



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2013-14

**IN RE: FIREARMS IN FEDERAL
COURTHOUSE FACILITIES AND GROUNDS**

On August 28, 1987, the Court entered Administrative Order 87-43, addressing firearms in federal courtrooms in the Southern District of Florida and ordering that only the U.S. Marshal and the Marshal's deputies may enter a federal courtroom carrying a firearm. The Court amends that order to establish procedural consistency as to Federal Agents and Law Enforcement personnel entering court facilities, and to assist the U.S. Marshals Service in ensuring the safety and security of the Judiciary.

IT IS ORDERED that the following procedures will be strictly adhered to regarding the carrying of firearms within federal courthouse facilities and upon courthouse grounds of the Southern District of Florida:

I. Courtrooms

The only personnel permitted to carry firearms in a courtroom at all designated federal court facilities are United States District and Magistrate Judges, the U.S. Marshal, Deputy U.S. Marshals, and Court Security Officers.

II. Courthouses

No person other than United States District and Magistrate Judges, the U.S. Marshal, Deputy US Marshals, Court Security Officers, U.S. Probation Chief, Deputy Chief Probation Officer, and Federal Protective Service Uniformed Officers may carry a weapon in a Courthouse within the Southern District of Florida.

III. Federal Buildings and Facilities

Law enforcement personnel that are permanent tenants of federal buildings and facilities are authorized to carry firearms directly to or from the agency office within the building. The firearms are not to be carried for general movement within the building and shall not be permitted on court floors unless authorized by the U.S. Marshal.

IV. Securing of Weapons at Facility

Law enforcement officers not fitting the above criteria shall check their weapons with the Court Security Officer upon entry into the facility at the designated security screening posts or at the weapons locker located at the prisoner sally port. Non-law enforcement individuals with firearms will not be permitted to check weapons at any facility within the District. *See* 18 U.S.C. § 930.

V. Exhibits

Advance notification must be made to the U.S. Marshals Service prior to a person bringing a weapon to a courthouse which will be used for evidence. No firearm should be taken into a courtroom unless it is first presented to the U.S. Marshals Service for a safety check.

VI. Exceptions

- A. With prior approval by the U.S. Marshal, any law enforcement officer may be authorized to carry firearms in the court facilities for special cause.
- B. Uniformed police officers in fulfillment of their ordinary law enforcement duties related to the investigation of criminal offenses and responding to incidents and calls for assistance. This exception does not apply to officers testifying in court proceedings.
- C. Deputized Task Force Officers assigned to the U.S. Marshals Service Fugitive Task Force.
- D. District Security Officers hired by the U.S. Marshals Service to perform court security and prisoner transportation duties.

VII. Firearms Upon Courthouse Grounds

All persons not specifically authorized by this Order to carry firearms within federal courthouse facilities are prohibited from carrying or possessing any firearm upon courthouse grounds in any manner.

- A. The term "courthouse grounds" includes the following:
 - i. All property owned, leased or used by the federal government appurtenant to any facility utilized for federal court proceedings within the Southern District of Florida.
 - ii. Property used from time to time by the federal court for the purposes of conducting federal court proceedings on the days that such court proceedings take place.

- iii. All other grounds, including, but not limited to the walkways, steps, courtyards, plazas, and parking lots of these courthouses.

Authorization under this Order to possess firearms on courthouse grounds does not authorize any person to carry firearms within courthouse buildings.

Persons who do not fall within the above categories of permitted personnel or limited exceptions will not be allowed to carry firearms within court facilities or upon courthouse grounds where the U.S. Marshals Service is responsible for security. It is further

ORDERED that nothing in this Order limits the power of the court of the United States to punish for contempt or to promulgate rules or orders regulating, restricting, or prohibiting the possession of weapons within any building housing such court or any of its proceedings, or upon any grounds appurtenant to such building. *See* 18 U.S.C. § 930(f).

This Order supersedes Administrative Order 87-43 in its entirety, which is hereby repealed.

DONE AND ORDERED in Chambers at Miami, Florida this 22nd day of February 2013.



FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

Copies provided to:

Honorable Joel F, Dubina, Chief Judge, United States Court of Appeals for the Eleventh Circuit
All Southern District and Magistrate Judges
Circuit Executive
United States Marshal
Library