

## 20<sup>TH</sup> JUDICIAL DISTRICT OF COLORADO ADMINISTRATIVE ORDER 12-101

**SUBJECT:** Alcohol and Drugs in the Courthouses

To:

Judges and Magistrates, Court Executive, Clerk of Court, Chief Probation Officer, Sheriff, County Attorney, Community Justice Services. District

Attorney, Public Defender and Boulder Municipal Court

From:

Ingrid S. Bakke

**Chief District Judge** 

**DATE: October 17, 2018** 

This order replaces 20th Judicial District Administrative Order 12-101 version dated 12/11/12.

Whereas the People of the State of Colorado have amended the Colorado Constitution to legalize the possession of small amounts of marijuana;

And whereas Amendment XVIII (16)(6)(d) provides that:

NOTHING IN THIS SECTION SHALL PROHIBIT A PERSON, EMPLOYER, SCHOOL, HOSPITAL, DETENTION FACILITY, CORPORATION OR ANY OTHER ENTITY WHO OCCUPIES, OWNS OR CONTROLS A PROPERTY FROM PROHIBITING OR OTHERWISE REGULATING THE POSSESSION, CONSUMPTION, USE, DISPLAY, TRANSFER, DISTRIBUTION, SALE, TRANSPORTATION, OR GROWING OF MARIJUANA ON OR IN THAT PROPERTY.

And whereas the Sheriff of Boulder County has requested the issuance of an Administrative Order regarding the presence of marijuana, alcohol, and controlled substances in court facilities:

And whereas the courts have the inherent power to regulate their own environment to provide for the safe, effective administration of justice, to enable the courts to perform their duties efficiently, and to provide for their dignity, independence, and integrity. See Article III, Colorado Constitution; *Pena v. District Court*, 681 P.2d 953 (Colo. 1984).

And whereas this inherent power specifically includes the ability to make orders providing for the safety and security of the court. (*Board of County Commissioners v. Weld County v. 19th Judicial District*, 895 P.2d 545 (Colo. 1995));

And whereas the Chief Judge of a judicial district has authority to enter such orders as may be needed to provide for the security and safety of the court (Chief Justice Directive 95-01; *Board of County Commissioners, supra*; *People ex. rel. Sullivan V. Swihart*, 897 P.2d 822 (Colo. 1995).

## IT IS THEREFORE ORDERED THAT:

- 1) No person shall bring into the Boulder County Justice Center or the Longmont Courthouse any alcoholic beverages (as defined by the Colorado Revised Statutes), marijuana, or any marijuana-infused product designed for consumption. In addition, no person shall bring any controlled substances into the Boulder County Justice Center or the Longmont Courthouse, except as indicated in Paragraph 2. This order also prohibits any drug-related paraphernalia, including that used for the consumption of marijuana, from being brought into either courthouse.
- 2) This order does not include any Food and Drug Administration (FDA) approved medication, provided it is contained in its original prescription container which shows that the person in possession of said medication has a lawful prescription to possess it.

Hon. Ingrid S. Bakke

Chief Judge

Twentieth Judicial District