for each staff member for each of the above mentioned emergency situations.

Briefings will be documented with the date, all staff members present, and the bailiff giving the briefing. The documentation will be maintained by the supervisor and updated annually.

The preceding was discussed with court staff on: _____

Department: _____

Judge/Commissioner: _____

Court Clerk: _____

Court Reporter: _____

Deputy: _____ ARJIS: _____