

**THE CIRCUIT COURT, SIXTH JUDICIAL CIRCUIT
IN AND FOR PASCO AND PINELLAS COUNTIES, FLORIDA**

ADMINISTRATIVE ORDER NO. 2024-019 PA-CIR

RE: COURT SECURITY – PASCO COUNTY

The Sheriff, either in person or by deputies, must attend all terms of the circuit court and county court held in Pasco County and may be ordered to provide security to sequestered juries. *See* §§ 30.15(1)(c), and 30.501, Florida Statutes.

To promote the safety and security of all court facilities and proceedings in Pasco County;
and

To ensure access to court proceedings as guaranteed by the First Amendment in a manner that also protects the public interest in providing for the orderly and safe transaction of court business, and

To assist the Chief Judge, the Circuit Court Judges, the County Court Judges, and the Sheriff in carrying out their respective constitutional and statutory duties, and

In accordance with Article V, section 7, Florida Constitution, Florida Rule of General Practice and Judicial Administration 2.215, and section 43.26, Florida Statutes,

IT IS ORDERED:

1. Definitions

For purposes of this administrative order, the term “court facility” means the areas in a courthouse where court functions are performed and includes but is not limited to courtrooms, hearing rooms, judicial chambers, offices of court staff, witness rooms, juror assembly rooms, jury deliberation rooms, the offices of the Clerk of the Circuit Court, and adjacent areas such as restrooms, break rooms, conference rooms, and reception areas in the following locations and includes any other buildings subsequently designated for court functions:

- A. The Robert D. Sumner Judicial Center, 38053 Live Oak Avenue, Dade City, Florida;
- B. The West Pasco Judicial Center, 7530 Little Road, New Port Richey, Florida; and
- C. The Pasco Historic Courthouse, 37918 Meridian Avenue, Dade City, Florida, when specifically designated for court proceedings.

2. Sheriff’s responsibilities

The Pasco Sheriff’s Office shall take reasonable steps as defined in this Administrative Order to provide for:

- A. the safety of the Court, lawyers, parties, witnesses, jurors, court staff, and the public in court proceedings, and
- B. the orderly and safe transaction of court business.

The Sheriff may take additional lawful steps if, in the Sheriff's professional judgment, such steps are desirable to achieve these goals as long as the additional steps are not in conflict with an Administrative Order or an order of a presiding judge.

3. Security in court proceedings

The Pasco Sheriff's Office shall provide security for all circuit court and county court proceedings including, but not limited to:

- A. all trials and hearings conducted by judges unless otherwise directed by the judge, and
- B. all proceedings or hearings, except Baker Act hearings, of general and special magistrates, hearing officers, arbitrators, and mediators (excluding private arbitrators and mediators), unless otherwise directed by the magistrate, hearing officer, arbitrator, or mediator.

All security measures within a courtroom or hearing room are subject to the presiding judge's or presiding officer's ability to control the conduct of court proceedings.

4. Orderly and safe transaction of court business

For purposes of this paragraph only, the term "court facility" also includes areas for ingress and egress to the portions of a courthouse where court functions are performed and includes but is not limited to the courthouse lobby, hallways, stairwells, escalators, and elevators.

A. Conduct prohibited in a court facility

To ensure the integrity of the judicial process and the orderly and safe transaction of court business, a citizen's first amendment right to observe court proceedings or to access court facilities may be restricted. *See e.g., Huminski v. Corsones*, 396 F. 3d 53 (2d Cir. 2004); *Braun v. Baldwin*, 346 F. 3d 761 (7th Cir. 2003); *Mead v. Gordon*, 583 F. Supp. 2d 1231 (D. Oregon 2008). Accordingly, to provide for an orderly and safe place to transact court business, the following conduct is prohibited in a court facility:

- 1. Conduct that disrupts court proceedings;
- 2. Conduct that violates the rule of sequestration of witnesses;
- 3. Conduct that intimidates or attempts to intimidate a party, witness, victim, victim's family, attorney, or judge in a court proceeding;
- 4. Conduct that purposefully obstructs the passage of other persons in the facility;
- 5. Conduct that causes bias or prejudice or attempts to cause bias or prejudice to the trier of fact if such activities are allowed to occur;
- 6. Conduct that may prejudice jurors;
- 7. Conduct that may reasonably pose a threat to other persons in the facility;
- 8. Conduct that may reasonably pose a threat to property; and
- 9. Entry into restricted areas of the court facility.

