

IN THE SUPREME COURT OF THE STATE OF ALASKA

ORDER NO. 1321

Adopting Administrative Rule
26.2 on court security.

IT IS ORDERED:

The Administrative Rules are amended to include new Administrative Rule 26.2 which reads:

Rule 26.2. Court Security.

(a) No person may possess a weapon on the premises of any court facility, or in the portion of any other building occupied by the court system, unless the weapon is to be used as evidence in a court proceeding. The term weapon includes firearms, knives, and chemical agents such as mace and pepper spray. This rule does not apply to:

(1) a peace officer;

(2) a private uniformed security guard employed by a financial institution or private security service who is transporting money or other valuables;

(3) a private security guard under contract with the court system to provide security services within a court facility who possesses a weapon authorized under the contract;

(4) a judicial officer; or

(5) a person who has written authorization from the administrative

director to possess a weapon on court premises. This authorization will be given only upon a showing of good cause and only for a specified period of time. If the weapon is a concealed handgun, the person must have a valid permit to carry this weapon.

(b) The exemptions listed in (a)(1)-(3) apply only to persons acting within the scope and authority of their employment. A peace officer or private security guard who is participating in or attending a court proceeding outside the scope of his or her employment, whether as a party, witness, victim, or other interested person, is not permitted to bring a weapon onto court premises unless authorized to do so under (a)(5).

(c) A judicial officer must notify the administrative director prior to bringing a weapon into a court facility. If the weapon is a concealed handgun, the judicial officer must have a valid permit to carry this weapon.

(d) Weapons to be used as evidence in court proceedings must be marked and prepared as directed by the administrative director by administrative bulletin. Each presiding judge may prescribe procedures for courts within that judge's district requiring prior notification to designated court personnel before weapons to be used as evidence may be

Supreme Court Order No. 1321
Effective Date: April 14, 1998
Page 3

brought onto court premises.

**Cross Reference: See Administrative
Bulletin No. 9, section IV(C), on
exhibit procedures.**

DATED: April 9, 1998

EFFECTIVE DATE: April 14, 1998

/s/
Chief Justice Matthews

/s/
Justice Compton

/s/
Justice Eastaugh

/s/
Justice Fabe

/s/
Justice Bryner