



WHATCOM COUNTY

EXECUTIVE ORDER 2005 - 06

IMPLEMENTATION OF COURTHOUSE SECURITY PROGRAM

WHEREAS, the administration is desirous of maintaining the integrity of the courthouse and protecting the public and employees who work within; and

WHEREAS, the Revised Code of Washington 9.41.300 prohibits weapons from those areas in any building which are used in connection with court proceedings, including courtrooms, jury rooms, judge's chambers, offices and areas used to conduct court business, waiting areas, and corridors adjacent to areas used in connection with court proceedings. The restricted areas do not include common areas of ingress and egress to the building that is used in connection with court proceedings, when it is possible to protect court areas without restricting ingress and egress to the building; and

WHEREAS, in order to carryout the intent of RCW 9.41.300 the administration will be implementing security screening of all visitors to the basement and the second through sixth floors; and

WHEREAS, additional measures include updating communication systems, re-keying the building, installing additional prox-locks, signage, cameras, and alarms; and

WHEREAS, a Courthouse Security Deputy will be placed in the courthouse to assist with security concerns and emergencies,

NOW, THEREFORE, By virtue of the power vested in me by the Home Rule Charter for Whatcom County, I hereby order the implementation of the Courthouse Security Program.

The Whatcom County Courthouse Security Policy is included as Attachment A.

DATED this 28th day of September, 2005.

A handwritten signature in blue ink, appearing to read "Pete Kremmen", is written over a horizontal line.

PETE KREMEN, County Executive

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

ATTACHMENT A

WHATCOM COUNTY COURTHOUSE SECURITY POLICY

1. **PURPOSE:** The purpose of this policy is maintain the integrity of the courthouse and protect the public and employees who work within the areas of the Whatcom County Courthouse that are used in connection with court proceedings, adjacent areas and detention facilities and to also comply with statutes that allow the carrying of firearms and other dangerous weapons and Case Number 05-2-00001-1 of the Whatcom County Superior Court regarding “Designation of Weapons-Restricted Areas.”
2. It shall be the policy of Whatcom County that the attached Case Number 05-2-00001-1 of the Whatcom County Superior Court dated 15 April 2005 be complied with by all visitors and employees while at the Whatcom County courthouse:
3. Any person in possession of a firearm or other dangerous weapon seeking to enter the judicial areas of the courthouse shall in advance, report to a members of the Whatcom County Sheriff’s Office or other security personnel and arrange to have the firearm or other dangerous weapon secured in the lockbox provided on the 1st floor of the courthouse.
4. Any persons seeking to enter the judicial areas are subject to search and to seizure of any firearms or other weapons.
5. Emergencies and Suspicious Circumstances
 - a. Employees should report emergencies and suspicious circumstances first to law enforcement and secondly, to their supervisor. If suspicious circumstances or an emergency exists, employees should not delay summoning law enforcement. If an

1 employee has doubt as to whether a situation requires an
2 immediate law enforcement response, they should summon law
3 enforcement.
4

- 5
- 6 b. Suspicious circumstances include but are not limited to
7 situations where they have cause to suspect or observe:
8
 - 9 i. a person has, is or is about to commit a crime or who
10 involves a threat of danger to others or him/herself
11
 - 12 ii. unattended and unaccounted for containers such as
13 boxes, packages or briefcases
14
 - 15 c. Emergencies include circumstances where a situation is posing
16 an immediate threat to life, property or the dignity of the court.
17
18

19

20

21 6. Procedures for Summoning Law Enforcement

22

- 23 a. Dial 9-1-1 (9-9-1-1) and provide a description of what is
24 occurring – if safe to do so, remain on the line with the call-
25 taker and answer all questions
26
- 27 b. If an employee has access to an alarm, the alarm may be
28 activated for actual emergencies – if safe to do so, this action
29 should be followed up with a call to 9-1-1 so dispatch can relay
30 relevant information to responding law enforcement and send
the appropriate resources

7. Office Evacuation or Lockdown

It shall be the responsibility of all Department Heads and Elected Officials to develop emergency evacuation and lock-down procedures for their offices. When personnel become aware of an actual emergency that poses the risk of grave harm to others, the best procedure will often involve a “lock-down” of the office.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

8. Courthouse Access Control

8.1 The west, (basement), door is meant to be a secure entrance. The door is controlled by a pass-card system. This door will be kept locked at all times and NOT used as a point of entry except for Sheriff's Office and County employees in the conduct of County business, and others authorized by the Sheriff's Office.

