

# COURT SECURITY STANDARDS COMMITTEE

Tuesday, July 26, 2016 – 10:00 a.m.

Arizona State Courts Building, 1501 W. Washington – Conference Room 119 A/B

Conference Call: 602-452-3288 Access Code: 3868

[WebEx Link](#)   [CSSC Homepage](#)

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## AGENDA

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10:00 a.m. Call to Order/Welcome and Introductory Remarks   *Marcus Reinkensmeyer, Chair*

10:15 a.m. Approval of Minutes, June 27, 2016, meeting   *Marcus Reinkensmeyer, Chair*  
 **Formal Action/Request**

10:20 a.m. Court Security Funding Strategies   *Marcus Reinkensmeyer*

11:00 a.m. Review of Draft Standards   *All*

- Discussion on language and edits to standards
- Discussion of comments; notes; and data inclusion related to each standard

 **Formal Action/Request**

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### **12:00      Working Lunch**

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12:30 p.m. Review and Discussion of Draft Report   *All*

1:15 p.m. Discussion of Resources and Tools for Inclusion   *All*  
in Appendices of Report

1:55 p.m. Announcements/Call to the Public   *Marcus Reinkensmeyer, Chair*

2:00 p.m. Adjournment   *Marcus Reinkensmeyer, Chair*

**Next Meetings:** Monday, September 12, 2016 - 10:00 a.m.

Arizona State Courts Building, Conference Room 119 A/B

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**COURT SECURITY STANDARDS COMMITTEE (CSSC)**

**DRAFT MINUTES**

June 27, 2016

10:00 a.m. – 3 p.m.

Conference Room 119 A/B

1501 W. Washington Street

Phoenix, Arizona 85007

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**Present:** Marcus Reinkensmeyer, Mary Jane Abril, Judge Kyle Bryson, Richard Colwell, Greg DeMerritt, Rolf Eckel, Sean Gibbs, Faye Guertin, Judge Ron Krombeen, Tina Mattison, Sheriff William Pribil, Commander Scott Slade,

**Telephonic:** Keith Kaplan

**Absent:** Joshua Halverson, Sheriff Scott Masher, Scott Phelps

**Guests:** Earle Lloyd, Superior Court in Maricopa County, Marshall's Office

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

**AOC Staff:** Jennifer Albright, Sabrina Nash

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**Call to Order/Welcome and Introductions**

Marcus Reinkensmeyer, Chair, called the meeting to order at 10:03 a.m. Mr. Reinkensmeyer welcomed Mr. Sean Gibbs who is the new director of Security for the Superior Court in Maricopa County.

Jennifer Albright announced that the July 15 meeting was moved to July 26 and there would be no August meeting. The next scheduled committee meeting is Monday, September 12, 2016.

**Approval of Minutes**

**Motion to approve minutes:** Judge Bryson moved to approve the May 16, 2016, minutes as presented. **Seconded:** Sheriff Pribil **Vote:** unanimous

**Presentation on Pima County Court Security Audit**

Judge Kyle Bryson and Mary Jane Abril gave a presentation on series of recent court security audits of courts located in Pima County. Judge Bryson prefaced his presentation by stating that his interest in court security stems from a January 2013 incident when local attorney Mark Hummels was shot and killed. That incident and a few others that occurred near that time acted as a confluence of events to bring court security to the forefront of his work as Presiding Judge. As such, he developed a plan to ensure the safety of the courts and court staff and put into motion audits of court safety and security.

Mary Jane Abril explained that she created a checklist of twenty-four safety issues that she examines when performing court security audits. She has audited five courts: South Tucson, Ajo, Marana, and Sahaurita city courts. Ms. Abril met with the court administrator or designee of

each court to inform them that her purpose was to focus on what they are doing well and what they could improve on. The audits have three components: interview the court administrator or designee, conduct the audit with checklist, and provide the presiding judge (Judge Bryson) with a written report and photographs for them to share with the judge of that court to discuss findings and areas of concern/improvement. Ms. Abril identified the top seven security issues that she encountered during court audits:

- Lack of courtroom security protocols – either not having one at all or not having a protocol for high risk trials
- Court security procedures – screening measures, reporting protocol (how to notify a judge if the judge was threatened by a litigant)
- Emergency management planning – only one court audited had an emergency management plan (managing the incident as it is unfolding in front of us)
- Alarms and camera systems - access to cameras and alarms (in house versus outside monitoring)
- Key control – no key control system in place or if the court did not have an inventory or audit of keys assigned to employees who had left the court.
- Safes/vaults –no policy for the safety and security of deposits
- IT security – often the city or county managed IT security and the courts were not involved in that process, leaving the courts with limited access and knowledge of the IT security related to the court computer systems, records databases, etc.

