

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

IN THE MATTER OF:)
) No. 21-mc-00001
)
SECURITY PROCEDURES)
) GENERAL ORDER /
) ADMINISTRATIVE POLICY
) **2021-19**
)

GENERAL ORDER

This order supersedes and replaces all prior orders of this Court on these subjects and establishes the security procedures applicable to all persons entering federal court facilities in the Southern District of Indiana, including the Birch Bayh Federal Building and U.S. Courthouse in Indianapolis; the United States Courthouse in Terre Haute; the Winfield K. Denton Federal Building and United States Courthouse in Evansville; and the Lee H. Hamilton Federal Building and United States Courthouse in New Albany (collectively referred to as "U.S. Courthouses in the Southern District" or "Courthouse Facilities").

SECURITY PROCEDURES

A. Screening of Persons Entering the Building

1. The United States Marshals Service Court Security Officers shall operate X-ray machines and walk-through magnetometers at all public entrances to U.S. Courthouses in the Southern District for the purpose of screening persons entering the buildings. All persons and their belongings are subject to search by the United States Marshals Service while in Courthouse Facilities.
2. All persons having business with the Courts or any other offices in a U.S. Courthouse in the Southern District shall pass through the walk-through magnetometers for the purpose of detection of firearms, explosives, pepper spray, incendiary devices, knives, or any other items prohibited by law, regulation or court order from introduction into these facilities. These persons shall submit to further screening by a United States Marshals Service Court Security Officer if the readings of the magnetometer indicate the presence of metallic substances. This further screening may encompass the removal of all metallic objects on their person and screening by a portable handheld metal detector or other screening procedures as necessary. Any person refusing to submit to this screening process shall be denied access to any of the Courthouses Facilities.
3. All persons having business with the Courts or any other offices in a U.S. Courthouse in the Southern District who are carrying, delivering or otherwise transporting any briefcase, suitcase, package, container, or electronic device (including but not limited to cellular telephones, smart phones, smart watches, tablet computers, laptop computers, or recording devices of any kind) (herein referred to as "carried item") shall surrender

such carried item for screening through an X-ray device and/or personal inspection by a Court Security Officer. Any person refusing to submit his or her carried item(s) for screening through an X-ray device and/or personal inspection by a Court Security Officer shall be denied access to any Courthouse Facility. If a Court Security Officer concludes, after X-ray and/or personal inspection, that any item which the person seeks to bring into a Courthouse Facility may contain firearms, explosives, pepper spray, incendiary devices, knives, or any other dangerous item prohibited by law, regulation or court order, the individual is subject to arrest.

EXCEPTIONS. The following persons, upon presentation of a United States Courthouse-issued photo identification card, shall be exempt from the screening procedures set forth above (with appropriate official identification, and subject to exceptions related to changes in building security status or random checks):

- a. District Judges of the United States District Court for the Southern District of Indiana;
- b. Magistrate Judges of the United States District Court for the Southern District of Indiana;
- c. Judges of the United States Bankruptcy Court for the Southern District of Indiana;
- d. Employees of the United States Marshals Service and contractors of the United States Marshals Service who serve as Court Security Officers who are authorized by law and agency regulations to carry firearms;
- e. Employees of the United States Federal Protective Service of the Department of Homeland Security who are authorized by law and agency regulations to carry firearms;
- f. Employees of the federal government (excluding contractors), including employees of the United States District Court, Bankruptcy Court, and Probation Office¹, who are assigned to a permanent duty station within one of the U.S. Courthouses within the Southern District;
- g. Attorneys and their staff directly employed by the Office of the United States Attorney for the Southern District of Indiana, the Office of the United States Trustee for the Southern District of Indiana, and the Internal Revenue Service for the Southern District of Indiana;
- h. Attorneys directly employed by the Indiana Federal Community Defender for the Southern District of Indiana, Inc.;
- i. Up to six staff members, as designated by the Executive Director of Indiana Federal Community Defenders, Inc., directly employed by the Office of the Indiana Federal Community Defender for the Southern District of Indiana²;

¹ This exemption also applies to any probation officer assigned to a satellite office in the Southern District of Indiana.

² Designated staff of the Indiana Federal Community Defenders Office must submit to a local and national

- j. Attorneys appointed by the court to serve on the Criminal Justice Act Panel³ for the United States District Court for the Southern District of Indiana; and
- k. Standing Chapter 13 Trustees.