Unauthorized use will result in the activation of an alarm. Visitors to the Juvenile Detention Center after 6 P.M. will be allowed to enter through this door that is remotely controlled by the Juvenile Detention Center duty officer.

8.2 The entrance door on the courthouse second floor between the Jail and the court areas is intended to be a secure entrance. The entryway is secured via a console control and/or a pass-card system. Cards are issued on an as needed basis by Sheriff's Office and county employees engaged in the conduct of County business. This entryway shall be locked at all times and NOT used by anyone other than these personnel and authorized emergency responders.

8.3 Access to the basement, 2nd, 3rd, 4th, and 5th floors of the courthouse is being controlled to improve courthouse security. The north, (rotunda) entrance and the south courthouse entrance are the principal points of entry for visitors, attorneys, employees, and all other requiring entry to the Courthouse. These will not be secure entries that are monitored and controlled by the security staff. All persons wishing entry to the basement, second floor, or above will be subject to search and no weapons or other items considered to be a security risk will be allowed.

8.4 All other entrances to the Courthouse except for the south and rotunda entrances will be kept locked at all times. Entry through these doors must be made through use of a pass-card issued by Facilities Management Division to authorized employees or other persons. Unauthorized use of these doors will result in the actuation of an alarm.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

8.5 All vendors, contractors, or volunteers will be required to have written authorization in order to obtain proximity lock badges from the Facilities Management Division.

8.6 All employees shall ensure that no unauthorized person is allowed to follow them through any secure entrance. Any attempt at forced entry or exit should be reported immediately. Violations will result in disciplinary action.

8.7 The County Executive or designee, Department Head, or Elected Official to whom an employee reports, may in their discretion, rescind an employee's use of a proximity lock badge. Such employees may gain entrance to the basement or upper floors of the Courthouse by use of the screened security entrance on the first floor.

9. SECURITY

9.1 When leaving at the end of their assigned shifts, employees are instructed to lock and secure the entry doors and individual offices.

9.2 Employees will require the use of their prox-lock identification cards for courthouse entry and exit.

9.3 Each business day the Courthouse entrance doors will be unlocked at 7:30 a.m. and will be locked at 5:30 p.m. Arrangements for weekend and after-hour use are handled through Facilities Management.

9.4 The security area located at the north, (rotunda), entrance will be locked at 5:30 p.m. each business day and on weekends except when the County Council is in session or at other special times when the Courthouse is open to the public.

9.5 The Courthouse Security Manager must be notified in advance and arrangements also made in advance with AS Facilities to have the Security staff stay beyond the end of their assigned shift

1 to provide access to the Courthouse for use of the Council
2 Chamber, meeting rooms, or for other approved functions.
3

4 9.6 The Sheriff's Office shall assign a uniformed Deputy Sheriff to
5 the Courthouse during normal working hours.
6
7

8
9 **10.0 Definitions**

10
11 10.1 Workplace Violence: Any act, behavior, or threat that a
12 reasonable person, under the known facts and circumstances,
13 could interpret or experience as intended to threaten, harm,
14 endanger, inflict pain or injure any person or damage any
15 property.
16

17
18 10.2 Weapon: Any:
19

20 10.2.1 Firearm, whether loaded or unloaded, including a BB gun
21

22 10.2.2 Knife, including a switchblade or other knife having an
23 automatic spring release device
24

25 10.2.3 Stiletto
26

27 10.2.4 Police-type baton or nightstick
28

29 10.2.5 Any other martial arts weapon
30

10.2.6 Electronic defense weapon

10.3 EXCEPTIONS:

10.3.1 Small personal pen or pocketknife

10.3.2 Equipment or tool issued by the County to carry out
assigned work

10.3.3 Household or personal use item such as:

10.3.3.1 Knives in kitchens and employee break rooms

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30


10.3.3.2 Scissors used by staff or first responders

10.3.3.3 Personal protective items such as pepper spray

10.4. DANGEROUS INSTRUMENT:

10.4.1 Any instrument, article or substance that, under the immediate circumstances, is capable of causing death or physical injury.

