

OCT 02 2018

MICHAEL D. PLANET
Executive Officer and Clerk
BY:  Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF VENTURA

In re: USE OF CAMERAS IN THE
COURTHOUSE

GENERAL ORDER
No. 18.11

**DELETED - THIS ORDER
IS VACATED AND NOW
REPLACED WITH
GENERAL ORDER 18.12
FILED ON 10/19/18.**

No one except authorized court and court security personnel may engage in photographing, recording, or broadcasting, or activate any camera, microphone, recorder or broadcasting device in any courtroom, courthouse or court facility in the County where the court conducts business, including the full entry security screening areas, lobby, courtrooms, Judges' chambers, clerk's offices, court offices and the hallways adjacent to these areas, except as permitted by Ventura County Superior Court Local Rules, rule 26 and *California Rules of Court*, rule 1.150, or as permitted by this order or other order of a judicial officer, as set forth herein. Court facilities do not include offices occupied by non-court agencies including the District Attorney's Office and Victim Services Division, the Public Defender's Office or the County Law Library. This order shall not preclude any law enforcement officer from taking appropriate steps to ensure the orderly and peaceable conduct of court business at a courthouse, including the recording of criminal activity in progress. A law enforcement officer's use of a body camera for passive recording is allowed, provided the camera is set to automatically overwrite data within the timeframe prescribed by the officer's departmental standards.

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1 For purposes of this order, the following definitions apply: **Camera** - Any device that has a
2 primary function of recording images and is not part of a multifunction device such as a "smartphone."
3 **Wearable Electronic Device and Wearable Camera** -Any miniature electronic device that is worn
4 under, with, or on top of clothing and having a primary purpose of image capture or recording (such as
5 Google Glass, Go Pro Cameras, Lapel Pin cameras). **Personal Electronic Device** -Any device capable
6 of communicating, transmitting, receiving, or recording messages, images, sounds, data, or other
7 information by any means including but not limited to a computer, tablet, cell phone, or blue-tooth
8 device. This order applies to the use of any and all Cameras, Wearable Electronic Devices and
9 Wearable Cameras and Personal Electronic Devices as defined above.

10 Except for representatives of media or media agencies as defined in *California Rules of Court*,
11 rule 1.150(b)(2), no person shall bring into any courthouse a Camera, Wearable Electronic Device, or
12 Wearable Camera as defined above, nor may any person operate a Camera or Personal Electronic
13 Device in violation of *Ventura County Superior Court Local Rule 26* and *California Rules of Court*,
14 rule 1.150. To establish whether a person is bringing a camera into the courthouse for the purpose of
15 media coverage, security personnel may require that person to either provide a press pass issued by a
16 local law enforcement agency, other verifiable press credentials, or a copy of a current filed petition
17 seeking a court order pursuant to *California Rules of Court*, rule 1.150 or Local Rule 26.

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18 Personal Electronic Devices may be brought into a court facility but may be used only in
19 accordance with Local Rule 26. All electronic devices may be inspected by court security personnel.

20 All persons entering any courthouse shall comply with Ventura County Superior Court, Local
21 Rule 26.B, which provides, in part:

22 1. No one may use a camera, cell phone camera, video, photographic, audio or other
23 electronic device to transmit, record, or take pictures in any part of the courthouse
24 except as permitted by local rule and California Rules of Court, rule 1.150 or upon
25 written approval of the Presiding Judge. For purposes of this rule, court facilities
26 include the full entry security screening areas, lobby, courtrooms, judges' chambers,
27 clerk's offices, court offices and the hallways adjacent to these areas. Court facilities
28 do not include offices occupied by non-court agencies including the District
Attorney's Office and Victim Services Division, the Public Defender's Office or the
County Law Library.

1 2. The use of a camera, cell phone camera, video, photographic or other electronic
2 device is not permitted in any jury assembly area, or juror deliberation room. In
3 addition, photographing, videotaping, filming or electronic recording of anyone
4 wearing a juror badge anywhere inside of the courthouse is prohibited.