Judge Bryson indicated that Ms. Abril has been instrumental the handling of the audits and that the courts have been cooperative and receptive of the audits. The courts that were audited found the audits to be positive and helpful in raising awareness of security needs and provided assistance in seeking funds for improved court security from funding bodies.

### **Review of Additional Survey Data**

Jennifer Albright stated that she had a conversation with the National Center on how best to get the information that the committee requested on court size and population and the decision was to breakdown the survey information based on what the courts have, level of court and population. This will provide a better indication of what the courts have in relation to creating standards and guidelines.

### **Review of Draft Standards and Draft Report and Recommendations**

Marcus Reinkensmeyer identified the first three parts of the draft report and recommendations of the Committee:

1. Introduction – inclusion of the administrative order, scope of the Committee’s charge and a summary of survey development and results
2. Definitions – an explanation of words/phrases
3. Court Security Standards – the detailed standards proposed by the Committee

The committee reviewed the twenty-two proposed standards for clarity of language, enhancements, and deficits. Additional items for consideration and definition included:

- In event of building evacuation (fire/bomb threat) how far away should evacuees be from the court?
- Incident reporting - statewide ACIC/NCIC database available to all courts and law enforcement

- Definition of armed court personnel (firearms, pepper spray, tasers)
- Judges parking (location, lighting, security; future discussion in security planning)
- Situational/Personal security awareness training for judges and court staff
- Written protocol for monitoring and/or releasing of video footage
- Standard for random employee screening upon entrance of the courthouse

### **Small Group Work**

The committee broke into workgroups to review and refine proposed standards related to their work group assignments as well as determine if any additional standards should be proposed.

### **Small Group Reports**

A summary of topics reported to the full Committee by the work groups includes:

#### **Training**

Standardized AOC approved new hire and annual training for court and judicial employees

Standardized training for armed/unarmed court security personnel (may be determined by how many court security officers are needed among the 161 courts)

Use of standard training tools

Create an AOC approved list of standardized trainers as a reference for the courts

#### **Courthouse Security**

Refined language regarding who provides in-custody transport of defendants

Refined language regarding multiple entry ways and when multiple entryways are permissible

Recommended random employee screening based on best practices suitable for court size

Recommended language that "courts shall/should have security cameras at entryway, public common areas and exterior of court."

Recommend electronic key card or hard key access for all non-public areas

Recommended IT wiring closets shall be closed/secured at all times

#### **Courthouse Perimeter Security**

Parking - no cost effective solution was reached

Refined language that perimeter cameras should/shall be recorded for intelligence or investigative purposes

#### **Additional recommendations for consideration:**

Funding

Security audits

### **Announcements/Call to the Public**

No public in attendance

#### **Next Committee Meeting Date:**

July 26, 2016, 10:00 a.m. to 2:00 p.m.

Arizona State Court Building, Conference Room 119 A/B

Adjourned at 2:34 p.m.





# ENSURING OPEN, SECURE, PUBLICLY ACCESSIBLE COURTS

Report and Recommendations of the  
Court Security Standards Committee

September 2016

## TABLE OF CONTENTS

### **Court Security Standards Committee**

Mr. Marcus Reinkensmeyer, Chair  
AOC – Court Services Division

Mr. Greg DeMerritt  
Superior Court in Pima County

Sheriff Scott Mascher  
Yavapai County Sheriff’s Office

Mr. C. Rolf Eckel  
Superior Court in Yavapai County

Sheriff William Pribil  
Coconino County Sheriff’s Office

Ms. Faye Guertin  
Chandler Municipal Court

Mr. Sean Gibbs  
Superior Court in Maricopa County –  
Marshall’s Office

Mr. Joshua Halversen  
Superior Court in Graham County

Mr. Scott Slade  
Superior Court in Maricopa County –  
Marshall’s Office

Mr. Keith Kaplan  
Fountain Hills Municipal Court

Ms. Mary Jane Abril  
Superior Court in Pima County

Honorable Robert Krombeen  
William Justice & Municipal Court

Honorable Kyle Bryson  
Superior Court in Pima County

Ms. Tina M. Mattison  
Pima County Juvenile Court

Mr. Richard Colwell  
Superior Court in Yuma County

Mr. John Phelps, Esq.  
State Bar of Arizona

### **Committee Staff**

Ms. Jennifer R. Albright  
AOC- Court Programs Unit

Ms. Sabrina Nash  
AOC – Court Programs Unit

### **National Center for State Courts**

Mr. Timothy Fautsko

Mr. Steven Berson

Mr. Kent Kelley

### **Other Resources**

Mr. Earle Lloyd  
Superior Court in Maricopa County –  
Marshall’s Office

## EXECUTIVE SUMMARY

### A. Creation and Charge of the Court Security Standards Committee

Administrative Order 2015-104 established the statewide Court Security Standards Committee (“Committee”) directing the Committee to:

- (a) develop and conduct a survey of court security measures in Arizona,
- (b) develop recommendations on standards for courthouse and courtroom security,
- (c) develop recommendations on security officer training, and
- (d) submit a final report summarizing the Committee’s work and recommendations by September 30, 2016.

