

	<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>11-05-24</b>
<b>Related Information</b> GC-19, <i>Dress and Appearance</i> GC-20, <i>Uniform Specifications</i> GE-3, <i>Property Management and Evidence Control</i> GJ-5, <i>Crime Scene Management</i> Property Division Packaging Manual	<b>Supersedes</b>  GC-5 (07-15-20)	

## PURPOSE

The purpose of this Office Policy is to establish guidelines and procedures for Office employees when attending court proceedings in a capacity related to their official duties and as representatives of the Maricopa County Sheriff's Office.

Although this Office Policy refers to "employees" throughout, this 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, courteous manner and dress appropriately when attending court in an Office related criminal or civil matter. Employees shall comply with the guidelines established by the individual court of jurisdiction.

## 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 Firearms List carried by a designated and certified 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.

**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, in a capacity related to their official duties and as representatives of the Maricopa County Sheriff's Office, shall make every effort to cooperate with the requests of the court. Employees shall:
  - A. Be punctual for court appearances and be respectful and attentive to the court proceedings;

- B. Be respectful and maintain a professional, courteous, and cooperative demeanor with court officials and members of the public;
  - C. Speak clearly and audibly;
  - D. Not mislead or misrepresent themselves to the public or other governmental agencies in the course of their duties or regarding their duties or position with the Office for the purpose of deception;
  - E. Not use tobacco products in any form, including but not limited to; cigarettes, cigars, electronic cigarettes, and chewing products; or chew gum;
  - F. Not participate in disruptive conversations or distracting behaviors, while in the courtroom; or
  - G. 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:** When instructed to appear in court, employees shall present a professional appearance appropriate to the court environment. The following court appearance standards shall apply:
- A. Employees appearing in response to a court order or judicial subpoena in an Office related criminal or civil matter shall be well groomed and wear authorized attire, including but not limited to, an authorized uniform or business attire, as specified in Office Policies GC-19, *Dress and Appearance* and GC-20, *Uniform Specifications*.
  - 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 (JBSD) 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. Deputies and detention officers authorized to carry a firearm or other weapon in the performance of official 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 Office issued identification card and the court order or subpoena to JBSD security personnel when bypassing security screening.
  - D. Prior arrangements with the Court Security Division are required when armed Office personnel are escorting a protected witness into the courthouse.
  - E. Gun lockers are provided by the court. Employees not authorized to carry weapons shall secure their weapons as required by the courts.
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 Clerk in a safe condition and packaged, as specified in Office Policies GE-3, *Property Management and Evidence Control*, GJ-5, *Crime Scene Management*, and the Property Division Packaging Manual.
    - 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 Clerk packaged, as specified in the Property Division Packaging Manual.
  - C. Any weapon which may contain biohazard material, such as blood, shall be securely packaged, labeled, handled, and stored, as specified in Office Policies GE-3, *Property Management and Evidence Control* and GJ-5, *Crime Scene Management* prior to the delivery of the weapon to the Maricopa County Clerk of the Court personnel.
5. **Canceling a Criminal Court Appearance:** Employees unable to attend court because of a vacation, illness, or other type of leave shall notify their supervisor and the prosecuting attorney's office as soon as possible, prior to the scheduled court appearance.
- A. If the subpoena is issued by the prosecutor, the employee should call the phone number listed on the subpoena.
  - B. If the subpoena is issued by the defense, the employee should contact the prosecuting attorney's office to inquire as to who the prosecuting attorney is and notify them of their inability to attend.
6. **Canceling a Civil Court Appearance:** Employees unable to attend court because of vacation, illness, or other type of leave shall notify their supervisor and the necessary parties as soon as possible, prior to the scheduled court appearance.
- A. If the subpoena is issued by Office's counsel in a case related to the employee and/or the Office, the employee should contact the attorney who issued the subpoena.
  - B. If the subpoena is issued by the plaintiff in a case related to the employee and/or the Office, the employee should call the attorney's office that represents the employee and/or the Office in the matter to inquire as to who the representing attorney is and notify them of their inability to attend.
  - C. If the subpoena is issued by either party in a case where the employee is a third-party in their official capacity as an Office employee, the employee should contact the issuing party.
7. **Personal Litigation or Other Personal Business in the Courthouse:**
- A. Employees involved in personal litigation or other personal business shall not produce or display an Office issued identification card to bypass security screening locations.
  - B. Employees involved in personal litigation or other personal business shall not carry any firearms, ammunition, or any other weapons into the courthouse. Gun lockers are provided by the court. Employees shall secure their firearm or weapon in a gun locker, go through a screening checkpoint, and adhere to all court rules.

8. **Federal Courthouse Regulations:** Uniformed and non-uniformed employees entering a Federal Courthouse shall comply with the established guidelines regarding the checking or securing of their firearms.