NOTE – Although exempt from security screening the persons listed above are not permitted to bring firearms, pepper spray, or any other restricted items into a Courthouse Facility within the Southern District⁴ (see Section C). Violators will have restricted items confiscated, may have future access privileges revoked, and may be subject to further action by the Court or federal law enforcement agency.

- 4. No person having authorized access to any Courthouse Facility, or a secured location therein, shall permit any unauthorized person access to any Courthouse Facility or to any elevator, locked stairwell door, or any other locked area in a Courthouse Facility without proper authorization.
- 5. Only government employees authorized by their appropriate agency manager and possessing an official identification card may enter Courthouse Facilities through a secured entrance.

B. Cameras, Recording Devices, and Electronic Devices

- 1. All cameras, recording devices, cellular telephones, smart phones, tablet computers, laptop computers, smart watches, and similar electronic devices (collectively, "electronic devices") shall be subject to inspection upon entry at all designated court security checkpoints as described in Paragraph (A)(3) above.
- 2. Subject to the exemptions set forth in Paragraph (B)(6) below, all electronic devices shall be turned off in the presence of Court Security Officers upon entry to the courthouse and placed in a locked pouch or locked receptacle provided by the U.S. Marshal. Devices shall remain in the locked pouch or receptacle while the owner is in the courthouse;
- 3. Devices in a locked pouch shall remain in the possession of the owner while in the courthouse. The locked pouch may not be willfully opened, damaged, or tampered with

criminal record check prior to issuance of a United State Courthouse photo identification card and must specifically agree to comply with all restrictions concerning weapons and contraband in United States Courthouses in the Southern District.

³ This exemption applies to attorneys appointed by the court to serve on the Indianapolis, Terre Haute, Evansville, and New Albany Criminal Justice Act Panels; this exemption expires at the conclusion of an attorney's membership on the Criminal Justice Act Panel. Attorneys must submit to a local and national criminal record check prior to issuance of a United States Courthouse photo identification card and must specifically agree to comply with all restrictions concerning weapons and contraband in United States Courthouses in the Southern District.

⁴ Exception: The U.S. Probation Office's hazardous duty law enforcement officers are exempt from this restriction. When necessary, their hazardous duty law enforcement officers are permitted to bring his/her field gear (e.g., firearms, pepper spray, body armor, handcuffs) into a Courthouse Facility in the Southern District.

- while in the visitor's possession, and must be returned to the Court Security Officers before leaving the courthouse, at which time the personal device will be removed from the pouch and returned to the visitor;
4. Devices in a locked receptacle shall remain in the designated space for that receptacle, and the owner will retain the key to the receptacle while the owner is in the courthouse. Upon departure from the courthouse, a Court Services Officer will accompany the owner to the receptacle to unlock the receptacle and retrieve the electronic device;
 5. Willful damage, attempted damage, theft, or attempted theft of the locked pouch, locked receptacle, or key may subject the visitor to criminal penalties, including but not limited to fines and imprisonment of up to 10 years pursuant to 18 U.S.C. §§ 641 and 1361;
 6. Unless otherwise ordered by the Chief Judge or the presiding Judge in a specific case, only the following persons shall be exempt from placing their electronic devices in a locked pouch or receptacle:
 - a. All attorneys with either valid evidence of their admission to the bar or credentials of the U.S. Department of Justice or the Office of the Federal Public Defender, and support staff in their company;
 - b. Summoned and seated petit or grand jurors, subject to any restrictions imposed by the presiding Judge;
 - c. Judicial officers; employees of the U.S. District Court, U.S. Bankruptcy Court, U.S. Probation Office, or the U.S. Court of Appeals for the Seventh Circuit; other federal court employees on official business; and employees of courthouse tenant agencies with valid courthouse identification cards;
 - d. Volunteer law clerks and/or interns for the U.S. District Court and tenant agencies with valid court-issued identification or documentation;
 - e. Law enforcement officials on official business with valid identification or badge;
 - f. Members of the press or media representatives on official business, who have previously registered with the court for media access and been approved for such access. Approved media entrants must turn off (not place on silent or vibrate mode) their devices before entering the courtroom;
 7. Notwithstanding the above exemptions, no electronic device may be used or possessed in violation of Federal Rule of Criminal Procedure 53 (prohibiting courtroom photography and broadcasting in criminal cases), Local Civil Rule 83-3 (prohibiting courtroom photography, recording, and broadcasting in all cases, except upon approval by the Chief Judge or presiding Judge for investiture, ceremonial, or naturalization proceedings), or in violation of any directive of a Judge, Deputy United States Marshal, or Court Security Officer;