The Committee was assisted by National Center for State Courts (“NCSC”) consultants Timothy Fautsko, Steven Berson, and Kent Kelley. Based on the recommendations of the NCSC consultant, Timm Fautsko, the Committee established four (4) work groups: perimeter, courthouse, courtroom, and training. The work group division was based in part on data reflecting where security incidents occurred in relation to the courthouse as reflected in the NCSC *Status of Court Security in State Courts* report. Moreover, work groups were essential for digesting large amounts of information related to court security measures and standards and creating initial drafts of survey questions and standards for the full committee to review, provide feedback, edit, and ultimately develop consensus on for adoption as recommendations here in this report.

### B. Abbreviated Committee Recommendations

Below is an abbreviated list of the recommendations of the Court Security Standards Committee. The detailed proposed court security standards and additional recommendations of the Committee are set forth in the body of the report.

- ❖ Adoption of the proposed court security standards as mandatory standards for courts statewide with a three year implementation period. The standards address the following:
  - Governance of court security, supporting committee structures and planning,

- Entryway screening,
  - Equipment, including metal detectors, duress alarms, and video cameras,
  - Protocols for prisoner transport and defendant remand,
  - Facilities, including secure circulation patterns, bullet resistant courtroom benches, bullet proof public service counter barriers, and locking doors,
  - Training for judges, court personnel, and court security officers.
- ❖ Create a standing committee on court security and emergency preparedness to promote timely implementation of the proposed court security standards and continuous court security improvement statewide.
  - ❖ Establish statewide security funds that will be available for statewide staff security training, and to local courts for one-time outlays for security equipment and system improvements.
  - ❖ Provide dedicated state level (AOC) staff support for coordination of court security assessments, technical assistance, and statewide training.
  - ❖ Include a mechanism for assessing court compliance with the proposed court security standards, particularly standards related to training and certification requirements and testing of equipment.

**REPORT AND RECOMMENDATIONS  
OF THE COURT SECURITY STANDARDS COMMITTEE**

**I. INTRODUCTION**

**A. COURT SECURITY TODAY**

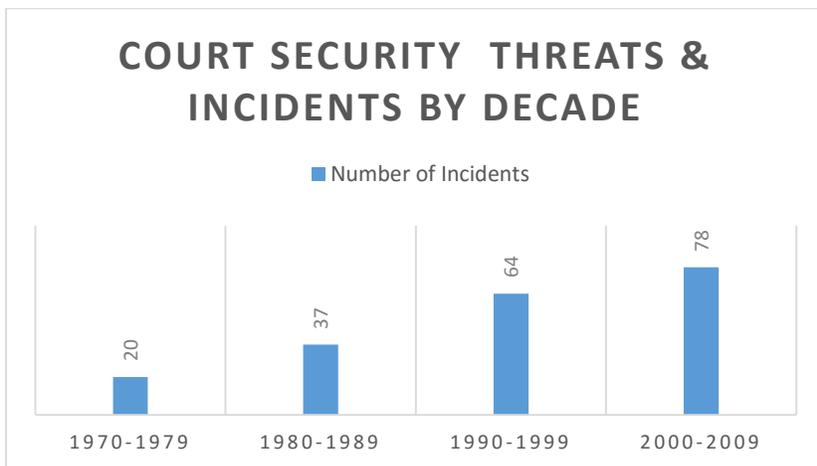
*Court security addresses the need to prevent disturbances and acts of violence that can impede the administration of justice as mandated in the Constiution of the State of Arizona.*

Increasingly, court security is at the forefront of issues faced by every judicial branch in the United States. A March 11, 2005, security incident at the Fulton County Courthouse in Atlanta, Georgia, resulted in the deaths of a judge and court reporter, shot in a courtroom, and the deaths of a sheriff’s deputy and U.S. Customs Agent after the inmate fled the courthouse. That incident is often cited is the turning point for state courts and the issue of court security. However, ten years later, national and local data reflect not only an increase in security threats and violent incidents, but that data also indicates available funding from state and local governments for security staffing, security plans, and security equipment continues to be limited.<sup>1</sup> Tragically, even as this Committee was working toward its recommendations and drafting this report, the Superior Court of Navajo County in Holbrook, Arizona, experienced a shooting incident in front of the courthouse that left two family court litigants dead and one other injured.

