



Introduction to the
**Orange County
Marshal's Department**

John E. Fuller, Marshal

Mission Statement

The Mission of the Marshal's Department is to protect and to serve the Judiciary and the Public by ensuring a safe environment in the Superior Courts of Orange County. All orders of the court shall be served and enforced with a commitment to providing those services in the most efficient, courteous and cost-effective manner.



MARSHAL JOHN E. FULLER

Dear Citizen:

I am pleased to provide this pamphlet which will offer you an excellent overview of the Orange County Marshal's Department. Our members are part of a dynamic, highly professionalized organization that takes great pride in serving our customers. Please feel free to call me or any member of my staff to ask any questions or to offer any suggestions that will further enhance our effectiveness.

Thank you.

A handwritten signature in black ink, appearing to read "John E. Fuller". The signature is fluid and cursive, written in a professional style.

AN INTRODUCTION TO THE MARSHAL'S DEPARTMENT

Municipal Court Marshals were established throughout the State of California under provisions of Article 5, Section 5 of the State Constitution.

Municipal Courts were created in each of Orange County's five judicial districts when the population exceeded 40,000, and each Municipal Court had a Marshal elected by popular vote. The first such Marshal's Office was established in 1954. The Marshal's Department of Orange County was formed through the consolidation of the five separate Marshal's Offices that existed within the county prior to December 1970. For the first time the services provided by the several Marshal's Offices were unified. Reorganization provided the Marshal's Department with the challenge to develop into a professional organization and at the same time reduce the cost of providing mandated services.

The passage of Assembly Bill 57 in 1982 set the stage for a second milestone in the evolution of the Marshal's Department by providing the mechanism for a Marshal/Sheriff merger. On March 30, 1984, the Marshal's Department assumed total responsibility for previously duplicated functions that the Sheriff was providing to the County. Those functions include bailiffing for the Superior Court, service and enforcement of all civil processes, enforcement of all warrants, and the transportation of mental health conservatees to Superior Court for hearings. Assuming the services previously provided by the Sheriff's Department dramatically increased the scope and size of the existing Marshal's organization.

In 1988, the Grand Jury conducted an inquiry into the management and staffing levels of the Marshal's Department, a result of the problems associated with the rapid growth of the department following the merger. The Department was successfully reorganized in 1989, and staffing level ratios were significantly reduced without a reduction in the level of services provided.

In 1993, the Marshal's Department participated in a joint management audit with the CAO, which led to a successful reorganization of the department's management structure. The department also began a new venture into office automation, implementing a 5-year plan that was funded by new civil fees, and provided the county with a \$600,000 savings per year.

THE MARSHAL'S DUTIES

The Marshal of Orange County is appointed by the 142 judges of the Superior Courts. The primary responsibility of the Marshal is the security of the courts. The Marshal is also charged with enforcing court orders and, in compliance with various legal codes, provides other law enforcement services that this booklet will detail.

A management audit conducted in 1986 recommended the formation of a single policy committee that would provide policy direction to the Marshal. The Joint Marshal's Personnel Committee was formed early in 1989 and consisted of five member judges representing the Municipal and Superior Courts. To ensure continuity of the Joint Marshal's Personnel Committee, Government Code Section 74011 was amended in 1989 to incorporate this body.

In 1998, Proposition 220 was passed by the voters in California, which mandated the reorganization of the court system and the conversion all Municipal Courts to Superior Courts.

ORGANIZATIONAL DESIGN

Marshal executive and administrative offices are located at 909 North Main Street, Suite 2, in the city of Santa Ana. Regional offices, called Divisions, are located in courthouses in the cities of Fullerton, Laguna Niguel, Newport Beach, Santa Ana and Westminster. Superior Court Juvenile Departments are located in the city of Orange and there is a South Court Annex in Laguna Hills.

Each Marshal Division is under the direction of a ranking deputy, normally a Lieutenant, who performs as the commander of that operation. As members of the Marshal's staff, each Division Commander acts as a liaison between the Marshal and the judges of the various jurisdictions. Staffing for bailiffs, warrant and process service activities and prisoner holding is provided at the Division level.

SCOPE AND RESPONSIBILITIES

With more than 463 authorized employees, the Orange County Marshal's Department is the largest law enforcement agency of its kind in the State and the third largest law enforcement agency in the County. Though the security of the 142 judges, commissioners and referees is the primary concern of the department, Deputy Marshals also perform a variety of other duties which will be described in detail.

The largest group of employees is assigned to bailiff in the courtrooms. Augmenting that group are the deputies responsible for the transporting and guarding of prisoners while at court. Their duties include the operation of the court holding cells, booking defendants ordered into custody from the courtrooms and standing guard while high-risk trials are in progress. During 1998, 131,760 prisoners were processed in the Orange County courts.

