

**Security: Prohibition on Cellular Telephones and other Personal Communication Devices in the
Sussex County Courthouse**

- I. GENERAL PROVISIONS: For security reasons, all cellular telephones, camera phones or other personal communication devices (e.g. Blackberries, Sidekicks, pagers, PDA's etc.) are not permitted in the Sussex County Courthouse (SCCH), with the exception of the persons specifically enumerated in Section II below, or as otherwise permitted by order of the judicial officer before whom the particular case or proceeding is pending. Any device found in the possession of a person in the SCCH contrary to this policy may be subject to seizure and forfeiture.
- II. EXEMPT PERSONS: The following shall be exempt from the prohibition against carrying a cellular telephone, camera phone, Blackberry or other personal communication device into the SCCH:
- a. Judicial officers
 - b. Court employees assigned to work at the SCCH
 - c. State employees who are entering the SCCH on official business
 - d. Building and maintenance tradesmen, equipment repairmen, vendors, etc. may be permitted to retain their personal communication devices, upon a determination by the Capitol Police that they do not pose a security risk and the ability to access such devices is necessary for their work at the SCCH.
 - e. Local, State and Federal Law Enforcement Officers on official business and possessing proper credentials.
 - f. Attorneys who present a picture identification card and a valid Delaware Supreme Court issued membership card
- III. Cell phone or communication device usage by those persons included in Section II shall not take place in any courtroom, public hallway, bathroom, etc. If it is necessary to use a cell phone the person must find a quiet, non-public area such as an interview room, or bailiff's office (with permission). Permitting those persons included in Section II to use their phones in public areas, when the public in general can't even have a cell phone, will not be permitted. If this occurs the offender will lose his/her cell phone privileges. Remember, if you leave it on or "powered up" and you get an incoming call at an inappropriate time or place, you risk losing your privilege.
- IV. If a cell phone or communication device "goes off" in any courtroom in the Courthouse, the presiding judge may confiscate the device, impose a financial penalty, or any other appropriate sanction, including the loss of cell phone privileges.
- IV. PRIMARY RESPONSIBILITY: The Capitol Police and Capitol Security Officers will have the primary responsibility for determining the exemption of any person not described under the policy. That determination will be based on sound, generally accepted, security practices and procedures.