VIRGINIA: IN THE CIRCUIT COURT FOR ISLE OF WIGHT COUNTY

Pursuant to Virginia Code § 17.1-128.2, the Court hereby establishes:

THE ISLE OF WIGHT COURTHOUSE PORTABLE ELECTRONIC DEVICE POLICY

I. Purpose

A. To maintain courthouse safety, security, proper behavior, order, and the administration of justice while ensuring reasonable access to the courts and compliance with Virginia law governing portable electronic devices.

B. This policy applies solely to visitors to the court and shall not infringe upon the right of the Sheriff to enforce any policy for persons not defined as visitors to the court under Virginia law governing portable electronic devices.

II. Definitions

A. "Portable Electronic Device" shall have the same meaning as provided by Virginia law and includes personal laptops, tablets, mobile telephones, smart watches, electronic book readers, electronic calendars, and other electronic personal communication devices. "Portable Electronic Device" does not include a camera, a video camera, video or audio recording equipment, or a recording device that is not otherwise a component of a portable electronic device.

B. "Visitor to the Court" shall have the same meaning as provided by Virginia law.

III. General Policy for Portable Electronic Devices Not Intended for Evidentiary Purposes

A. A visitor who intends to bring a portable electronic device into the courthouse shall abide by the following:

1. Upon arrival the visitor shall inform security at the screening checkpoint that the visitor wishes to bring a portable electronic device into the courthouse.

2. The court security personnel shall:

a) Screen the portable electronic device for contraband;

b) Instruct the visitor to power down the electronic device;

c) Place the device in a secure container which has been authorized and approved by the Sheriff; and

d) Give the portable electronic device back to the visitor in the secure container.

B. The visitor may keep the portable electronic device, in the secured container, on his/her person, until the visitor is ready to leave the courthouse.

C. Should the visitor need to use the portable electronic device while in the courthouse, the visitor shall present the portable electronic device in the secured container to the security personnel at or near the screening checkpoint, located at the entry of the courthouse. The security personnel shall remove the portable electronic device from its container and direct the visitor to the place designated by the Sherriff for the usage of portable electronic devices. If the visitor wishes to remain in the courthouse after using the portable electronic device, the visitor must report back to the security personnel to have the portable electronic device placed back into a secure container.

D. When the visitor is ready to leave the courthouse, the visitor shall present the portable electronic device in the secured container to the security personnel at or near the screening checkpoint, located at the entry of the courthouse. The security personnel shall remove the portable electronic device from the secured contained and return it to the visitor. At this time, the visitor shall leave the courthouse.

E. This procedure shall be applicable to portable electronic devices that are physically able to fit into the secure container. All other portable electronic devices may be constructively possessed by the visitor in a storage locker outlined in Section V of this policy.

IV. Exempt Persons

A. The following individuals shall not be defined a “Visitor to the Court” and may possess portable electronic devices, subject to the Sheriff’s security screening procedures, while conducting official duties: (1) Active and retired judges; (2) Magistrates; (3) Licensed attorneys presenting valid bar identification; (4) law-enforcement officers; (5) Court security officers; (6) Probation officers presenting proper credentials; (7) State and local government employees presenting proper credentials and conducting official business; (8) Court reporters acting within the scope of official duties; and (9) Any individual

specifically authorized by the Sheriff or designee upon a determination that possession is necessary for courthouse business and does not present a security risk.

V. Storage of Oversized Portable Electronic Devices

A. For all portable electronic devices that cannot fit into a storage container, the Sheriff's Office shall provide access to secure storage lockers at no cost to visitors.

B. Should the visitor need to use the oversized portable electronic device while in the courthouse, the visitor shall report back to the secure storage lockers. The visitor may retrieve the oversized portable electronic device and report to the place designated by the Sheriff for the usage of portable electronic devices. If the visitor wishes to remain in the courthouse after using the oversized portable electronic device, the visitor must return the oversized portable electronic device to the secure storage locker.

C. Acknowledging the Courthouse does not have sufficient space for an unlimited number of oversized portable electronic devices, the Courthouse shall be equipped with a method to store no less than twenty-five (25) devices on a first available priority basis.

D. Visitors who choose not to utilize available storage shall not be permitted to enter the courthouse with oversized portable electronic devices.

VI. Evidence Presentation Exception

A. A visitor who intends to present evidence contained on a portable electronic device shall notify court personnel before the scheduled proceeding whenever practicable.

B. Upon arrival the visitor shall inform security at the screening checkpoint that the portable electronic device contains evidence that the visitor wishes to present at a court hearing.