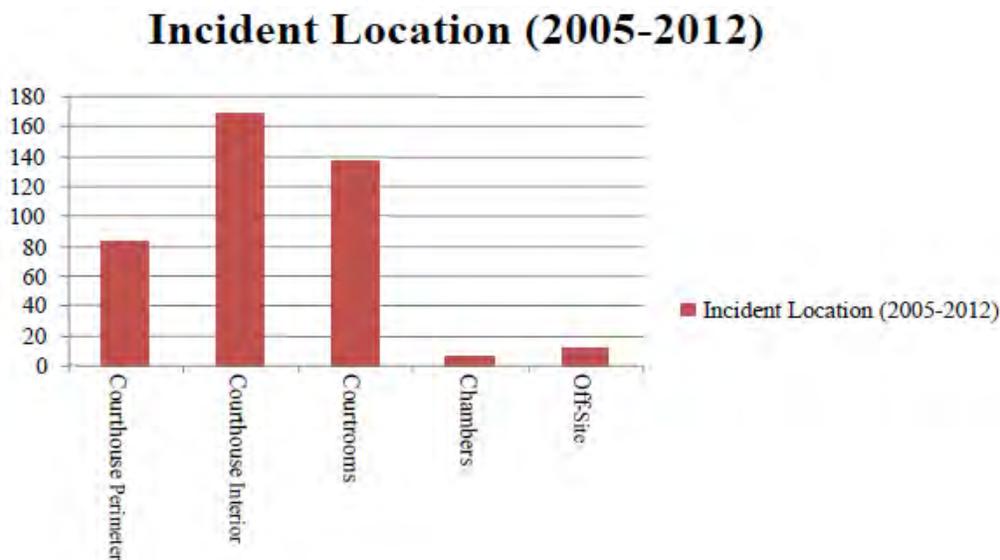
In 2013, incident data gathered by the Center for Judicial and Executive Security (CJES) reflected, “the number of security threats and violent incidents in court buildings has increased

<sup>1</sup> Timm Fautsko, et. al. *Courthouse Security Incidents Trending Upward: The challenges Facing State Courts Today*, pp. 102-106. Future Trends in State Courts 2012.

dramatically in recent years.”<sup>2</sup> The upward trend in number of incidents, reflected by decade, is as follows:



The CJES Court-Targeted Acts of Violence (CTAV) study also examined where incidents took place. A subset of that data focused on location of incidents from 2005 to 2012 and revealed the following:<sup>3</sup>



<sup>2</sup> Timothy F. Fautsko, et. al. *Status of Court Security In State Courts, A National Perspective*, 7. National Center for State Courts & Bureau of Justice Assistance, June 2013. See also CJES May 31, 2010 study on Court-Targeted Acts of Violence; Timm Fautsko, et. al. *Courthouse Security Incidents Trending Upward: The Challenges facing State Courts Today*. Future Trends in State Courts, pp. 102-106 (2012).

<sup>3</sup> Timothy F. Fautsko, et. al. *Status of Court Security In State Courts, A National Perspective*, Figure 4-2, p 4-6. National Center for State Courts & Bureau of Justice Assistance, June 2013.

*The Status of Court Security*, a report by the National Center for State Courts, included national and local data from 225 reports of court security assessments, data on security incidents gathered by CJES, a comprehensive web survey of state, local, tribal, and territorial courts, and a telephonic survey of court security directors. The report ultimately recommended the following future directions to improve court security in the United States:

- (1) accept the challenge that doing nothing is not an option;
- (2) understanding that local, state, regional, and national communication and collaboration are key for success;
- (3) providing additional funding to improve staffing and equipment is essential; and
- (4) coordinating and supporting state court security programs is a definite need that must be answered.<sup>4</sup>

National studies and reports are not the only source of information and data related to the state of court security. Increasingly, state judiciaries and local courts are conducting security assessments, convening court security committees to study court security needs at the local level, and addressing funding needs associated with increased court security. One only need to peruse the internet to see examples of court security standards implemented by state and local courts around the country, news reports of security incidents, and information on the continued issue of lack of funding to provide adequate security staff and security equipment. It is against this backdrop that the Arizona Supreme Court's Court Security Standards Committee was created and against which it conducted its work.

<sup>4</sup> Timothy F. Fautsko, et. al. *Status of Court Security In State Courts, A National Perspective*, p. v-vi, National Center for State Courts & Bureau of Justice Assistance, June 2013.

## **B. COURT SECURITY SURVEY**

### **i. Survey Methodology**

After review of the Administrative Order's charge and review of state and national court security surveys, the Committee ultimately focused the survey on two question types. The first to assess what security measures were in place in Arizona courts and the second to determine how those surveyed felt about the security measures. Several additional questions related to demographics of respondents were determined to be important to the process of developing standards due to the various court types (jurisdiction), population, and facility types that make up the Arizona judiciary.

