

COURT SECURITY STANDARDS COMMITTEE (CSSC)

DRAFT MINUTES

May 16, 2016

10:00 a.m. – 2 p.m.

Conference Room 119 A/B

1501 W. Washington Street

Phoenix, Arizona 85007

Present: Marcus Reinkensmeyer, Mary Jane Abril, Richard Colwell, Greg DeMerritt, Rolf Eckel, Faye Guertin, Keith Kaplan, Judge Robert Krombeen, Sheriff Scott Mascher, Tina Mattison, John Phelps, Sheriff William Pribil, Commander Scott Slade

Telephonic: Joshua Halversen

Absent: Judge Kyle Bryson, Sean Gibbs

Guests: Timm Fautsko, National Center State Courts (NCSC); Earle Lloyd, Maricopa Superior Court Marshall's Office

Administrative Office of Courts (AOC) Guest: Dave Byers, Jeff Schrade

AOC Staff: Jennifer Albright, Sabrina Nash

Call to Order/Welcome and Introductions

Marcus Reinkensmeyer, Chair, called the meeting to order at 10:02 a.m. Mr. Reinkensmeyer inquired as to whether any members were on the phone. Marcus noted that Mr. Sean Gibbs, Security Director for Maricopa County Superior Court, is a newly appointed member of the Court Security Standards Committee. Unfortunately, Mr. Gibbs was unable to make the meeting. Mr. Reinkensmeyer then shared a few interesting news items related to court security around the country:

- **DeKalb County, Georgia** – A defendant was remanded into custody during a hearing for a non-violent offense. While handcuffed he broke free, made his way through an adjacent administrative building and out onto the street. In retrospect, it was determined that the court building never went into lockdown to prevent the defendant's escape or to protect the safety of the court staff. This security breach raised concerns in light of the escape of an in-custody individual that killed two court personnel in the recent past in a nearby court.
- **Payson Arizona** – Judge Dorothy Little, Associate Presiding Judge, has had a number of threats directed at her in her courtroom and through the clerk's office. There is no security at her court, so she made a request for a JSEF grant to employ a part-time bailiff to be in court when there is a full docket.
- **Nogales Arizona** – A magistrate who shares facilities with City Hall and the police department has had a number of security issues arise. The judge related that lack of security screening, no bailiff in attendance, no secure parking, and no bullet-proof bench make her and the court extremely vulnerable.

Approval of Minutes, March 22, 2016, meeting

Motion to approve minutes: Tina Mattison moved to approve the March 22, 2016, minutes as presented. **Seconded:** Commander Pribil **Vote:** unanimous

Review of Preliminary Survey Results

Marcus Reinkensmeyer provided a preliminary review of the survey process and discussed how Jennifer Albright sent out pre-mailings to let court staff know the survey was coming. The survey was routed through presiding judges, court administrators, court clerks, chief probation officers, and others. Mr. Reinkensmeyer stated that the response to the survey was good with the exception of the Division II Appellate Court in Tucson, and Jennifer Albright was going to follow up with them. Mr. Reinkensmeyer noted that 929 respondents opened the survey and 830 respondents actually completed the survey.

Timm Fautsko, National Center State Courts (NCSC), reiterated how important the information received from the survey is in developing standards. He stated that the most important information from the survey would be what the courts felt they needed. Mr. Fautsko noted, among other items, survey results show the courts need for training was uniformly high across all courts and types of court personnel.

Discussion took place regarding the ability to breakdown the survey data to specifically highlight the concerns of the different courts (rural v. metropolitan), how many courts have no security, and whether achievable standards can be developed for each court. Jennifer Albright indicated that the information could be delineated by how many of each court type responded, what the breakdown is of who responded from the courts i.e. how many judges, clerks, and other court staff. Jennifer noted that the results would then be compared among the different courts and court populations (rural v. metropolitan), security v. no security.