C. The court security personnel shall:

1. Screen the portable electronic device for contraband;

2. Instruct the visitor to power down the electronic device;

3. Place the device in a secure container which has been authorized and approved by the Sheriff; and

4. Give the portable electronic device back to the visitor in the secure container.

D. The visitor may keep the portable electronic device, in the secured container, on his/her person until it is ready to be presented in court as evidence. At that time, after the approval of the presiding judge, the courtroom deputy may remove the portable electronic device from the secure container.

E. Assuming the portable electronic device has not been made an exhibit, when the portable electronic device is no longer needed for the hearing, the visitor shall power down the electronic device, give it to the courtroom deputy, and the courtroom deputy shall place the portable electronic device back in the secured container and return it to the visitor.

F. The visitor may keep the portable electronic device on his/her person until the visitor is ready to leave the courthouse.

G. When the visitor is ready to leave the courthouse, the visitor shall present the portable electronic device in the secured container to the security personnel at or near the screening checkpoint, located at the entry of the courthouse.

H. The security personnel shall remove the portable electronic device from the secured contained and return it to the visitor. At this time, the visitor shall leave the courthouse.

I. Should the portable electronic device which contains evidence not be physically able to fit into the secured container, the oversized portable electronic device shall be constructively possessed by the visitor and maintained in a secure storage locker at no cost to visitors, as outlined in Section V of this policy. When the case is called, a Sheriff's Deputy, with the visitor's permission, shall retrieve the oversized portable electronic device from the locker and bring it directly to the courtroom. Subject to any evidentiary ruling by the presiding judge, the oversized portable electronic device may be powered on and used to display the evidence contained within it. Assuming the oversized portable electronic device has not been made an exhibit, when the oversized portable electronic device is no longer needed for the hearing, the visitor shall power down the oversized portable electronic device, give it to the courtroom deputy, and a Sheriff's Deputy shall bring the oversized portable electronic device to a secured area at or near the screening checkpoint, located at the entry of the courthouse. When the case has concluded or the visitor has been released as a witness, the visitor may retrieve the oversized portable electronic device from the security personnel at the secured area, located at the entry of the courthouse. At this time, should the visitor wish to remain in the courthouse, the visitor shall

comply with the storage requirements of the oversized portable electronic device as outlined in Section V of this policy.

J. Nothing in this policy limits the authority of the presiding judge to regulate the admission, use, or display of evidence. This section is intended to ensure compliance with statutory requirements regarding access to evidence stored on portable electronic devices.

VII. Prohibited Activities

A. Unless prior authorization has been granted by the presiding judge of the court, no person shall use any portable electronic device within the courthouse to: (1) Take photographs; (2) Make audio recordings; (3) Make video recordings; and/or (4) Livestream or transmit audio or video.

VIII. Enforcement

A. Any portable electronic device possessed or used in violation of this policy or a court order may be confiscated by court security personnel.

B. Violations may result in:

1. Removal from the courthouse;

2. Contempt proceedings when authorized by law; and/or

3. Other sanctions imposed by the court.

IX. Liability Waiver

A. The Court and the Sheriff's Office shall not be liable for damage to, or loss of devices stored or confiscated pursuant to this policy.

X. Posting and Publication

A. This policy shall be:

1. Posted prominently at each public entrance to the courthouse.

2. Posted on the court's website or other publicly accessible website used to communicate courthouse information.

XI. Effective date of the Policy

A. Except as provided pursuant to Code Section 15.2-1643, the judges are aware that the judiciary has no constitutional or statutory authority to order the

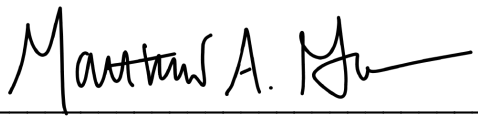
local governmental body or the Sheriff to expend funds to renovate the courthouse or purchase the equipment necessary to comply with this policy.

B. This policy should not be interpreted as an Order of the Court to expend funds to renovate the courthouse or purchase the equipment necessary to comply with this policy.

C. Therefore, this policy shall not become effective until the local governing body has allocated the funds necessary for compliance.

D. Until that time, the Sheriff, as the chief security officer for the courthouse, may continue to enforce the Sheriff's policy or any Standing Order of the Court governing portable electronic devices in the courthouse. However, the Sheriff shall not have any policy that prohibits a visitor to the courthouse from bringing a portable electronic device into the courthouse for the purpose of presenting evidence that is contained on the electronic device as evidence in a court hearing.

Established this 1st day of July 2026



Matthew A. Glassman, Chief Judge