

THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

**IN RE SMOKING IN AND AROUND
COURTHOUSE FACILITIES**

**GENERAL ORDER OF THE
PRESIDING DEPARTMENT**

ORDER NO. 010124-18

THIS COURT FINDS AS FOLLOWS:

This order prohibits the smoking of any product or substance within any of the courthouse facilities of the Superior Court of California, County of San Diego (“San Diego Superior Court,” “court,” or “courthouse”), and is necessary to protect and promote the health, safety, and security of all occupants of the courthouse facilities.

IT IS HEREBY ORDERED that no public employee or member of the public is permitted to smoke any substance, including but not limited to tobacco, tobacco products, cannabis, and cannabis products, within any of the courthouse facilities, including but not limited to courtrooms, lobby areas, hallways, stairs, elevators, escalators, and business offices. This smoking ban also applies to outdoor areas that are within 20 feet of an exit, entrance, or operable window of courthouse facilities. The smoking of cannabis and cannabis products is prohibited in all public places under Health and Safety Code section 11362.3(a).

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1 The term “cannabis,” as defined in Health and Safety Code section 11018, means “all parts
2 of the plant Cannabis sativa L., whether growing or not; the seeds thereof; the resin extracted from
3 any part of the plant; and every compound, manufacture, salt, derivative, mixture, or preparation of
4 the plant, its seeds or resin.” The term “cannabis products,” as defined in Health and Safety Code
5 section 11018.1, means "cannabis that has undergone a process whereby the plant material has been
6 transformed into a concentrate, including, but not limited to, concentrated cannabis, or an edible or
7 topical product containing marijuana or concentrated cannabis and other ingredients.”

8 The term “smoke,” as defined in Health and Safety Code section 11362.3, means “to inhale,
9 exhale, burn, or carry any lighted or heated device or pipe, or any other lighted or heated cannabis
10 or cannabis product intended for inhalation, whether natural or synthetic, in any manner or in any
11 form,” including “the use of an electronic smoking device that creates an aerosol or vapor, in any
12 manner or in any form, or the use of any oral smoking device for the purpose of circumventing the
13 prohibition of smoking in a place.” This includes electronic cigarettes.


14 The San Diego County Sheriff’s Department, as the designated Court Security Officer, is
15 authorized to enforce this order.

16 This order shall become effective on January 1, 2024, and expire on December 31, 2024,
17 unless otherwise ordered by this court.

18 Service of this order shall be made on the San Diego County Sheriff’s Department.

19 IT IS SO ORDERED.

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21 DATED: December 27, 2023


22 **HONORABLE MICHAEL T. SMYTH**
23 **PRESIDING JUDGE**
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SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO <input checked="" type="checkbox"/> CENTRAL DIVISION, CENTRAL COURTHOUSE, 1100 UNION ST., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, COUNTY COURTHOUSE, 220 W. BROADWAY, SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, HALL OF JUSTICE, 330 W. BROADWAY, SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, FAMILY COURT, 1555 6TH AVE., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, MADGE BRADLEY, 1409 4TH AVE., SAN DIEGO, CA 92101 <input type="checkbox"/> CENTRAL DIVISION, KEARNY MESA, 8950 CLAIREMONT MESA BLVD., SAN DIEGO, CA 92123 <input type="checkbox"/> CENTRAL DIVISION, JUVENILE COURT, 2851 MEADOW LARK DR., SAN DIEGO, CA 92123 <input type="checkbox"/> EAST COUNTY DIVISION, 250 E. MAIN ST., EL CAJON, CA 92020 <input type="checkbox"/> NORTH COUNTY DIVISION, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> NORTH COUNTY DIVISION, JUVENILE COURT, 325 S. MELROSE DR., VISTA, CA 92081 <input type="checkbox"/> SOUTH COUNTY DIVISION, 500 3RD AVE., CHULA VISTA, CA 91910	FOR COURT USE ONLY FILED <small>Clerk of the Superior Court</small> DEC 28 2023
PLAINTIFF(S)/PETITIONER(S)	JUDGE: MICHAEL T. SMYTHO DEPT: PRESIDING
DEFENDANT(S)/RESPONDENT(S)	CASE NUMBER ORDER NO. 010124-18
CLERK'S CERTIFICATE OF SERVICE BY MAIL	

I certify that I am not a party to the above-entitled cause, that I placed a copy of the following document(s): GENERAL ORDER OF THE PRESIDING DEPARTMENT ORDER NO. 010124-18 IN RE: SMOKING IN AND AROUND COURTHOUSE FACILITIES

in a sealed envelope addressed to the parties shown with postage prepaid, and deposited it in the United States mail at
 Chula Vista El Cajon San Diego Vista, California.

NAME & ADDRESS

NAME & ADDRESS

KELLY A. MARTINEZ
SAN DIEGO SHERIFF'S DEPARTMENT
9621 RIDGEHAVEN COURT
SAN DIEGO CA 92123

Clerk of the Superior Court

Date: December 28, 2023

by A. Husted, Deputy
A. HUSTED