B. Conduct prohibited in a courtroom or hearing room

All conduct that is prohibited in a court facility is also prohibited in a courtroom or hearing room. The following additional conduct is prohibited in a courtroom or hearing room during court

proceedings unless otherwise authorized by the presiding judge or presiding officer:

1. The wearing of any clothing that reflects disrespect for or disrupts court proceedings;
2. Talking by persons in the audience during the proceedings;
3. The use of a cell phone, smart phone, tablet, laptop, PDA, texting device, or any other electronic equipment that disrupts court proceedings;
4. Unauthorized communication to persons outside of the courtroom;
5. Possession of personal property banned from the courtroom; and
6. Any other behavior that interferes with the dignified and solemn nature of court proceedings.

This subparagraph is not intended to restrict the right of the media to report on court proceedings in accordance with Florida Rule of General Practice and Judicial Administration 2.450 and any applicable Administrative Order.

C. Enforcement of restrictions on conduct

When a deputy sheriff observes conduct that is prohibited in a courtroom or in a court facility, the deputy shall warn the individual to stop the behavior. If the individual continues to engage in prohibited behavior in a courtroom or court facility, the deputy sheriff shall remove the individual from the courtroom or court facility unless the individual is a party, attorney, witness, or juror in the proceeding, in which case the behavior shall be brought to the attention of the presiding judge or presiding officer. A warning is not required if the individual is engaging in disorderly conduct prohibited by section 877.03, Florida Statutes, disturbing assemblies prohibited by section 871.01, Florida Statutes, or otherwise engaging in criminal conduct.

When persons are removed from the courtroom or court facility, the deputy sheriff shall place reasonable time, place, and manner restrictions on the individual's return to the courtroom or court facility. Such restrictions are to be based upon the reason for the individual's removal. Unless specifically authorized by the Court, an individual may not be prohibited from attending hearings in their case, from responding to a summons or subpoena, or from filing pleadings with the Clerk of the Circuit Court, but such access may, without Court authorization, be restricted by requiring that the individual be accompanied by a deputy sheriff or court security personnel.

5. Weapons prohibited

Except for judges, bailiffs, law enforcement officers, Pasco County Corrections officers, and armored transportation service personnel who meet the criteria specified in this paragraph, no person possessing a firearm, taser, electronic control weapon, ammunition, knife, mace, pepper spray, dangerous weapon or other items that can be used as weapons may enter or occupy a court facility.

Sworn officers from law enforcement agencies, including federal agencies, listed on Attachment A are exempt from the prohibition in this paragraph provided:

- A. the officer is in a recognized law enforcement uniform,
- B. the officer is in the court facility on official business,
- C. the officer displays appropriate identification, and
- D. any firearm in possession of the officer is in a secure holster.

Detectives and supervisors in the Pasco Sheriff's Office and all law enforcement officers who are assigned to the Judicial Operations Division are exempt from the prohibition in this paragraph provided:

- A. the individual is in the court facility on official business,
- B. the individual displays appropriate identification, and
- C. any firearm in possession of the above listed personnel is in a secure holster.

Contracted Officers who are contracted through the Pasco Sheriff's Office or the Pasco County Board of County Commissioners to assist with security, inmate transport, holding security, courtroom security, and are assigned to the courthouse are exempt from the prohibition in this paragraph provided:

- A. the individual is in the court facility on official business, as contracted for,
- B. wearing a recognized contracted security uniform and clearly displaying appropriate credentials, and
- C. any firearm in possession of the contracted officer is in a secure holster.