CIVIL PROCESS

An important duty performed by Deputy Marshals, civilian technicians, and clerical support personnel is the service of civil process. These segments of the workforce have the responsibility for delivering the subpoenas, orders, notices and summonses so vital to the completion of the civil court workload. Civil field deputies seize property under court order, sell property seized to satisfy judgments and enforce orders to evict tenants. In 1998, 64,639 total services were processed and served by the five Marshal Divisions and \$1,843,194 in revenue for these services was paid over to the County.

WARRANT SERVICES

The Warrant Section of the Field Services Division is responsible for the service of all types of warrants of arrest, investigation of crimes reported in County courthouses, and the radio communications function for the department. Designated as the primary service agency for approximately 95 percent of all warrants issued in Orange County, the Marshal's Department received 69,603 warrants in 1998.

The Marshal's Department also periodically serves on multi-agency specialized taskforces, which are designed specifically to apprehend major felons and fugitives.

CONSERVATEE TRANSPORTATION

Another of the important duties of the Marshal is to bring people to court who are subjects of conservatee proceedings. These people are institutionalized throughout the State and must be transported to court to attend hearings. In Fiscal Year '97-'98, officers assigned to the conservatee transportation detail travelled 61,540 miles and brought 1,445 conservatees to court.

RADIO COMMUNICATIONS

The dispatch function is carried out by two full-time dispatchers who handle all of the department's radio communications and provide Department of Motor Vehicle and criminal information requested by officers and the court.

Each of the 54 vehicles assigned to the Marshal's Department fleet are radio equipped and are assigned full time to specific functions such as conservatee transportation, civil process and warrant service activities. The type of vehicle varies by assignment, with vehicles which include unmarked investigative units, unmarked "E-Plate" units, marked police units with Code-3 capabilities, and 4 passenger transportation vans.

BAILIFF SERVICES

BAILIFF DUTIES

Deputies in bailiff assignments maintain and preserve order in the courtroom, ensure proper decorum by remaining ready to meet and control unusual situations and act to protect judges, witnesses, defendants and other members of the courtroom staff from harm. The bailiff's primary responsibility is the protection of the judge, the courtroom staff, and the members of the general public attending court proceedings.

Although the bailiff's primary responsibility is courtroom security, each bailiff is also required to provide many support functions within the courtroom. The bailiff provides information to court clientele; ensures that the courtroom is secure and properly maintained; schedules the arrival and departure of prisoners; maintains custody of prisoners while in the courtroom; and helps process witnesses, exhibits and evidence.

The proximity of jury rooms to the courtroom varies in each courthouse, therefore most jury rooms have signaling devices to summon the bailiff. It is seldom possible to provide a second bailiff to stand sentry duty at the jury room door, so if the room used by the jury is close enough to monitor, the bailiff may continue to assist in the courtroom proceedings while keeping watch over the jury.

Occasionally the bailiff's function as the security officer for the court may require performing security duties away from the courtroom. Providing escorts of defendants to a crime scene, providing security for the court staff at an off-site location, or the sequestering of juries while they are deliberating are some examples of the duties a bailiff may be expected to provide away from the courthouse.

LEVELS OF BAILIFF TRAINING

Bailiffs belong to either the Deputy Marshal or Court Services Officer classification:

Deputy Marshal

Every Deputy Marshal has completed 952 hours of police basic academy. Deputies must successfully complete a one year long, closely supervised, field training program. During this one year probationary period, each bailiff is assigned to at least two marshal division locations. Many Deputy Marshals have been employed by other police agencies and have a variety of police practical experience. Each holds at least a Basic P.O.S.T. Certificate and qualifies for peace officer status as authorized by Section 830.1 of the Penal Code, the highest level of peace officer status. Deputy Marshals have assignments in all superior courts.

Court Services Officer

Court Services Officers (CSOs) complete a 72-hour course of specialized training in Laws of Arrest and Weapons Handling in addition to receiving extensive on-the-job training. During a one year probationary period, CSOs complete a court services training program that parallels the Training Officer program for deputies. CSOs are encouraged to climb the career ladder to Deputy Marshal. Many CSOs are attending local colleges in preparation for promotion to Deputy and many have previous law enforcement related experience. As authorized by Section 830.36 of the Penal Code, Court Services Officers act as peace officers only while on duty.

Based on an agreement between the judges and the County, Court Services Officers bailiff in civil calendar courtrooms. Additionally, CSOs are assigned duties within the control station in detention facilities at all court locations. They are also assigned to maintain order in the public areas of the Central courthouse, enforce public parking ordinances, control access to private parking areas, and are responsible for the general security of the Central Court complex and the Juvenile Justice Center.