Developing Standards

Timm Fautsko, NCSC, defined a standard as "A policy or measure that is required to be in place in order to improve the general state of security in a court building and to ensure the personal safety and security of the public, judges, judicial officers, court staff, city and county employees, law enforcement officers and court security staff." He then went on to state that a court security standard must meet the following criteria:

- Readily achievable - not too expensive, will not take longer than one year to implement, is not too politically controversial to implement;
- Have a compelling justification for making it a requirement, duress alarms for example;
- Supported by one or more web based servers

Mr. Fautsko then stated that when the Committee broke into workgroups, they would be tasked with developing at least one proposed standard. The workgroups were asked to consider whether the standard(s) selected met the criteria he had discussed. The workgroups were asked to carefully draft standards and then reconvene to present what they developed to the full committee.

Discussion occurred regarding the implementation of standards and whether development should hinge on financial ability to meet the standard. A couple of suggestions were made on how to implement standards without additional financing and options for creating funding for

future security standards. The timeline for implementing security standards and the possibility of phased standards was also discussed. Mr. Dave Byers, AOC, talked to the committee regarding the need for funding and how the Committee's input could help assess how much funding would be needed to implement the security standards they developed. He also suggested that any local court security committees should be established at the county level to reduce the number of meetings that judges, sheriffs, and law enforcement officers would need to attend monthly.

Small Group Work: Developing Standards

Ms. Jennifer Albright, AOC, explained that she emailed committee members several documents and she created a packet for each workgroup with those same documents which include the survey data, an overview of the data created by the NCSC consultants, and recommended standards created by Tim Faustko and Steve Berson. She outlined how she envisioned the workgroups would debate each item and asked the workgroups to focus on the standards for their individual workgroup.

The committee then broke out into their workgroups to work on drafting of security standards for the courtroom, court house, court perimeter and security training for court security officers and court staff.

Small Group Report Back and Discussion of Standards

After lunch the committee regrouped and the four workgroups reported on their standards:

- **Court security committee:**
 - Each court or court building is required to have a court security committee that meets at least quarterly
 - The chair of the committee would be the presiding judge or designee
 - The chairperson shall appoint members to the committee to include a local first responder and member of law enforcement
 - Each county shall establish a county court security committee chaired by the Superior Court presiding judge or designee and a representative from each court's security committee and other members as appointed by the presiding judge.
 - The county security committee would meet at least biannually
 - The function of the committee would be to help implement standards as designated by the Court Security Standards Committee and to work towards resource needs and continuous court security improvement
- **Education/Training:**
 - Cyber security currently mandated statewide via COJET
 - Standard of training for all new court hires shall include information on de-escalation, mental illnesses, the different aspects of security both internal and external, active shooter, hostage-taking and sheltering in place
 - Offer online and in person training on active shooter and hostage-taking
 - Uniformity of information and timeliness of training of judges, court staff, and first responders
 - Centralized communication system – when an incident is happening who notifies court staff, judges, and first responders of the incident
 - Firearm training for court security officers and anyone else authorized to carry firearms

- **Courtrooms:**
 - Monitored duress alarms for the bench, chambers
 - Access control of ingress/egress areas of the courtroom such as deliberation room, judge's chambers
 - Locked courtrooms when not in use
 - Assign security personnel for the transportation and control of defendant in custody and protocol for taking defendant into custody
 - Increase security for high profile cases
 - Routine courtroom security sweeps, can be done by trained court staff
 - Posted signage for courtrooms that outlines what is allowed in courtrooms, what to do in case of an emergency and decorum standards
 - Ballistic material for the bench starting with new construction or remodels and phased in retrofit of ballistic material in older courtrooms
- **Perimeter of Building:**
 - Separate entrance in courtroom for in-custody defendants escorted by detention staff or have procedures in place to keep public out of the courtroom until in-custody defendants have been secured
 - Alarmed entrances and exits into the court for public and employee entrances – public access shall be monitored and employee entrances are locked or have electronic access
 - Courts required to have exterior lighting at entrances and exits around the court building, including routes to and from parking areas
 - Courts shall be required to have window coverings that prevent views into the court building but doesn't restrict views to the outside
 - Parking shall be monitored and secured if possible

Announcements/Call to the Public

No members of the public were present

Next Committee Meeting Date:

Monday, June 27, 2016

10:00 a.m. to 2:00 p.m.

Arizona State Court Building, Conference Room 119 A/B

1501 West Washington Street

Phoenix, Arizona 85007

Adjourned at 2:27 p.m.