The Committee quickly decided the survey should be distributed to all court levels in the Arizona judiciary: appellate, superior, justice, and municipal courts. The audience for the survey was: judges and other judicial officers; court administrators; clerks of court and office staff; chief probation officers; court security personnel and law enforcement; and employees of agencies sharing buildings with courts.

Survey distribution involved a pre-survey email, a follow-up email 24 hours later containing the link to the survey, and a reminder email 48 hours before the survey closed. Presiding judges were asked to distribute to other judges and other judicial officers; court administrators to forward to other administrative staff and those providing court security; Clerks of Court to clerk's office staff; and chief probation officers to other probation officers. Examples of survey distribution emails can be found in Appendix B.

### **ii. Survey development.**

Survey creation resulted from a three-prong approach. First, Committee members received and reviewed a number of resources including, national reports on court security, questions used

in other court security surveys, best practices for court security, other states' court security standards, and a summary of the state of court security in the United States. Members also reviewed results from national surveys, as well as data related to the types of security incidents and threats across several decades. (See Appendix A.)

Next, the work groups met during breakout sessions over the course of several meetings to develop lists of security measures and policies for which the survey should assess. The list retained items based on consensus of the entire committee, otherwise items were removed from the list.

Finally, once the Committee determined it had developed sufficient lists of topics and specific security measures to assess in the survey, staff to the committee developed a list of survey questions and staff at the NCSC developed a draft survey. The Committee then made edits to the survey questions and refined organizational aspects of the survey. NCSC consultants provided input on question wording, organization, and technical aspects of the survey tool. Several rounds of the drafting and editing process occurred before the Committee determined the survey was ready for testing.

### **iii. Survey testing**

Committee staff, NCSC staff, and selected court staff conducted tests of the survey. The first test revealed the survey took too long to complete. The Committee determined that a set of questions related to effectiveness of security measures was not likely to produce results that would assist in the charge of developing security standards; therefore, that line of questions was removed. After several additional revisions related to language consistency and conciseness, the Committee approved and retested the survey. Based on the feedback received, final edits to the survey were made and the survey was approved for distribution. (See Appendix C for survey.)

### **iv. Survey results**

The survey was opened by 929 people and completed by 830 people with partial replies being of varying lengths, depending on when each individual respondent dropped out of the survey. The number of respondents roughly corresponded to the relative population of each individual county. Every county provided at least seven (7) responses, resulting in representative data. County response data was as follows:

[JENNIFER IS WORKING ON DATA AND CHARTS RELATED TO SURVEY RESULTS  
TO INCLUDE IN THIS SECTION]