Pasco County Correctional Officers whose primary responsibility is the supervision, protection, care, custody, and control or investigation of inmates within the Pasco County Jail—excluding any secretarial, clerical, or professionally trained personnel assigned to the Pasco County Corrections—are exempt from the prohibition in this paragraph, provided:

- A. the officer is in a recognized Corrections uniform,
- B. the officer is in the court facility on official business,
- C. the officer displays appropriate identification, and
- D. any firearm in possession of the officer is in a secured holster.

Contracted armored car personnel who are assigned to armored cash-in-transit service for the Clerk of the Circuit Court are exempt from the prohibition in this paragraph provided:

- A. the individual is in a recognized armored transportation company service uniform and displays appropriate identification,
- B. the individual is in the court facility for the purpose of contracted bank transit services on behalf of the Clerk of the Circuit Court,
- C. the company has established service schedules and approved identification with the Pasco Sheriff's Office, and
- D. any firearm or other weapons in possession of the service personnel are in a secure holster.

6. Security checkpoints

A. The Pasco Sheriff's Office shall take such reasonable steps as are necessary to ensure that no firearms, tasers, electronic control weapons, ammunition, knives, mace, pepper spray, other dangerous weapons, or other items that can be used as weapons, are in the possession of any individual entering a court facility except as authorized in this Administrative Order. These steps may include but are not limited to use of facial recognition systems, metal detection devices, hand-held electronic scanning devices, personal or other searches, or pat-downs by law enforcement officers. If a person refuses the request of a law enforcement officer to submit to any security measure, the person may be denied access beyond the security device.

B. If a person who is in a courthouse is denied entry or taken into custody, the bailiff shall take all reasonable steps to notify the Court if such person is a witness, defendant, victim, or attorney in a pending proceeding before the Court. Upon notification from the Court that the person is needed for court proceedings, the bailiff shall follow the Court's direction.

C. The Pasco County Department of Facilities Management shall post a notice outside the entrance to security checkpoints that persons entering the court facility are subject to security procedures.

D. Facial recognition systems shall be operated in such a manner to ensure that scans which do not produce a match are not retained in the system.

E. At the public entrance to all court facilities in Pasco County, any judge, judicial assistant, or court employee displaying identification shall not be subject to security measures unless the law enforcement officer has a reasonable basis to question the validity of the identification.

F. Any contractor for the court, employee of the offices of the State Attorney, Public Defender, Regional Counsel, and the Clerk of the Circuit Court for Pasco County, attorney with an identification issued by the Sheriff as set forth in subparagraph G., or other county officer or employee using the public entrance to a court facility shall pass through the metal detection devices located at such public entrance.

G. Members of The Florida Bar, in good standing, who have their principal office in the Sixth Judicial Circuit or who practice regularly in Pasco County, may apply by completing and submitting Attachment B to the Pasco Sheriff's Office for a picture identification card that will allow express entry at the West Pasco Judicial Center and Dade City Courthouse. The attorney is still required to pass through security, but will be provided express entry. The Sheriff shall issue such identification cards to attorneys meeting this requirement, who are approved by the Chief Judge, who pass a background check, who pay a reasonable fee for such identification card, and who otherwise satisfy any other reasonable requirements that the Sheriff may impose to ensure security.

Administrative Order 2024-016 PA-CIR is hereby rescinded.

DONE AND ORDERED in Chambers at Clearwater, Pinellas County, Florida this ____ day of June, 2024.

