




MEMORANDUM

February 6, 2025

TO: Hon. James P. Murphy, Deputy Chief Administrative Judge - ONYC
Hon. Adam Silvera, Deputy Chief Administrative Judge - NYC

FROM: Hon. Joseph A. Zayas 
Hon. Norman St. George

SUBJECT: Protocols Governing Activities in Courthouses by Law Enforcement Agencies

The guidance contained in this memorandum further clarifies the existing Administrative Order and Directives on law enforcement activities within New York State court facilities.

1. In accordance with the Protect our Court Act (Chapter 322 of the Laws of 2020), it continues to be the policy of the Unified Court System (UCS) to permit law enforcement agencies to act in the pursuit of their official legal duties in New York State courthouses and other court facilities, provided that their conduct in no way disrupts or delays court operations or compromises public safety or court decorum, as specified in the Administrative Order of the Chief Administrative Judge of the Courts, dated January 29, 2021.
2. The following protocol shall apply to representatives of outside law enforcement agencies who, while acting in their official capacity, enter a New York State courthouse or court facility to observe or question an individual, or take an individual into custody:
 - Except under extraordinary circumstances, absent leave of the Court, no arrest of an individual may take place within a courtroom.
 - No civil arrests may be executed inside a New York State courthouse or court facility except pursuant to a judicial warrant or judicial order.
 - Every courthouse and court facility will have a judge designated to review any paperwork to determine if it constitutes a valid judicial warrant or judicial order, as

well as at least one other judge who will conduct such review if the designated judge is not available.

- Upon outside law enforcement officials presenting themselves to UCS uniformed personnel, the UCS uniformed personnel shall ascertain the nature of the visit, including any proposed enforcement action to be taken. In addition, the UCS uniformed personnel shall ask the outside law enforcement officials to provide the warrant, order or other paperwork relating to their visit.
- UCS uniformed personnel shall immediately advise a uniformed supervisor of the presence of the outside law enforcement officials and their intended action, and shall also provide the uniformed supervisor with a copy of any paperwork presented by the outside law enforcement officials.
- The uniformed supervisor shall immediately: (1) notify the Department of Public Safety via email of the circumstances; and (2) advise the designated judge for that courthouse or court facility of the circumstances, and provide the designated judge with a copy of any paperwork provided by the outside law enforcement officials. If the designated judge is not available, the uniformed supervisor shall provide the information and paperwork to the designated alternate judge.
- The designated judge (or designated alternate judge) shall make the determination as to whether the outside law enforcement officials have presented a valid judicial warrant or judicial order justifying law enforcement action within the courthouse or court facility.
- If the law enforcement action relates to a party or witness in a proceeding taking place or scheduled to take place in the courthouse or court facility, the uniformed supervisor shall also:
 - inform the judge presiding over the case that an outside law enforcement official covered by this protocol is present in the courthouse or court facility with the intent of taking law enforcement action;
 - provide the presiding judge with a copy of the related paperwork; and
 - advise the presiding judge of the determination made by the designated judge (or designated alternate judge) as to whether the outside law enforcement official has presented a valid judicial warrant or judicial order justifying law enforcement action.
- The presiding judge shall have complete discretion to decide whether or not to notify the parties in the proceeding of the presence of the outside law enforcement officials and/or their intended actions.

- If the documentation is found not to be a valid judicial warrant or judicial order, UCS uniformed personnel will advise outside law enforcement of such finding and advise outside law enforcement that no law enforcement activity is permitted in the courthouse or court facility. However, if outside law enforcement personnel nonetheless proceed to go forward with their intentions outside the courtroom, UCS uniformed personnel should neither obstruct nor assist in any way. Should outside law enforcement signal an intention to move forward with law enforcement activity outside of a courtroom without a valid judicial warrant or judicial order or any law enforcement activity within a courtroom, immediate notification should be made to the Chief of Department of Public Safety for direction.
- UCS court security personnel shall file an Unusual Occurrence Report (UCS101) for each law enforcement action taken in a New York State courthouse by a law enforcement agency covered by this protocol, and must locally maintain a copy of said judicial warrant, or judicial order, or local arrest warrant or ICARD referenced to the corresponding UOR number.
- UCS court security personnel remain responsible for ensuring public safety and decorum in all courthouses and court facilities at all times. This policy and protocol is subject to modification based on changed circumstances.

cc: Hon. Edwina Richardson
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