## II. RECOMMENDATIONS OF COURT SECURITY STANDARDS COMMITTEE

### A. PREAMBLE

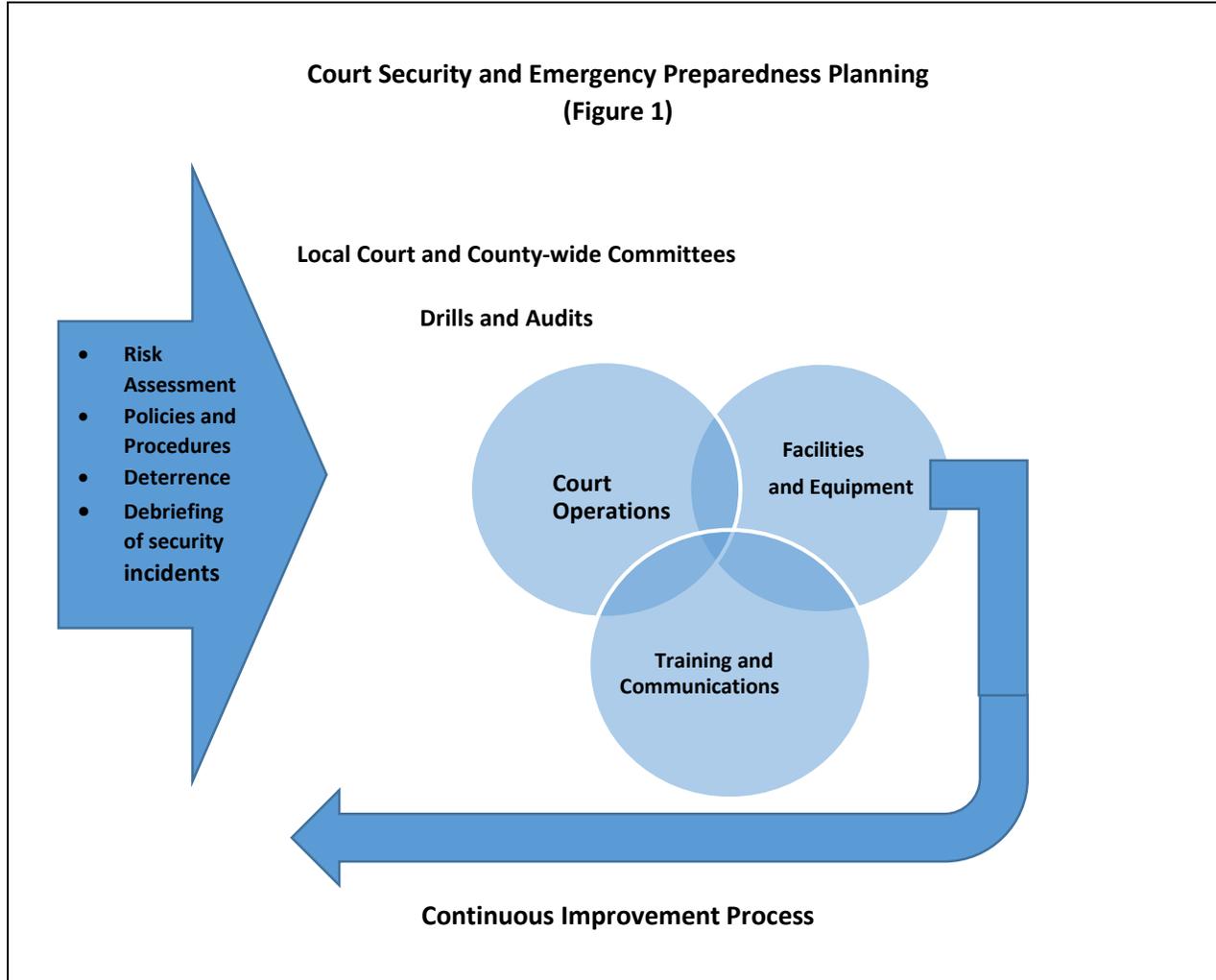
*“Security is not a one time achievement.  
It is a serious and continuous goal and requires constant vigilance.”<sup>5</sup>*

Through its research and discussion, the Committee concluded that court security can only be maintained through an ongoing process of continuous improvement. (See Figure 1.) For a comprehensive approach, oversight of court security should also include business continuity planning and encompass emergency preparedness.

Proposed Standard 1 calls for the formation of standing local and countywide court security and emergency preparedness committees. Composed of representatives of the court, law enforcement, first responders, and other stakeholders, these committees are to provide policy direction and planning recommendations on all facets of court security and emergency preparedness.

Specifically, as envisioned, the court security and emergency preparedness committees are to address risk assessment, policies and procedures, deterrence measures, and debriefing of security incidents in three interrelated spheres: (1) court operations, (2) facilities and equipment, and (3) training and communication. (See Figure 1.) The efficacy of security policies and practices should be evaluated through periodic drills and audits. This ongoing process will provide the court security and emergency preparedness committees and judicial leadership valuable feedback and actionable recommendations to maximize court security.

<sup>5</sup> Timothy J. Fautsko, et. al. *Steps to Best Practices for Court Security*, p. 2. National Center for State Courts, January 2013.



**B. PROPOSED COURT SECURITY STANDARDS**

Several of the proposed court security standards include comments, which include explanatory information, exceptions to the standard, or other important factors for consideration in adoption of the standard. Each standard includes reference to survey data from the Arizona Court Security Survey and reference to other resources considered by the Committee in its drafting of the standard.

## **ADMINISTRATION**

**1. Court Security and Emergency Preparedness Committees.** Each court or court building shall have a court security and emergency preparedness committee that meets at least quarterly. The chairperson of the court security committee shall be the presiding judge or designee [AJ1] and chairperson shall appoint members of the security committee. The committee shall include at least one representative from law enforcement and/or a first responder. These committees shall meet at least quarterly.

In addition, the presiding judge of the superior court in each county shall establish a court security and emergency preparedness committee chaired by the presiding judge or designee [AJ2] of superior court. The committee shall consist of a representative from each court security committee from each court or court building in the county. The presiding judge may appoint other members as deemed necessary. The committee shall meet at least biannually.<sup>6</sup>

The functions of each court security and emergency preparedness committee are implementation of court security standards as developed by the Court Security Standards Committee and adopted by the Supreme Court of Arizona, development and allocation of resources necessary for security needs, and ensuring continuous court security improvement.

