

	<b>MARICOPA COUNTY SHERIFF'S OFFICE POLICY AND PROCEDURES</b>	
	<b>Subject</b>  <b>COURT APPEARANCES</b>	<b>Policy Number</b> <b>GC-5</b> <b>Effective Date</b> <b>07-15-20</b>
<b>Related Information</b>	<b>Supersedes</b> GC-5 (02-17-06)	

**PURPOSE**

The purpose of this Office Policy is to establish guidelines and procedures for Office employees when attending court and carrying a firearm into a courthouse.

Although this Office Policy refers to “employees” throughout, this Office Policy also applies with equal force to all volunteers. Volunteers include, but are not limited to, reserve deputies and posse members.

**POLICY**

It is the policy of the Office that employees conduct themselves in a professional and courteous manner while in court and dress appropriately. Employees shall comply with the guidelines established by each court.

**DEFINITIONS**

**Business Attire:** Clothing that creates a professional appearance and is appropriate for an office environment.

**Employee:** A person currently employed by the Office in a classified, unclassified, contract, or temporary status.

**Firearm:** Any service firearm on the Approved Weapons List carried by a qualified employee in the course of their assigned duties. A loaded or unloaded handgun, pistol, revolver, long gun, shotgun or other weapon that will or is designed to or may readily be converted to expel a projectile by the action of expanding gases.

**Firearm Certified Detention Officer:** A detention officer who is 21 years of age or older, who has been approved by command personnel to attend, and has successfully completed AZPOST firearm training requirements.

**Judicial Subpoena:** A directive to testify before a judicial officer of a court in the State of Arizona or face possible contempt of court charges or other sanctions in an administrative forum.

**Safe Condition:** When a firearm has no magazine inserted, no round in the chamber, and the safety is on, if applicable.

**PROCEDURES**

1. **Courtroom Demeanor:** Employees appearing before court officials shall make every effort to cooperate with the requests of the court. Employees shall:
  - A. Maintain an image of professionalism at all times;
  - B. Be punctual for court appearances and be respectful of, and attentive to, the court proceedings;

- C. Speak clearly and audibly;
- D. Not use tobacco products in any form, including but not limited to; cigarettes, cigars, electronic cigarettes, and chewing products; or chew gum;
- E. Not participate in disruptive conversations while in the courtroom; or
- F. Not promise to grant immunity, reduce charges, or lessen penalties. This shall not prevent any employee from cooperating with the Maricopa County Attorney's Office in the interest of justice.

2. **Dress and Appearance:**

- A. Employees appearing in response to a court order or judicial subpoena in an Office related criminal or civil matter shall wear authorized Office attire, including but not limited to, an authorized Office uniform or business attire.
- B. Employees appearing on personal business or serving on jury duty shall NOT enter the courthouse wearing attire bearing Office insignia, nor show law enforcement identification to bypass security screening locations.

3. **Court Security and the Carrying of Firearms:** The Judicial Branch Security Department of the Maricopa County Superior Court, is responsible for screening for firearms on all persons entering the Central, East, South, West, and Southeast Judicial court buildings. Office employees, authorized to carry a firearm or other weapon in the performance of official Office related duties, and carry their firearms into the courthouse shall observe the following court-ordered restrictions:

- A. Deputies assigned to the Court Security Division for courthouse security and deputies who escort fugitives and others requiring immediate appearance in various courts, shall be armed.
- B. Detention officers assigned to the Court Operations Division may be armed based on assigned duties and certification.
- C. Employees appearing in a peace officer capacity, pursuant to a court order or judicial subpoena, in an Office related criminal or civil matter, or working within a courthouse shall, upon request, provide their law enforcement identification and the court order or subpoena, to court security personnel when bypassing security screening.
- D. Armed Office personnel escorting a protected witness into a courthouse, shall make prior arrangements with the Court Security Division.
- E. Office employees involved in personal litigation shall not carry any firearms or weapons into the courthouse. Gun lockers are not provided by the court. Employees shall go through a screening point and adhere to the same restrictions that apply to members of the public.

4. **Presenting Weapons for Court Exhibit:** The responsibility for preparing a weapon for Court shall rest with the party intending to offer it as an exhibit. Employees shall provide any firearms to be used as a court exhibit to the Maricopa County Clerk of the Court personnel. All weapons brought into a courthouse for use as an exhibit shall be rendered safe prior to entering the courtroom by using one of the following techniques:

- A. Firearms shall be delivered to the court in a safe condition and by using locks, cables, or other similar security devices, to render the firearm inoperable without causing damage to the weapon.

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1. Ammunition magazines shall be presented to the court emptied.
2. Ammunition shall be packaged separately from the weapon.
- B. All knives shall be delivered to the court having been first placed into a sheath or packaged as biohazard material, as may be required by the court.
- C. Any weapon which may contain biohazard material, such as blood, shall be securely packaged, labeled, handled, and delivered to the Maricopa County Clerk of the Court personnel.
5. **Canceling a Court Appearance:** Employees unable to attend court because of a vacation, illness, or other type of leave shall notify their supervisor and the Deputy Maricopa County Attorney as soon as possible, prior to the scheduled court appearance.
6. **Federal Courthouse Regulations:** Uniformed and non-uniformed employees entering a Federal Courthouse shall comply with the established guidelines of that building regarding the checking or securing of their firearms.