

Chief Judge, Twelfth Judicial District

**ADMINISTRATIVE ORDER
PROHIBITING SMOKING
AT THE ALAMOSA
COUNTY COURTHOUSE
FACILITY**



**CHIEF JUDGE
ADMINISTRATIVE ORDER
2012-03**

The Alamosa County Courthouse facility includes a large expanse of outdoor covered and semi-enclosed walkways as well as a lawn area enclosed on three sides by the courthouse building. These areas are frequented by members of the public who must come to court and by court employees. In addition, court employees have offices with windows fronting on the walkway and lawn area. When persons smoke cigarettes or other tobacco products in the covered and enclosed court walkways and lawn, court users and court employees are subject to involuntary exposure to environmental tobacco smoke and the tobacco smoke also infiltrates the interior of the courthouse through office windows. It is the purpose of this Administrative Order to protect the public court users as well as court employees from involuntary exposure to environmental tobacco smoke by prohibiting smoking throughout the Alamosa Courthouse, including the covered walkways and lawn.

Although state law does not prohibit smoking in such outdoor areas, the Colorado General Assembly has determined that "it is in the best interest of the people of this state to protect nonsmokers from involuntary exposure to environmental tobacco smoke in indoor areas open to the public . . . and places of employment." C.R.S. § 25-14-202. Chief Justice Directive 95-01 authorizes the Chief Judge of a Judicial District to regulate the environment of court and probation facilities. *See also People ex. rel. Sullivan v. Swihart*, 897 P.2d 822 (Colo. 1995) and *Board of County Commissioners v. Weld County v. 19th Judicial District*, 895 P.2d 545 (Colo. 1995).

IT IS THEREFORE ORDERED that there shall be no smoking on the lawn or under the covered walkways of the Alamosa Courthouse. Violation of this order may subject the offender to contempt proceedings for violation of this court order as well as to confiscation of any tobacco products being consumed.

Signed this 26th day of June, 2012.

BY THE COURT:

Pattie P. Swift, Chief Judge