Comment: Courts co-located in a space with other agencies or businesses should include a representative of those other agencies or businesses on the local court security and emergency preparedness committee. Survey results indicate 57.8% of respondent court employees are from courts co-located in buildings with other agencies or entities. As such, the likelihood that a security incident would impact other agencies or entities that are co-located with a court is relatively high. Therefore, the role other agencies or businesses may play in the safety and security of the building

<sup>6</sup> Footnote the AO that gives presiding judges authority over building security.

and the public is an important aspect of security and emergency preparedness planning that requires inclusion of representatives from those other agencies or entities.

Survey Reference Justification: 46% Extremely Important, 22% Very Important, 22% Important.

2. **Court Security Manual.** The Arizona Administrative Office of Courts shall develop and promulgate a court security manual that contains the basic tenets of court safety and security, including court security standards, court security assessment or audit tools (see Appendix D-\*, example from Pima County), security incident and threat reporting forms, personal security tips for judges and court personnel (see Appendix D-\*, NCSC tips for personal security), and templates for written policies on evacuations, hostage situations, sheltering in place, and bomb threats (see Appendix D-\*, MN Judicial Branch negative event cards).

The manual shall include practical tools, checklists, and templates for use by state and local courts. (See Appendix D for example resources.) Each court may add additional security related information and written policies and procedures to the manual unique to the needs and resources of that court.

Court security manual training shall be provided to employees upon hire or transfer to each court location and training on security manual updates shall occur annually. (see Standard 26.)

3. **Court Security Audit.** Courts should conduct a court security audit biennially. The court security and emergency preparedness committee should oversee the audit. A court security audit checklist should be used to ensure that no areas are overlooked and a report should be made on the audit results that is shared with the court's security and emergency preparedness committee for use in developing plans for security improvement and for resource justification. (See Appendix D-\* for an example audit checklist and audit report template from Pima County.)

4. **Response to a Negative Event.** Court staff shall be trained on how to react to and report negative events. Each court shall have access to an emergency number or access and contact information for a control center operated by law enforcement. See the Glossary for definition of ‘negative event’.

5. **Incident and Threat Reporting.** The court administrator or lead clerk shall report through a reporting system established by the Administrative Office of Courts, all threats made against a court, judge, or court employee, and all incidents that occur within the courthouse or its perimeter. The Committee has identified two levels of incident reporting: (a) contemporaneous reporting of major security threats and incidents, and (b) annual reporting of security incident data by courthouse. Information from the first type of incident report shall be shared with court security and law enforcement officials on a statewide basis in the form of security alerts. The second form of incident reporting will serve as a basis for determining areas for security improvement and for resources justification.

Comment: See the Glossary for definition of ‘incident’ and ‘threat’. The purpose of this standard is to track types of incidents and threats, the manner in which threats are made, and the venue in which an incident occurred (e.g. public counter, courtroom, entryway). It is a national best practice for courts to maintain a record of all threats and incidents for local decision-making related to security measures and funding. Incident and threat reports shall not disseminate confidential or sensitive information as defined by Rule 123, Arizona Rules of Supreme Court.

Survey Reference Justification: 67% Extremely Important, 21% Very Important.

### **ENTRY SCREENING**

6. **Entryway<sup>[AJ3]</sup> Screening.** Each court shall establish only one main entrance through which the public can enter the court building. Additional entryways for the public are only allowed if all

public entryways are staffed and utilize entryway screening of at least a metal detector. Additional entrances may be established to comply with ADA standards; however, appropriate screening of individuals using such entrances is required.

Courts shall establish and maintain entryway screening of all visitors to courthouse facilities, using walk through and or handheld metal detectors (magnetometers). For enhanced security, courts may also opt to use x-ray (fluoroscope) machines in conjunction with metal detector screening.

Each court building shall post signage at the main entrance that states all persons are subject to search by security and that firearms and dangerous weapons are prohibited<sup>[AJ4]</sup>. See A.R.S. 13-

Each court shall provide secure lockers at the entryway for law enforcement to secure their service weapons if they appear at the court as a witness in their official capacity or to participate in cases as a party. (See Standard 9, Armed Court Personnel in Courthouses.)

**7. Judicial and Court Employee Screening.** Each court must develop a policy on, and carry out, random court employee screening upon entry to the courthouse.

Comment: Unfortunately workplace violence is all too common. It is the risk of work place violence that can be mitigated through periodic employee screening.

**8. Access to a Metal Detector (magnetometer) or Handheld Wand for High Risk Events.**

Courts are required to have available at least one metal detector (magnetometer) or one handheld wand in their court building for use in the event of a high risk event. Appropriate court personnel must be trained and regularly re-certified in the operation of these devices. Each court shall ensure that regular calibration and testing of metal detectors.

Comment: High risk event is defined in the Glossary.

Survey Reference Justification: 85% of courts responding have a metal detector at a screening station.

