

**IN THE CIRCUIT COURT OF THE FIFTH JUDICIAL CIRCUIT**  
**IN AND FOR HERNANDO COUNTY, FLORIDA**

**IN RE: ADMINISTRATIVE ORDER RELATING TO**  
**SECURITY OF THE COURT**

**AND**

**RESCINDING ADMINISTRATIVE ORDER NUMBER H93-20A**

**AMENDED Administrative Order Number: H-2009-14-A**

WHEREAS, new technology and security measures have been instituted in the Hernando County Judicial Center; and

WHEREAS, the existing Administrative Order no longer applies to the current situation in the Hernando County Judicial Center,

**IT IS THEREFORE ORDERED:**

The purpose of this Order is to establish procedures for security in the judicial areas located throughout the Hernando County Government Center. The authority to promulgate and enforce regulations necessary for its security is inherent to the Court.

**Definitions**

**Government center** as used herein, shall refer to the structure housing Hernando County government services and judicial areas

**Judicial areas** as used herein, shall mean any area in the government complex in which any or all of the Circuit or County Court Courtrooms, Judges' Office and chambers are located, including the meeting room of the Board of County Commissioners, which is also used by the judiciary for court proceedings

**Prohibited firearms**, weapons, and destructive devices as used herein, will be as defined in section 790.001, Florida Statutes (2008); other prohibited objects that could be used, or perceived to be used, as a physical threat, as used herein, may include but are not limited to pocket knives, ammunition, fireworks, caustic or flammable liquids, or any thing made or adapted for the purpose of inflicting bodily injury.

**Court security personnel** as used herein, may be employees of a private security company under contract with the Sheriff to operate the magnetometers or hand held metal detectors, and supervisors of the company assigned to oversee the duties of personnel assigned to those security stations, and also includes deputy sheriffs when assigned to such duties or other duties related to security for the courts and those in attendance.

**Hours of Operation:** Typical Hours of Operations are Monday through Friday 7:30 to 5:00 p.m. However, in exceptional circumstances Hours of Operation may also include Saturdays, Sundays, Holidays, and/or a time prior to 8:30 a.m or after 5:00 p.m.

## **Applicability**

These rules and regulations apply to all persons entering into the government center except those persons expressly exempted hereafter.

## **Admission Searches**

All persons entering the government center will pass through a magnetometer for the purpose of preventing entry by persons in possession of prohibited firearms, weapons, and other objects that could be used, or perceived to be used as a physical threat to persons or property to assure the safety of witnesses, jurors, members of the judiciary and others present in judicial areas housed throughout the government center. Handheld metal detectors may be used in the event of exigent circumstances, such as a power failure. Additionally for the purposes of this Administrative Order all Teen Court Participants shall be subject to admission searches.

Security checkpoints and magnetometers shall be placed at public access doors to the government center.

Searches shall be conducted by the least intrusive means possible. Any person shall be denied access, who refuses to submit to a search, conducted in accordance with the procedures for security.

The Sheriff of Hernando County shall take such reasonable steps as are necessary to ensure that no prohibited firearms, weapons, destructive devices and other prohibited objects are being concealed by any individuals entering the government center, except as authorized in this administrative order. These steps may include but are not limited to use of metal detection devices and hand-held electronic scanning devices by court security personnel, pat down with consent of the person by deputy sheriffs assigned to court security, or other searches by deputy sheriffs as authorized by law. If a person refuses the request of deputy sheriff assigned to court security to submit to established security measures, the person may be denied access beyond the security checkpoints.

Prior to passing through the metal detector, any person carrying a package, briefcase, container, purse, pocketbook, wallet, pager, cellular phone or any other electronic device or similar items shall place such items on the x-ray conveyer belt and/or submit it to security personnel for visual inspection up to and including activations of the electronic device if required.

Security personnel shall not read any written material open to view as a result of these security measures.

Security measures that result in the discovery of violations of criminal statutes will result in immediate notification of law enforcement personnel, so that a seizure and an arrest may be made if appropriate.

### **Exempt persons - possession of firearms**

The following shall be exempt from the prohibition of carrying firearms and other weapons into the government center, if known by court security personnel or upon displaying proper agency or other official identification:

- judges
- prosecutors
- investigators employed by the Office of the State Attorney
- private licensed security personnel providing court security
- law enforcement officers entering in connection with performing official duties on behalf of the employing law enforcement agency

### **Exempt persons - search requirements:**

When entering the courthouse through designated public access points, the following shall be exempt from the search requirement if the individual is known by court security personnel or displays proper identification:

- judges
- county administrator
- constitutional officers
- prosecutors
- investigators employed by the Office of the State Attorney
- private licensed security personnel providing court security
- law enforcement officers entering in connection with performing official duties on behalf of the employing law enforcement agency

### **Attorneys who display proper Hernando County ID Badges**

Attorneys in good standing with The Florida Bar and who are members of the Hernando County Bar Association and have applied for and been issued a photo ID badge, although not exempt from search requirements, may enter the courthouse through the designated public access points without being subjected to the strict security requirements of the general public. This is provided as a courtesy to these officers of the court, who have already been thoroughly scrutinized, fingerprinted, and subjected to background checks, and who have signed an oath to obtain the Hernando County ID badge, acknowledging they will comply with security requirements. Such attorneys who are known to security personnel, or display the proper official photo badge identification, may be granted access, after passing through the magnetometer, without further search or intrusion, unless security personnel determine that additional security measures are necessary to ensure the safety and security of the building and all persons within. Additionally, if there is a lengthy line of persons seeking access through the access point, security personnel may, at their discretion, allow such attorneys to move to the head of the line upon proper display of their official photo badge identification.

### **Other Government Center Personnel**

Hernando County Facility workers and Technology personnel known to security personnel and wearing proper identification may be in possession of items that would otherwise be prohibited, if these items are necessary to perform their duties. Special

arrangements must be made with Court Security personnel for entry by other individuals employed to perform services within the government center requiring the possessions of prohibited items. This paragraph is in no way intended to include firearms.

**Entry by Public Officials through Nonpublic Access Points**

Procedures related to entry through non public access points will be developed by the Judicial Services Commander in consultation with the administrative judge and the county administrator.

**Notice**


The department responsible for facilities management for Hernando County shall consult with the Sheriff's designee responsible for court security, and post notice that persons and property are subject to search in a conspicuous place at all public access entrances to the government center

**Authority to Vary**

There should be few, if any, exceptions to this order. If special circumstances arise, which parties aggrieved by this order believe warrant an exception to this order, they must consult with the head of Sheriff's court security, or his designee. The Administrative Judge or his designee shall be conferred with in exceptional cases. Under no circumstances should personnel assigned to security checkpoints grant an exception to this order, except under the procedures mandated herein.

**This Order shall replace ADMINISTRATIVE ORDER NUMBER H1993-20A and same is hereby RESCINDED.**

**DONE AND ORDERED** in Chambers in Brooksville, Hernando County, this 17<sup>th</sup> day of October, 2011, *nunc pro tunc* October 2, 2009.

  
**DANIEL B. MERRITT, SR.,**  
**Chief Judge/Administrative Judge**  
**Fifth Circuit/Hernando County,**  
**Florida**