COURT HOLDING FACILITIES

Prisoners are brought to court daily by the county sheriff. While at court they are secured in court holding facilities staffed by deputy marshals. When the prisoners are finished with their court matters for the day they are returned to the county jail. Some police agencies also deliver their arrestees to the courthouse within their jurisdiction. If these prisoners are remanded after arraignment they are also taken to the county jail to be held pending their next court appearance. A total of 131,760 prisoners passed through court holding facilities in 1998.

Deputy Marshals assigned to court holding facilities move prisoners between courtrooms and the holding cells, supervise attorney visitations, provide medical emergency care, segregate prisoners in protective custody and inventory personal property of new bookings from court and other police agencies. Space limitations, the inaccessibility of some court holding facilities and security requirements make court ordered visits in these cells extremely difficult.

Once a prisoner has appeared before a judge and has been ordered released they are placed on a bus and transported to the county jail. If a prisoner was brought to court directly from a local police agency there is no need to return them to the county jail for release. Before these local prisoners are released, however, local and state agencies are checked for outstanding warrants or holds. If no holds are found these prisoners are released directly from the court's detention facility.

HIGH-RISK TRIAL SECURITY

Effective communication is of primary importance in preparation for a high-risk trial. The judge, marshal supervisor, prosecutor and other participants develop a plan designed to anticipate the security needs during trial. When the plan is complete the judge normally prepares an order for extraordinary security requirements, e.g., additional security deputies, use of metal detectors, searching all personal belongings before entering the courtroom, and appropriate press restrictions. Throughout the trial the marshal supervisor maintains close communications with the judge and other members of the courtroom team to keep them informed and to solicit their input.

The stage of the proceedings, type of trial and nature and number of participants are indicators of risk used to determine the level of security required.

The number of additional deputies assigned to a particular case is determined by the degree of risk. Escape-risk prisoners, violent or mentally-unbalanced defendants and cases with a high degree of disruption potential are types of cases which warrant greater manpower and equipment resources.

CASE TRACKING SYSTEM

Security preparation for handling high-risk cases begins early. In a criminal case this may begin upon the arrest of the defendant. With the cooperation of the arresting agency and the District Attorney's Office, we begin to gather intelligence on potentially high-risk or high-visibility cases from the moment a complaint is filed. With extremely good cooperation, we may receive intelligence even sooner. In domestic violence or civil cases, preparation may begin upon the filing of a restraining order, or upon the receipt of information regarding any threat of violence between the parties.

A security file is initiated by the bailiff with supervisory authorization at the court of jurisdiction. That file attaches to each subject (defendant/respondent, etc.) and follows them through each court appearance. Pertinent file information is also entered in a computer maintained by the Field Services Division. The computer system provides a method of cross-referencing and rapidly tracking multiple cases. Each deputy that comes in contact with a case tracking subject enters comments in the file that help assess the ongoing degree of risk. Future court dates and all other related information are noted in the security file.

Through the utilization of this Case Tracking System we are now able to anticipate and schedule the security resources necessary to provide the highest possible level of security.

JUDICIAL PROTECTION UNIT

The protection of members of the judiciary and their families is the responsibility of the Marshal's Department.

The Judicial Protection Unit (JPU) is activated when a perceived threat against any member of the judiciary is received. The unit assesses threat information to determine the potential danger of the threat and, if necessary, will provide the appropriate protective services.

The responsibility for the safety of judges extends beyond the courthouse. Threats of harm to a judge's family are also investigated vigorously by the Marshal's Department.

The Judicial Protection Unit may provide physical protection to judges on a 24-hour basis. Protective services such as residential security planning, establishment of safe routes of travel and escort services are examples of the type of skills the members of this unit possess.

THE GRAND JURY AND THE MARSHAL'S DEPARTMENT

Beginning on March 3rd, 1994, the Marshal's Department assumed responsibility for conducting extensive background investigations on all prospective Grand Jurors. These investigations were previously conducted by the District Attorney's Office, but responsibility was transferred to the Marshal's Department following a recommendation by the 1993-1994 Grand Jury that a conflict of interest may exist in having the prosecuting agency conduct the background investigations of prospective Grand Jury panel members.

The Marshal's Department processed background investigation packages for 80 prospective jurors while expending slightly more than 400 man-hours by investigative and clerical personnel during the month of March. Each investigation included a personal interview with the prospective juror, local and national criminal history inquiries, a credit report, a voter registration check, and local court records checks.

The completed background packages were submitted to the Superior Court Judges for review and use during the selection process. The backgrounds are a fair and objective process intended to assist the judges in selecting the most qualified applicants as Grand Jurors. With the exception of investigative personnel involved in the background process, and the judges involved in the selection process, all background information remains confidential.

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