ORIGINAL SIGNED ON JUNE 13, 2024
BY SHAWN CRANE, CHIEF JUDGE

Attachments: A Law Enforcement Agencies
 B Private Counsel Identification Card (PCID) Request Form
 B1 Pasco Sheriff's Office Statement of Purpose for Collection of SSN Form

cc: All Judges
The Honorable Bruce Bartlett, State Attorney
The Honorable Sara Mollo, Public Defender
The Honorable Nikki Alvarez-Sowles, Clerk of Court, Pasco County
The Honorable Ken Burke, Clerk of Court, Pinellas County
The Honorable Chris Nocco, Sheriff, Pasco County
The Honorable Bob Gualtieri, Sheriff, Pinellas County
Ita M. Neymotin, Regional Counsel, Second District
Ngozi Acholonu, Assistant Regional Counsel
Jennifer Parker, Trial Courts Administrator
Michele Emmerman, Deputy Trial Courts Administrator
Kimberly Thompson, Chief Operations Officer, Pasco County Clerk's Office
Jeffrey Steinsnyder, County Attorney, Pasco County
Court Security/Judicial Operations Division
Florida Highway Patrol
Florida Department of Law Enforcement
Department of Corrections, Pasco and Pinellas
Florida Fish and Wildlife Conservation Commission
Law Enforcement Agencies, Pasco and Pinellas Counties
Bar Associations, Pasco and Pinellas Counties
Law Library, Pinellas County

ATTACHMENT A – LAW ENFORCEMENT AGENCIES

Pasco County Sheriff's Department
Dade City Police Department
New Port Richey Police Department
Port Richey Police Department
Zephyrhills Police Department

Pinellas County Sheriff's Office
Florida Department of Law Enforcement
Florida Fish and Wildlife Conservation Commission
Florida Highway Patrol

Sworn officers from federal agencies and in other Florida jurisdictions may be allowed on a case by case basis with prior approval of the presiding judge.

IMPORTANT INFORMATION

Per Administrative Order, the Court Complex Express Entry Program has been established to provide attorneys who have their principle office in the 6th Judicial Circuit with express access to the Judicial Centers in Pasco County, while continuing to maintain appropriate security procedures. The PCID cardholder must display his or her card at all times when entering or exit-ing a Pasco County Judicial Center/Courthouse. Weapons are NOT allowed inside any Pasco County Judicial Center/Courthouse.

INSTRUCTIONS - Submit to PSO Human Resources • 8661 Citizens Drive, New Port Richey, FL 34654 • (727) 844-7791

1. A completed request form with acknowledgement of disqualifiers listed on Page 2.
2. A completed Statement of Purpose for Collection of Social Security Numbers (PSO# 20215).
3. A copy of the applicant's driver's license, social security card, and FL Bar Membership.
4. A check or money order in the amount of \$30.00 (non-refundable) payable to the Pasco Sheriff's Office (to cover our processing fees).

PLEASE PRINT OR TYPE AND PROVIDE ALL INFORMATION REQUESTED

Last Name: _____ First Name: _____ M.I.: _____

Please list any other names you have used, (i.e. maiden, married, etc).

Name(s): _____ Reason: _____ Date From: _____ To: _____

Name(s): _____ Reason: _____ Date From: _____ To: _____

Sex: _____ Race: _____ Date of Birth: ____/____/____ Hair Color: _____ Eye Color: _____ Ht: _____ Wt: _____

FL Driver's License#: _____ SS#: _____ FL Bar #: _____

Home Address: _____ City: _____ State: _____ Zip Code: _____

Contact Telephone#: _____ Email Address: _____

Name of Law Firm: _____

Address: _____ City: _____ State: _____ Zip Code: _____

☐ Mail PCID card to me at the address shown above (certified mail/return receipt requested).

☐ I prefer to pick up the PCID card in Human Resources and authorize that the card may be given to my representative identified below:

Authorized Representative: (PLEASE PRINT) _____

I am requesting to be issued a PCID card by the Pasco Sheriff's Office. I practice in the 6th Judicial Circuit and I am a member of the Florida Bar, in good standing. I understand I must immediately report the theft or loss of the issued PCID card to the Pasco Sheriff's Office Human Resources Section, in writing. I understand the information contained on this form is public record under Florida State Statute 119. I understand PCID cards may be revoked at anytime at the discretion of the Sheriff, and PCID cards expire one year from the date of issuance. I understand I will be responsible for re-applying for a current card at that time. By completing and signing this form, I agree to all of the stipulations included in Administrative Order.

