

ELECTRONIC DEVICES AND MEDIA ACCESS IN THE COURTROOM: ESSENTIAL TRAINING CONSIDERATIONS FOR LAW ENFORCEMENT

The New Jersey Office of the Courts issued a directive on July 22, 2024, concerning the Supreme Court's guidelines on media access and electronic devices in New Jersey Courts. The directive was issued to Assignment Judges, Court Administrators, Court Clerks, and other essential judicial positions. The initial directive was not directly issued to New Jersey's law enforcement officers, but it is crucial that Chiefs of Police thoroughly review the directive and consider these recommended actions:

1. Read the directive, [Supreme Court Guidelines on Media Access and Electronic Devices in New Jersey Courts](#) (Revised 2024).
2. Discuss the directive's scope with municipal court officials and ensure that enforcement responsibilities are clearly defined. In many instances, enforcement responsibility lies with court personnel or the Municipal Judge; however, there are instances where an officer might need to be involved in enforcing specific laws in the courtroom, effectuating an arrest, or bringing upon criminal charges against a person due to their actions in the courtroom or in the court service window line.
3. Ensure municipal court officials appropriately post the notices, *Municipal Courts - Order Restricting Use of Electronic Devices*, and *Order - Phones or Electronic Devices in this Area*. Sample notices are listed as exhibits in the directive.
4. Discuss with court officials how they plan to or how they have established the starting location of the customer service waiting line at the court service window. The New Jersey Office of the Courts Directive, Exhibit B-2, describes measures that can be taken to establish a starting location at the customer service waiting line.
5. Speak with other local government leaders who might utilize the courtroom for non-court-related functions, such as local council or committee meetings, civic organization events, and other local government functions. Ensure that local government leaders know that the restrictions detailed in the New Jersey Office of the Courts Directive concerning phone and other media use or recordings are specifically for court proceedings and persons in the customer service waiting line. Although Exhibits B-2 and C will likely be posted in the courtroom when the room is being utilized for a purpose other than court proceedings, the specified restrictions will likely not apply. The municipal attorney should provide guidance concerning any restrictions for other meetings and events.
6. Ensure that when court officials authorize the media or any person to record court proceedings, the Chief of Police or their designee is notified and that there is a process to alert officers responsible for court security before the court session.

7. Develop a training program or materials that encompasses the tenets of the directive and additional guidance based on collaboration with court officials, local government leaders, and the municipal attorney. Some training considerations:

- Provide a copy of Exhibits B-2 and C to all officers. Discuss some examples of how phone use violations should be handled, including the difference between a person who unknowingly utilizes the phone in a prohibited manner vs. a person who purposely ignores the restrictions.
- Ensure officers clearly understand the elements of [N.J.S.A. 2C:29-9](#) (Contempt).
- Ensure all employees of the agency complete training in First Amendment Audits. Also, other local government leaders and department directors should be encouraged to ensure their employees complete such training. It is likely that some First Amendment Auditors will be aware of the restrictions associated with the New Jersey Office of the Courts Directive, and it is imperative that all employees have been sufficiently trained to manage these encounters.

First Amendment Auditor training options and resources:

- [Preparing for First Amendment Audits Training \(through the Live Monthly Training Schedules\)](#)
- First Amendment Audit Training Toolbox Talk (Recorded)
- [Safety Director Bulletin: First Amendment Audit Best Practices](#)
- Encourage local government civilian employees to complete the [Dealing with Difficult People Training \(through the Live Monthly Training Schedules\)](#).

If you have any questions, please contact your Law Enforcement Risk Control Consultant.