



## MYRTLE BEACH POLICE DEPARTMENT

### ADMINISTRATION REGULATIONS AND OPERATING PROCEDURES

---

**Subject:** *Court Attendance & Security in Municipal Court*      **Number:** *401-C*

---

**Effective Date:** *January 1, 2001*

**Revised Date:** *08-01-2024*

---

|                  |                                                                 |                               |
|------------------|-----------------------------------------------------------------|-------------------------------|
| <b>Rescinds:</b> | <i>004 and</i>                                                  | <b>Dated:</b> <i>10-15-92</i> |
|                  | <i>Police Department Policy 700, No. 700 – 711</i>              | <i>1977</i>                   |
|                  | <i>401-A Court Attendance &amp; Security in Municipal Court</i> | <i>11-26-08</i>               |
|                  | <i>401-B Court Attendance &amp; Security in Municipal Court</i> | <i>04-01-14</i>               |

---

Approved By:

#### **I. PURPOSE**

To establish guidelines and regulations for attendance at court and other judicial proceedings as well as establishing courtroom security measures.

#### **II. PROCEDURE**

##### **A. COURT ATTENDANCE**

1. Officers shall be present and available to testify in any criminal court or Grand Jury action in this county. Officers shall respond only to a legal subpoena on civil cases inside this county and immediately notify their Division Captain whenever summoned outside of this county. Officers shall notify their immediate supervisor on any summons or subpoena for court.
2. Officers attending court shall wear either a class A or B uniform or appropriate professional apparel. Uniform combinations that include shorts are acceptable for Municipal Bench Trials only and only while the officer is on their regular duty assignment. All other court appearances will require Class A or B uniform with the standard uniform shirt and pants or business attire.
3. Officers may not directly or indirectly take part in or be concerned with making or negotiating any compromise or arrangement for any suspect or defendant with a view of permitting the suspect or defendant to escape the penalty of the law. Officers will not seek a continuance of any court

action out of friendship for any defendant. This is not intended to prevent the officer from cooperating with the Solicitor or City Prosecutor in an attempt to bring about the best interest of justice or in the furtherance of justice.

4. Officers are to have the cases in which they are involved properly prepared and ready for court appearance.
5. Officers will observe the utmost attention and respect toward a magistrate or judge at all times. Officers giving testimony shall speak calmly and explicitly in a clear, distinct and understandable voice so as to be easily heard by the court and the jury. Chewing gum or having any object of distraction in their possession is prohibited. Officers should carry themselves in a manner to emit pride in their profession.
6. Officers should testify accurately to the facts in the cases they are presenting and not suppress or over-emphasize any fact or circumstance in a case. It is important not to show any anxiety, prejudice or desire to convict a defendant. Officers should refrain from showing any signs of aggression and show the same respect and cooperation to the defense as shown to the prosecution.
7. Officers should portray to the judge, jury and courtroom that they are representing facts for consideration, and under no circumstances should they give the impression they are judging the defendant.
8. Officers shall be punctual in all court attendance.
9. Officers shall notify their on-duty supervisor if they are unable to attend a scheduled court date. This notification shall be done as soon as possible, but before the beginning of court. It will then be the supervisor's responsibility to immediately advise the Clerk of Court, City Prosecutor and respective Lieutenant so that measures can be taken to reschedule the court date or judicially resolve the case(s) through coordination with the City Prosecutor.
10. Officers subpoenaed to testify for the defense in any trial or hearing, or against the City or Department in any hearing or trial, shall notify their Division Captain and immediate supervisors upon receipt of any subpoena.
11. Officers shall immediately notify their Division Captain and immediate supervisor regarding any involvement in civil action where they are directly or indirectly involved.

#### B. COURTROOM SECURITY IN MUNICIPAL COURT

1. The physical facilities of the Myrtle Beach Municipal Court, which are located in the Ted C. Collins Law Enforcement Center, will be under the primary control and responsibility of the Chief City Judge. The Court Liaison Sergeant and the Training Sergeant along with such other special subject matter experts as may be desired will act as advisors to the Chief City Judge in the establishment and operation of a secure facility.
2. Officers may attend court while armed with their duty weapon. Officers who are not in uniform must have their badge clearly displayed on their person.
3. If a Municipal Court Officer (MCO) is not present, the last uniformed officer with a case to be heard in Municipal Court is required to remain in the courtroom until court is adjourned. This will be coordinated through the Clerk of Court for each court session. The Detention Officers assigned to the courtroom retain their same responsibilities.
4. Due to the sensitive nature of the operations of court, there may be situations where unusual occurrences occur. The court, in conjunction with the Myrtle Beach Police Department, must develop plans to cover a number of issues including:
  - i. Emergencies such as fire, medical, hostage, bomb and disaster incidents;
  - ii. High-risk trials and/or bond hearings;
  - iii. Area and personnel searches;
  - iv. Weapon introduction and use;
  - v. Detainee and general public movement.
5. All court personnel should be trained on emergency procedures and participate in an annual training exercise. The Court Liaison Sergeant is responsible for conducting the exercise that will include a pre-planned physical response to incidents such as a simulated bomb threat, hostage situation, active shooter scenario, etc.
6. The Court Liaison Sergeant is responsible for conducting a security survey of the Municipal Court at least every three years. This process should include court personnel, commanders of special operation functions such as SWAT and CINT, emergency management, as well as representatives of the Myrtle Beach Fire Department. A written report will be completed and forwarded to the Chief of Police and Chief City Judge.

### C. COURTROOM SECURITY EQUIPMENT

1. Equipment used for Municipal Court courtroom security will be listed in a logbook.
2. An MCO will perform a test of all equipment every two weeks and document the date, time, results, and person conducting the test in the logbook.
3. The MCO will immediately notify the Court Liaison Sergeant and the Chief City Judge of any equipment in need of repair or replacement.