

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

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|----------------------------|---|-----------------------|
| IN THE MATTER OF: |) | No. 23-mc-00001 |
| |) | |
| SECURITY PROCEDURES IN THE |) | GENERAL ORDER / |
| INDIANAPOLIS DIVISION |) | ADMINISTRATIVE POLICY |
| |) | 2023-36 |
| |) | |

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 the Birch Bayh Federal Building and United States Courthouse in Indianapolis, Indiana (referred to as "U.S. Courthouse" or "Courthouse Facility").

SECURITY PROCEDURES

A. Screening of Persons at Public and Designated "Employee Only" Building Entrances

1. The United States Marshals Service Court Security Officers shall operate X-ray machines and walk-through magnetometers at all public or designated "employee only" entrances to the U.S. Courthouse for the purpose of screening persons upon entry. All persons and their belongings are subject to search by the United States Marshals Service while in the Courthouse Facility.
2. All persons entering the U.S. Courthouse via a public or designated "employee only" entrance shall pass through the walk-through magnetometers for the purpose of detection of firearms, explosives, pepper spray, incendiary devices, knives, E-cigarettes, vaping devices, vaping-related items, 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 the Courthouse Facility.
3. All persons entering the U.S. Courthouse via a public or designated "employee only" entrance 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 the 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 the Courthouse Facility may contain firearms, explosives, pepper spray, incendiary devices, knives, E-cigarettes, vaping devices, vaping-related items, or any other dangerous item prohibited by law, regulation or court order, the individual is subject to arrest.

EXCEPTIONS. The following persons 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):

- a. Justices and Judges of the United States Supreme, Circuit, District, Bankruptcy, and Tax Courts;
 - b. Operational 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;
 - c. Law enforcement employees of the United States Federal Protective Service of the Department of Homeland Security and contractors of the United States Federal Protective Service who serve as Physical Security Officers who are authorized by law and agency regulations to carry firearms;
 - d. Law enforcement officers of tenant agencies who are authorized by law and agency regulations to carry firearms and/or less than lethal weapons in the conduct of official duties;
 - e. Law enforcement officers responding to emergencies originating from the Courthouse Facility;
 - f. Law enforcement officers conducting business in cooperation with and at the direction of a law enforcement tenant agency (i.e., case officers) who check in at a designated United States Marshals Service building screening station;
 - g. Correctional officer(s) in uniform escorting a prisoner in state/local custody to a court proceeding, provided they have given advance notice of their presence to the United States Marshals Service; and
 - h. Individuals designated by the Chief District Judge or United States Marshal.
4. No person having authorized access to the Courthouse Facility, or a secured location therein, shall permit any unauthorized person access to the Courthouse Facility or to any elevator, locked stairwell door, or any other locked area in the Courthouse Facility without proper authorization.

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 Facility 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 Facility.
3. Devices in a locked pouch shall remain in the possession of the owner while in the Courthouse Facility. The locked pouch may not be willfully opened, damaged, or tampered with while in the visitor's possession, and must be returned to the Court Security Officers before leaving the Courthouse Facility, at which time the pouch will be unlocked and the personal device will be removed from the pouch and returned to the visitor.
4. Devices in a locked receptacle shall remain in the receptacle, and the owner will retain the key to the receptacle while the owner is in the Courthouse Facility. Upon departure from the Courthouse Facility, a Court Security 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 a Judge or tenant agency head, or their designee, only the following persons shall be exempt from placing their electronic devices in a locked pouch or receptacle. The following exempt individuals are not permitted to carry another individual's electronic device into the courthouse without placing it in a locked pouch or locked 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. Federal employees on official business with government agency PIV cards and contractors of tenant agencies on official business;

- d. Volunteer law clerks and/or interns of courthouse tenant agencies with valid tenant agency-issued identification or documentation;
 - e. Law enforcement officials on official business with valid identification or badge;
 - f. Correctional officer(s) in uniform escorting a prisoner in state/local custody to a court proceeding;
 - g. 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; and
 - h. Any individual who requires access to an electronic device to manage a medical condition is exempt from placing that specific electronic device in a locked pouch or receptacle.
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. Firearms, Knives, Explosives, and other Dangerous Items

Firearms, explosives, pepper spray, incendiary devices, knives, E-cigarettes, vaping devices, vaping-related items, or any other dangerous item prohibited by law, regulation or court order are prohibited from the Courthouse Facility 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 does not apply to persons exempted from security screening as set forth in Sections A(3)(a), (b), (c), (d), (e), (f), and (g) above.

Federal Law Enforcement Officers

- a. Federal law enforcement officers authorized by law and agency regulations to carry firearms in the conduct of official duties are permitted to carry their firearms(s) inside U.S. Courthouses in the Southern District and inside courtroom(s) when conducting official business as long as firearm(s) are concealed.

- b. U.S. Marshals Service policy and procedure concerning security protocol specific to federal law enforcement agents/officers carrying firearm(s) must be adhered to at all times while inside a U.S. Courthouse in the Southern District.
- c. If a federal law enforcement officer is present at the courthouse in a personal capacity (i.e., for a purpose not associated with law enforcement), the officer shall surrender all firearms and other weapons, including less than lethal weapons, at the security control point. Examples of appearances that are personal in nature include appearing as a party in a case, witness in a civil matter, or a debtor in a bankruptcy case, or conducting business in a Clerk's Office.

State and Local Law Enforcement Officers

- a. When a state or local law enforcement officer arrives at the entrance security control point to conduct official business within the Courthouse Facility in cooperation with and at the direction of a law enforcement tenant agency or responding to an emergency, the officer shall be permitted to retain control of their firearm(s), including less than lethal weapons.
- b. State and local law enforcement officers are not permitted to carry their firearm(s) in courtrooms or hearing rooms except Task Force Officers assigned to the USMS Great Lakes Regional Fugitive Task Force, who are permitted to carry their firearm(s) in courtrooms. Firearm(s) must be concealed.
- c. If a state or local law enforcement officer is present at the Courthouse in a personal capacity (i.e., for a purpose not associated with law enforcement), the officer shall surrender all firearms and other weapons, including non-lethal weapons, at the security control point and secure said weapons in a U.S. Marshals Service provided gun/weapon locker(s). Examples of appearances that are personal in nature include appearing as a party in a case, witness in a civil matter, or a debtor in a bankruptcy case, or conducting business in a Clerk's Office.

Correctional Officers in Uniform Escorting a Prisoner in State/Local Custody to a Court Proceeding

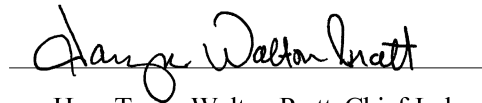
- a. Correctional officers in uniform escorting a prisoner in state/local custody to a court proceeding are permitted to carry their firearms(s) inside U.S. Courthouses in the Southern District and inside courtroom(s).
- b. U.S. Marshals Service policy and procedure concerning security protocol specific to correctional officer(s) carrying firearm(s) must be adhered to at all times while inside a U.S. Courthouse in the Southern District.

- c. If a correctional officer is present at the courthouse in a personal capacity (i.e., for a purpose not associated with escorting a prisoner to a court proceeding), the officer shall surrender all firearms and other weapons, including less than lethal weapons, at the security control point. Examples of appearances that are personal in nature include appearing as a party in a case, witness in a civil matter, or a debtor in a bankruptcy case, or conducting business in a Clerk's Office.

SO ORDERED.

For the Court,

Date: 9/29/2023

A handwritten signature in black ink, reading "Tanya Walton Pratt", is written over a horizontal line.

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