

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA



IN RE:)
)
FIREARMS POLICY FOR THE) ORDER
UNITED STATES COURTHOUSES,)
EASTERN DISTRICT OF NORTH CAROLINA)

At the regular judges' meeting held October 28, 2005, the Court approved a firearms policy to be enforced in the United States District Courthouses, Eastern District of North Carolina, as set forth in Order entered November 9, 2005. By direction of the United States District Court for the Eastern District of North Carolina, the Court's prior order and companion directive entered March 9, 2006, are superceded, and the following made controlling on the matter of firearms in courthouses within the District.

1. **General Rule.** Except as otherwise provided herein, no person (including any local, state, or federal law enforcement officer) other than full-time United States Marshals Service personnel, Court Security Officers, Federal Judges, Federal Protective Service Officers or Contract Guards, or Law Enforcement Officers permanently stationed as tenants in the courthouse and otherwise authorized to carry firearms, shall carry a weapon in any court facility.
2. **Tenant Agencies.** Law enforcement personnel who are permanent tenants of the courthouse are authorized to carry firearms directly to/from the agency office within that courthouse. Such personnel are authorized to carry their firearm so long as the firearm is concealed; however, such personnel are expressly prohibited from carrying their firearm on any floor where a courtroom is located or into any Judge's Chambers.
3. **Depositing of Weapons.** Except as otherwise provided herein, all other full-time law enforcement agents authorized to carry firearms shall deposit any weapon with the United States Marshals Service Court Security Officers to be stored in gun lockers at the screening post immediately upon entering the courthouse or at the United States Marshals Service gun lockers adjacent to the prisoner cell block.
4. **Exhibits.** This Order shall not apply to weapons being produced as exhibits in a criminal or civil action. Any person bringing a weapon into the courthouse intended to be introduced as an exhibit shall take the weapon to the United States Marshals Service Court Security Officer at the screening post immediately upon entering the courthouse. The exhibit firearm shall be rendered secure prior to it being presented to the Court Security Officer for inspection. No firearm may be taken into a courtroom as an exhibit unless it also has been presented to the United States Marshals Service for a safety check and a Deputy Marshal reports to the Clerk of Court or his designee that the firearm has been made safe and unable to chamber or fire ammunition. Ammunition shall not, to the extent

practicable, be maintained in a courtroom or presented to a witness in the same proximity as an exhibit firearm.

5. **Enforcement.** The United States Marshal is directed to enforce this Order. In doing so, the Marshal shall provide a secure area at each court facility within the District for the safekeeping of firearms, ammunition and other weapons of other law enforcement officers who wish to enter any court facility of the United States District Court within the Eastern District of North Carolina as provided in paragraph 3 above.
6. **Exceptions.** With the prior approval of a Federal Judge, any law enforcement officer may be authorized to carry firearms in the courthouse for special cause. Notice shall be provided to the United States Marshal, or his designee, of any exception allowed herein.
7. **Emergencies.** This Order shall not apply to law enforcement officers responding to emergency situations or a call for assistance from within a courthouse.

SO ORDERED this 17th day of March, 2006.

/S/ LOUISE W. FLANAGAN
Chief U.S. District Court Judge

/S/ TERRENCE W. BOYLE
U.S. District Court Judge

/S/ JAMES C. DEVER III
U.S. District Court Judge

/S/ W. EARL BRITT
Senior U.S. District Court Judge

/S/ JAMES C. FOX
Senior U.S. District Court Judge

/S/ MALCOLM J. HOWARD
Senior U.S. District Court Judge