APPROVED:



COUNTY EXECUTIVE:

9-28-05

DATE:



PRESIDING JUDGE, SUPERIOR COURT:

10/4/05

DATE:



SHERIFF:

9/28/2005

DATE:



DIRECTOR, ADMINISTRATIVE SERVICES:

9/28/2005

DATE:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

**SUPERIOR COURT OF THE STATE OF WASHINGTON FOR
WHATCOM COUNTY**

IN RE COURT ADMINISTRATION

No. 05-2-00001-1

**DESIGNATION OF WEAPONS-
RESTRICTED AREAS**

THIS MATTER IS BEFORE THE COURT pursuant to RCW 9.41.300 relating to the designation of weapons-restricted areas in the Whatcom County Courthouse. The Judges of the Whatcom County Superior Court make the following findings:

- 9. That in order to protect the public and employees who work within the areas of the Whatcom Courthouse used for court proceedings, it is necessary to designate areas where weapons are prohibited.
- 10. That the weapons-free restricted areas shall be designated at the minimum necessary to protect the public and the employees working in these areas of the Whatcom County Courthouse.
- 11. That court proceedings are held on the 2nd, 3rd, 4th, and 5th floors of the Whatcom County Courthouse.

BASED ON THE FOREGOING FINDINGS, THE COURT HEREBY ORDERS that weapons of any kind are prohibited from the second floor, the third floor, the fourth floor and the fifth floor of the Whatcom County Courthouse, subject to the following exemptions:

- 1. The following shall be exempted from the weapons restriction set forth above,
 - a. Any general authority Washington Peace Officer;
 - b. Any limited authority Washington Peace Officer;
 - c. Any specially commissioned Washington Peace Officer;
 - d. Any Federal Peace Officer;
 - e. Any fully commissioned Tribal Peace Officer;
- 2. The following shall be exempted from the weapons restriction set forth above, as to firearms only:
 - a. The Whatcom County Prosecuting Attorney or any employee of the Prosecuting Attorney authorized by the Presiding Judge of the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30

Superior Court, and Prosecuting Attorney to carry a firearm lawfully in the weapons-restricted areas of the Whatcom County Courthouse.

- b. Any judge or commissioner of the District or Superior Court authorized by the Presiding Judge of the Superior Court to carry a firearm lawfully in the weapons-restricted areas of the Whatcom County Courthouse.
 - c. Any employee of the Whatcom County Public Defender's Office authorized by the Presiding Judge of the Superior Court, the County Executive and Public Defender to carry a firearm lawfully in the weapons-restricted areas of the Whatcom County Courthouse.
 - d. Any District Court Probation officer authorized by the Presiding Judges of the Superior and District Courts and the County Executive.
3. Persons bringing weapons into the Whatcom County Courthouse for evidentiary purposes in a legal proceeding before Whatcom County Superior or District Courts as authorized by the Court or Whatcom County Prosecuting Attorney, limited to the weapons to be offered for evidentiary purposes only.
4. Employees of the Whatcom County Superior Court Clerk's Office and the Whatcom County District Court Clerk's Office that have responsibility for receiving and maintaining custody of court exhibits, limited to the weapons to be offered for evidentiary purposes only.
- 5. The above-mentioned exemptions shall not apply to any person who is present in the Whatcom County Courthouse and is a party to any action under chapters 10.14, 10.99, or 26.50 RCW, or an action under Title 26 RCW where any party has alleged the existence of domestic violence as defined in RCW 26.50.010.**
6. Weapons are defined as:
- a. Firearms;
 - b. Explosives;
 - c. Slung shot, sand club, metal knuckles, knife, or knives;
 - d. Weapons used for subduing a person;
 - e. Other deadly weapons.
7. Any violation of the provisions herein is punishable as a gross misdemeanor.

Done in open Court this 15th day of April, 2005

/Signed/ _____
Steven J. Mura, Presiding Judge