

IN THE DISTRICT COURT OF MARYLAND
5TH DISTRICT SITTING IN PRINCE GEORGE'S COUNTY

IN THE CIRCUIT COURT FOR PRINCE GEORGE'S COUNTY, MARYLAND

**8th AMENDED POLICY GOVERNING PORTABLE ELECTRONIC DEVICES
AND CONTROLLED DANGEROUS SUBSTANCES AND POLICY GOVERNING
EVIDENCE BROUGHT INTO THE COURTHOUSE**

On the 16th Day of October 1997, the Administrative Judges of the 5th District Court and the Prince George's County Circuit Court issued a policy governing the entry of electronic devices into the courthouse complex in Upper Marlboro, Maryland. Since the issuance of the original policy (P97-06) and the amendments thereto, (P98-01, P01-01, P02-01, P03-04, P03-08, P903-10, and P07-03) it has become necessary to expand the policy's coverage relating to Upper Marlboro and apply the policy to the District Court's Hyattsville location, while in some instances, relaxing prior prohibitions. It is, therefore, on this _____ day of December 2008, by the Administrative Judge of the District Court of Maryland, 5th District Sitting in Prince George's County, and the Administrative Judge for the Prince George's County Circuit Court,

ORDERED, that court policies P97-06, P98-01, P01-01, P02-01, P03-04, P03-08, P03-10, and P07-03 are hereby rescinded, and it is further,

ORDERED, that the phrase "courthouse complex" as used in this order denotes any court facility located in Upper Marlboro, Maryland including any building or part of a building that is used for courtrooms, Clerk of the Court operations, case processing, judge's chambers, or any other activity in support of District or Circuit operations, and it is further,

ORDERED, that any reference to Hyattsville in this order denotes any part of the building located at 4990 Rhode Island Avenue, Hyattsville, Maryland, that is dedicated to the use of the District Court of Maryland, 5th District Sitting in Prince George's County, and it is further,

ORDERED, that the phrase "appropriate Administrative Judge" when used in this order means the Administrative Judge for the District Court of Maryland, 5th District Sitting in Prince George's County, or the Prince George's County Circuit Court Administrative Judge, and it is further,

ORDERED, that no hand held electronic games, MP3 players, portable radio devices, boom boxes, CD players, portable televisions, or other devices designed to receive commercial signals are allowed within the courthouse complex in Upper Marlboro or the District Court Hyattsville location without the showing of a particularized need and the prior approval of the appropriate Administrative Judge, or the Administrative judge's designee, and it is further,

ORDERED, that cellular telephones (including cellular telephones with cameras and video streaming capabilities), pagers, PDAs, electronic calendars and laptop (dictionary) computers are allowed within the courthouse complex and the District Court Hyattsville location. However, the cellular telephones, pagers, electronic calendars, and laptop (dictionary) computers are subject to x-ray or appropriate and necessary inspection by the Sheriff for Prince George's County, Maryland or the District Court's bailiffs. Further, the cellular telephones and

paggers must be rendered silent or turned off before the possessor enters a courtroom or while in the hallway immediately outside of the entrance to a courtroom, and cellular telephone conversations are absolutely prohibited within a courtroom, the entrance to a courtroom, or the hallway immediately outside the entrance to a courtroom, and it is further,

ORDERED, that the use of a cellular telephone to take pictures or record events within any Circuit or District Court facility without prior approval of that Court's Administrative Judge or the Administrative Judge's designee, is strictly prohibited and may result in contempt of court charges being filed against the responsible party, and it is further

ORDERED, that the laptop (dictionary) computers shall only be used within a courtroom in the courthouse complex or the District Court Hyattsville location with the prior approval of the presiding judge and it is further,

ORDERED, that cameras (both still and moving), PDAs, and personal computers designed to take photos, tape recorders, or other recording devices are permitted within the courthouse complex and the District Court Hyattsville location on a case-by-case basis with the prior approval of the appropriate Administrative Judge or a designee of the appropriate Administrative Judge, and it is further,

ORDERED, that no contraband (drugs or weapons) of any description is allowed within the Upper Marlboro courthouse complex or within the 5th District Court of Maryland, Hyattsville location, unless the contraband (drugs or weapons) is brought into the buildings by a law enforcement officer, an investigator for the Prince George's County Public Schools Department of Security Services, or an agent of the Prince George's County State's Attorney's Office as evidence in a pending case in either court, with the exception noted in the following paragraph, and it is further,

ORDERED, that no contraband containing the controlled dangerous substance phencyclidine, or any ingredient contained therein is allowed within the courthouse complex in Upper Marlboro or within the District Court Hyattsville location without prior approval of the appropriate Administrative Judge or the designee of the appropriate Administrative Judge, and it is further,

ORDERED, that alcoholic beverages may only be brought into the courthouse complex or the District Court Hyattsville location upon good cause proven and prior approval of the appropriate Administrative Judge, and it is further,

ORDERED, that the Sheriff for Prince George's County, Maryland and 5th District Court Bailiffs shall enforce this order, and it is further,

ORDERED, that the Sheriff for Prince George's County and the 5th District Court Bailiffs are hereby authorized to confiscate any electronic device that is used in a prohibited manner (taking pictures, recording scenes), or any other instrument that emits an audible signal thereby disturbing the orderly process of the court's proceedings, or any contraband or controlled dangerous substance as defined in MD Code Ann. Cr. Law §§4-201 - 4-402 and 5-401 - 5-609, and it is further,

ORDERED, that the Sheriff for Prince George's County, and a District or Circuit Court bailiff is authorized to seize any electronic device that is used by its possessor in a manner that disturbs the court proceedings during the time that court is in session, and it is further,

ORDERED, that a Deputy Sheriff or a District or Circuit Court bailiff who seizes an electronic device within a courtroom shall, unless the presiding judge directs otherwise, turn the device into the Chief Bailiff or his designee, who shall in turn present it to a member of the Sheriff's Department, of the rank of Lieutenant or higher, who is charged with oversight for the security of the courthouse for the day, and it is further,

ORDERED, that a Sheriff's supervisor or the supervising bailiff may either return the device to the owner upon the owner's exit from the courthouse complex, or may, in their discretion, determine to retain the item for a longer period of time to include absolute forfeiture, and it is further,

ORDERED, that any controlled dangerous substances brought into the courthouse complex by anyone other than those authorized to do so by this order, once confiscated, subjects the possessor to criminal charges in the discretion of the seizing agent, and it is further,

ORDERED, that any appeal from action taken by the Sheriff, through an agent, a District Court bailiff, or a Circuit Court bailiff, in carrying out the mandate of this order must be directed to the appropriate Administrative Judge, or in the absence of the appropriate Administrative Judge to that judge's designee.

Thomas J. Love
Administrative Judge
Fifth District Court

William D. Missouri
County Administrative Judge
Prince George's County Circuit Court

cc: Hon. Robert M. Bell
Hon. Glenn T. Harrell, Jr.
Circuit & District Court Judges, Sitting & Retired
Circuit & District Court Administrative Offices
Hon. Michael A. Jackson, Sheriff
Hon. Glenn F. Ivey, State's Attorney
Hon. Peggy A. Magee, Clerk of the Court
Brian C. Denton, Esquire, District Public Defender
Martha Kumar, Parole & Probation
Douglas Mohler, Juvenile Services
Assessment & Taxation
Capt. John T. Griffith
Col. James A. Panetta
Emory L. Waters, Director, Dept of Security Service PGCPs