FILED

Clerk of the Superior Court

DEC 27 2023

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

IN RE COURT SECURITY GENERAL ORDER OF THE PRESIDING DEPARTMENT ORDER NO. 010124-01

THIS COURT FINDS AND ORDERS AS FOLLOWS:

The San Diego County Sheriff's Department ("Sheriff") is designated as the Court Security Officer in San Diego. Thus, the Sheriff is charged with assuring the security of facilities within which the courts of this county conduct official business.

The Sheriff utilizes weapons screening measures, including metal detection and x-ray equipment. The Sheriff has confiscated prohibited materials as a result of these security measures.

Judicial notice is taken of the increasing acts of violence that occur within the courthouses in this country, state and county, and to their occupants. Thus, there is a clear need to protect the courts and those within it from a danger of violence.

IT IS HEREBY ORDERED that all persons entering or otherwise present in any facilities within which courts conduct official business shall submit to any request by the Sheriff, or other authorized security personnel, to participate in a weapons screening process involving metal detection and x-ray equipment. The Sheriff shall post signage clearly visible to the public before

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entry into any facility at which weapons screening is utilized that metal detection and x-ray screening is in place, and advising that individuals may choose not to enter the facility rather than submit to the weapons screening process.

The Sheriff, or other authorized security personnel, is authorized to inspect any item that is otherwise lawful to possess to determine whether it poses a danger to the security of the courthouse, and if so, may forbid possession of it in the facility by allowing the individual who possesses it to remove it from the building. The Sheriff, or other authorized security personnel, is also authorized to confiscate all ammunition.

The Sheriff, or other authorized security personnel, is vested with the discretion to exempt from the screening process all judicial officers, all court and county employees, San Diego City and Deputy City Attorneys, and peace officers on official business who display current, valid, photographic identification.

IT IS FURTHER ORDERED that no person shall possess within a courthouse facility a firearm, knife, tear gas, taser, stun gun, ammunition, or other dangerous or deadly weapon or material, as listed or defined, inter alia, in Penal Code sections 171b, 244.5, 17240, and 17250 ("Weapon" or "Weapons"). This prohibition shall be enforced without regard to whether the individual possesses a valid license or permit for the Weapon. The following individuals are exempt from this prohibition:

• An on-duty peace officer, either in uniform or, if not in uniform, presenting identification to security staff, who is attending to law enforcement business at the courthouse facility. Security personnel may verify the identity of any officer by requesting proper identification. If the identity of an officer cannot be verified through identification carried by the officer or through reasonable efforts by security personnel, this exemption shall not apply. In addition, this exemption shall not apply to any peace officer while he or she is in the courthouse on personal business, such as appearing as a party to or witness in an action pending before the court, or service of jury duty;

- When a Weapon is evidence in a case and an individual, who is authorized by the state to do so, is delivering it to the court, and the Weapon is properly secured to prevent accidental discharge or release;
- Judicial officers who possess a valid license to carry a concealed weapon;
- Court employees who are working in the Central Courthouse or Hall of Justice, but only with regard to pepper spray, provided the court employee is otherwise permitted to possess such pepper spray pursuant to applicable law, including, but not limited to, Penal Code section 22810. This exemption shall not apply to any court employee while he or she is in the courthouse on personal business, such as appearing as a party to or a witness in an action pending before the court.

Disobedience of this order is punishable as a contempt of court and under the general laws of the State of California.

Nothing in this order is intended to nor shall diminish the legal and lawful authority of (1) the Sheriff as a peace officer; or (2) an individual judicial officer's right to control the order in his or her courtroom by further restricting the possession of Weapons in his or her courtroom. (Code of Civ. Proc., § 128).

Disobedience of this order is punishable as a contempt of court and under the general laws of the State of California.

This order shall become effective on January 1, 2024, and expire on December 31, 2024, unless otherwise ordered by this court.

Service of this order is ordered on the San Diego Sheriff's Department.

IT IS SO ORDERED.

DATED: December 27, 2023

HONORABLE MICHAEL T. SMYTH PRESIDING JUDGE

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN INC. CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SENTRAL DIVISION, COUNTY COURTHOUSE, 220 W. BROADWAY CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN CENTRAL DIVISION, FAMILY COURT, 1555 6TH AVE., SAN DIEGO CENTRAL DIVISION, MADGE BRADLEY, 1409 4TH AVE., SAN DIEGO CENTRAL DIVISION, MADGE BRADLEY, 1409 4TH AVE., SAN DIEGO CENTRAL DIVISION, MERRY MESA, 8950 CLAIREMONT MESA BISTON CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR. EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 NORTH COUNTY DIVISION, 35 S. MELROSE DR., VISTA, CA 9208 NORTH COUNTY DIVISION, JUVENILE COURT, 325 S. MELROSE IN SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 9194 PLAINTIFF(S)/PETITIONER(S)	SAN DIEGO, CA 92101 (, SAN DIEGO, CA 92101 DIEGO, CA 92101 GO, CA 92101 LVD., SAN DIEGO, CA 92123 , SAN DIEGO, CA 92123 DEC 2.8 2023
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DEFENDANT(S)/RESPONDENT(S)	JUDGE: MICHAEL T. SMYTHO DEPT: PRESIDING
CLERK'S CERTIFICATE OF SERVICE BY	CASE NUMBER ORDER NO. 010124-01
I certify that I am not a party to the above-entitled cause, that I placed a copy of the following document(s): GENERAL ORDER OF THE PRESIDING DEPARTMENT ORDER NO. 010124-01 IN RE: COURT SECURITY	
in a sealed envelope addressed to the parties shown with postage prepaid, and deposited it in the United States mail at ☐ Chula Vista ☐ El Cajon ☒ San Diego ☐ Vista, California.	
NAME & ADDRESS	NAME & ADDRESS
KELLY A. MARTINEZ SAN DIEGO SHERIFF'S DEPARTMENT 9621 RIDGEHAVEN COURT SAN DIEGO CA 92123	
w	Clerk of the Superior Court
	Sister of the Superior Source
Date: December 28, 2023	by A HUSTED, Deputy