5 3. Photographing, videotaping, filming or electronic recording of anyone involved in
6 any case, including litigants, witnesses and spectators anywhere inside of the
7 courthouse is prohibited, except as permitted by local rule and *California Rules of*
8 *Court*, rule 1.150 or upon written approval of the Presiding Judge. Unless the court
9 orders otherwise, this rule does not prohibit photography or recording of ceremonial
10 events held by the court, a governmental agency or bar association, mock trial
11 competitions, weddings, adoptions or a lecture or training that is held in a courtroom
12 when court is not in session, as long as persons who are prohibited from being
13 photographed in this rule are not photographed.

14 Prior to entering a courtroom, cell phones, pagers, and all other electronic communication or
15 recording devices, not specifically authorized by the judicial officer presiding over the proceedings,
16 must be silenced or, in the discretion of the judicial officer, turned off. No such device shall be handled
17 in any way as to indicate that a picture, audio or video recording is being taken except in compliance
18 with Local Rule 26 and *California Rules of Court*, rule 1.150. Any such device, which disrupts the
19 proceedings, shall be subject to confiscation and search by the bailiffs. Nothing in this order shall
20 restrict a judicial officer's discretion to regulate the use of such devices in his or her courtroom. This
21 order does not prohibit the use of portable scanners, provided such devices are used solely for the
22 permissive purpose of imaging documents and is not a scanning application on a personal electronic
23 device.

24 This order is for the protection of the public, all parties, and court personnel, and to facilitate the
25 fair and orderly resolution of cases. This order is subject to modification based upon specific
26 circumstances and the discretion of an individual judicial officer in that judicial officer's courtroom, the
27 Presiding Judge or the Assistant Presiding Judge in the event of the unavailability of the Presiding
28 Judge and the supervising judge of the Juvenile Courthouse.

1 A copy of this order shall be posted on the Court's Web site and shall be made reasonably
2 available or posted near every security entry point into each court building, and other locations
3 conducting court business. Violation of this order may result in seizure of the device and/or search as
4 permitted by law. Further, any person who violates this order and/or Local Rule 26, may be subject to
5 monetary sanctions under *Code of Civil Procedure* §177.5, *California Rules of Court*, rule 1.150(f)
6 and/or a finding of contempt under *Code of Civil Procedure* §§128 and 1209 and/or arrest under *Penal*
7 *Code* §§166(a)(4), 166(a)(5), and 632.

8 Any court staff, security personnel or peace officer who becomes aware that a person is using a
9 device in violation of this order is directed to advise such individual orally of this order, and take steps
10 to provide the person with a written copy of this order, as soon as practical and report the incident to
11 Ventura County Sheriff Court Services. Ventura County Sheriff personnel or any other law
12 enforcement officer who has reasonable cause to believe a violation of this order has occurred are
13 requested to prepare an incident report, and if the circumstances warrant immediate corrective action
14 because the person persists in violating this order despite being informed of it or has violated the order
15 in a way that appears to have a significant adverse impact upon court security or the fair and orderly
16 resolution of cases, shall take possession of the device and bring the person without unnecessary delay
17 to the courtroom judicial officer, supervising judge, Assistant Presiding Judge or Presiding Judge, as
18 may be appropriate, to determine if there is sufficient cause to believe there has been a violation of this
19 order without good cause or substantial justification. Such judicial officer may take such action or
20 issue such orders to show cause regarding imposition of sanctions or contempt pursuant to *Code of*
21 *Civil Procedure* §§ 128, 177.5, and 1209 and/or *California Rules of Court*, rule 1.150(f), as may be
22 appropriate.

23 Effective immediately, this order is to remain in effect, until otherwise ordered by the Presiding
24 Judge.

25 GOOD CAUSE APPEARING THEREFOR, IT IS SO ORDERED.

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27 Dated: October 2, 2018.

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PATRICIA M. MURPHY
Presiding Judge