C. Weapons: Firearms, Knives, Explosives, and other Dangerous Items

General Policy: Firearms, knives, explosives, and other dangerous weapons are prohibited from Courthouse Facilities and are subject to confiscation by the United States Marshals Service. Except as specifically provided herein, no person shall possess a weapon in any U.S. Courthouse within the Southern District of Indiana. It is illegal to possess a firearm or other dangerous weapon in a federal building with or without the intent to commit a crime (18 U.S.C. § 930), and any person possessing same is subject to arrest (in addition to weapon confiscation). The prohibition on possession extends to all persons exempt from security screening as set forth in Section A above.

Firearms and Taser-type Weapons: This section of the policy covers only firearms and "Taser" type weapons. Local and federal law enforcement officers are permitted to maintain control of less than lethal weapons (including pepper spray, batons, etc.) throughout Courthouse Facilities (including courtrooms) within the Southern District, with limited exceptions.

1. Local Law Enforcement Officers.- When a local law enforcement officer arrives at an entrance security control point and identifies himself/herself, the on-duty Court Security Officer shall question the law enforcement officer as to his/her business within the courthouse.
 - a. If the local law enforcement officer has official business inside the courthouse but not within a courtroom, the law enforcement officer shall fill out a "check-in" form that will be supplied by the USMS, and the law enforcement officer will be permitted to maintain control of his/her firearm(s). The screening Court Security Officer will instruct the law enforcement officer that he/she may not enter any courtroom while armed.
 - b. If the local law enforcement officer advises that he/she has business inside a courtroom, the officer must surrender any/all firearms (including "Taser" type weapons) at the security control point, except in the following circumstances:
 - i. Department of Corrections officers/guards and Sheriff's Deputies escorting prisoners inside a courtroom are permitted to carry their firearms inside the courtroom.
 - ii. Local law enforcement officers assigned to a federal task force (*e.g.* Indiana State Police, Indiana Drug Enforcement agent) are permitted to carry their firearm(s) into the courtroom as long as the firearm(s) are concealed.
 - c. If a local law enforcement officer is present at the courthouse in a personal capacity (*i.e.*, for a purpose that is not associated with law enforcement), the officer shall surrender all firearms and other weapons, including non-lethal weapons, at the security control point. Examples of appearances that are personal in nature include appearing as a party to a case, a witness in a civil matter, or a debtor in a bankruptcy case.

2. Federal Law Enforcement Officers - Federal law enforcement officers are generally permitted to carry their firearms inside U.S. Courthouses in the Southern District and also inside courtroom(s) as long as the firearms are concealed. Those permitted to carry firearms inside courthouses specifically include:
 - a. Employees of the United States Marshals Service and employees of contractors of the United States Marshals Service who serve as Court Security Officers who are authorized by law and agency regulations to carry firearms;
 - b. Probation Officers who are employed by the United States Probation Office (including Probation Officers assigned in the Southern District to U.S. Probation's satellite offices) who are authorized by law and agency regulations to carry firearms; and
 - c. Employees of the United States Federal Protective Service of the Department of Homeland Security and employees of contractors of the Department of Homeland Security who serve as Physical Security Officers who are authorized by law and agency regulations to carry firearms.

Federal law enforcement officers that are not assigned to a permanent duty station within one of the courthouses in the Southern District must fill out a "check-in" form that will be supplied by the USMS upon entering a Courthouse Facility. If a federal law enforcement officer is present at the courthouse in a personal capacity (*i.e.*, for a purpose that is not associated with law enforcement), the officer shall surrender all firearms and other weapons at the security control point. Examples of appearances that are personal in nature include appearing as a party to a case, a witness in a civil matter, or a debtor in a bankruptcy case.

E. UNITED STATES MARSHALS SERVICE ("USMS") SECURITY ALERT PLAN

The USMS SECURITY ALERT PLAN is divided into five levels. Escalating levels provide additional security requirements designed to supplement security procedures already mandated by USMS policy.

When the USMS Security Alert protocol is activated, the national policy guidelines directing security levels will supersede this court order.

SO ORDERED.

For the Court,

Date: 7/15/2021



Hon. Tanya Walton Pratt, Chief Judge
United States District Court
Southern District of Indiana