Attorney: _____ Signature: _____ Date: _____
(Please Print)

Court Security ☐ **Approved** ☐ **Denied** Signature: _____ Date: _____

PCID Card Received by:

Signature of Attorney or

Authorized Representative: _____ Signature: _____ Date: _____
(Please Print)

Pasco Sheriff's Office Human Resources use ONLY

☐ Background Completed ____/____/____ by: _____

☐ FL Bar ____/____/____ by: _____

☐ Photo ____/____/____ by: _____

☐ Fee paid and sent to Fiscal ____/____/____ (non-refundable)

ID card Issued and: ☐ Mailed CM# _____ (RRR) ☐ Signed RR attached

☐ Being picked up (have attorney or authorized representative sign above for card)

DISQUALIFIERS

Per 6th Judicial Circuit Administrative Order, attorneys who practice in Pasco County and within the 6th Judicial Circuit are eligible to apply for a Private Counsel Identification Card. Attorneys must complete a Private Counsel Identification Card Request [PSO 4-0379] to be issued a PCID card through the Pasco Sheriff's Office Human Resource Section. Applicants applying for the PCID are subject to:

- 1.) *NCIC/FCIC Background Check; and*
- 2.) *Florida Bar Review.*

Applicants in good standing with the Florida Bar and who meet the following criteria will be issued a PCID in accordance with the application process. Applicants must have:

- 1.) *No violent arrests/convictions;*
- 2.) *No arrest/convictions involving a handgun,*
- 3.) *No arrest/convictions in crimes against law enforcement,*
- 4.) *No felony convictions within the past ten years of application,*
- 5.) *No misdemeanor convictions within the past five years of application; and*
- 6.) *No Ex Parte or Baker Act within the past five years of application.*

Applicants not meeting the above mentioned criteria will be reviewed jointly by PSO Judicial Security Section supervisory staff and the 6th Judicial Pasco Chief Judge for application approval.

Applicant's Signature: _____ **Date:** _____



Pasco Sheriff's Office

STATEMENT OF PURPOSE FOR COLLECTION OF SOCIAL SECURITY NUMBERS

PSO Case No. (If applicable): _____

The Sheriff's Office collects social security numbers from individuals under certain circumstances, including, but not limited to:

1. Employment applications
2. Arrestees
3. Individuals booked into the detention facility
4. Individuals required by law to register with the Sheriff's Office and required to provide social security numbers as identification
5. Citizen contacts during a consensual field interview
6. Traffic stops to verify identity of the driver and any other individuals present in the vehicle
7. Traffic citations
8. When specifically authorized to do so by law, or when collection is imperative for the performance of the Sheriff's Office's duties and responsibilities as prescribed by law. All social security numbers collected by the Sheriff's Office are confidential and exempt from Florida's public records act. These social security numbers may be disclosed to another law enforcement agency or governmental entity if disclosure is necessary for the receiving agency or entity to perform its duties and responsibilities.
9. Other:

The Pasco Sheriff's Office may have collected your social security number. The purpose of collecting, and the intended use(s) of, your social security number are to facilitate, ensure or enable:

1. Accuracy in our identification of you;
2. The proper crime is charged;
3. Effectiveness in our police practices;
4. Our ability to protect the health and safety of persons; and/or
5. Participation in mandatory federal programs such as income, SS and Medicare taxation.

Collection of your social security number was (check one):

_____ Mandatory (If we have mandated your disclosure of your social security number, we have done so under the authority of Title 42, Sec. 405 of the Tax Reform Act of 1976; or Florida Statutes Chapters 901 or 933 (relating to arrest or search warrant), Chapter 937 (missing persons), or Chapter 790 (investigations/return of firearms).

_____ Voluntary

_____ From a source other than you

I acknowledge that the Pasco Sheriff's Office has provided me with a copy of this written statement.

Printed Name: _____ Signature: _____

Date: _____