**9. Armed Court Personnel in Courthouses.** The presiding judge at each court shall determine whether court security officers, bailiffs, judicial officers, and/or other court staff are authorized to be armed in the courthouse. Required training as approved by the Administrative Office of Courts must be completed prior to any authorized person being actively armed in the courthouse.<sup>7</sup>

Comment: Courts authorizing court security officers, bailiffs, judicial officers, and/or other court staff to be armed, should, through the court security and emergency preparedness committee, develop a written policy. The policy should address the following points: types of employees that may be authorized to carry a firearm, the process for obtaining authorization to be armed, process for confirming training requirements, type of ammunition that can be carried when armed in the court building, the type of firearm that may be carried in the courthouse, conformance with all state and local statutes and ordinances.

The<sup>[AJS]</sup> Committee further recommends that courts adopt a policy prohibiting law officers appearing at court as witnesses in their official capacity or to participate in cases as a party from carrying service weapons in the courthouse and require those officers to go through regular screening procedures. However, if a court chooses to allow law enforcement officers to carry their service weapon and bypass regular security screening when appearing at court as witnesses in their official capacity or to participate in cases carry their service weapon they should only do so after assessing the specific impact of such policy on the court and court security. The committee further recommends if law enforcement officers are allowed to carry their service weapon in the

<sup>7</sup> This standard does not apply to the Sheriff's officers who are present at a court under A.R.S. § 11-411(A)(4) (2009).

courthouse in such circumstances, officers shall be required to go through a registration procedure so that security is aware of their location in the courthouse.

### **IN-CUSTODY DEFENDANTS**

10. **Entrance for In-custody Defendants.** Courts shall ensure in-custody defendants are brought into and leave the court building through an entrance separate from the public entrance(s) to the courthouse.

Comment: Exceptions to this standard due to architectural construct of a building can apply for a waiver from the Administrative Office of Courts. Courts requesting a waiver shall have written procedures for ensuring in-custody defendants are segregated from the public when entering and exiting the court to ensure the safety of all.

Survey Reference Justification: 76% Extremely Important, 17% Very Important.

11. **In-custody** <sup>[AJ6]</sup> **Defendants; Transport and Control.** In-custody defendants must be controlled, and monitored at all times by appropriately trained personnel.

### **<<OR>>**

Courts shall have at least one appropriately trained security personnel or law enforcement officer to transport, monitor and guard in-custody defendants transported from custody to the courthouse. At least one appropriately trained security personnel or law enforcement officer is required to accompany in-custody <sup>[AJ7]</sup> defendants at all times.

Survey Reference Justification: Survey Reference Justification: 73% Extremely Important, 16% Very Important.

12. **In-custody Defendants; Protocols for Taking Individuals Into Custody.** Court shall have written protocols for taking individuals into custody and securing individuals into custody for transport to a detention facility. Courts should make every effort alert security personnel or law

enforcement responsible for transporting detainees in advance if it is anticipated a litigant will be sentenced to the immediate custody of a county jail or correctional facility or otherwise taken into custody on legal grounds.

## **FACILITIES, ALARMS, EQUIPMENT**

### **13. Duress Alarms**

**(a) At Public Transaction Counters.** Courts are required to have at least one active and monitored duress alarm “panic button” behind each public transaction counter.

Survey Reference Justification: 73% Extremely Important, 17% Very Important.

**(b) In the Courtroom.** Courts are required to have active and monitored duress alarm “panic buttons” at the judges’ or other judicial officers’ benches and at the courtroom clerks’ stations.

Survey Reference Justification, Bench: 79% Extremely Important, 13% Very Important.

Survey Reference Justification, Clerks Station: 78% Extremely Important, 13% Very Important.

**(c) Training On and Testing of Duress Alarms.** The court administrator or lead clerk or their designee shall physically show all employees working in a court building the location of duress alarm “panic buttons” and how and when to use them. The court administrator or lead clerk or their designee shall ensure and document monthly testing of duress alarm systems. Reports of duress alarm system testing shall be reported annually to the Administrative Office of Courts.

Survey Reference Justification: 67% Extremely Important, 20% Very Important.

**14. Locked Courtrooms.** Courts shall keep public doors to the courtroom locked at all times when a courtroom is not in use<sup>[A]8</sup>.

**15. Courtroom Sweeps.** Bailiffs, or a designee of the Presiding Judge or Court Administrator, shall ensure sweeps of courtrooms and hearing rooms are conducted at least daily. Reports of courtroom sweeps shall be subject to review by or reporting to the Administrative Office of Courts.

Survey Reference Justification: 59% Extremely Important, 22% Very Important.

Survey Reference Justification: 69% Extremely Important, 16% Very Important.

**16. Locked Jury Deliberation Rooms.** Courts shall keep jury deliberation rooms locked when not in use, unless jury deliberation rooms are behind secured areas.

Survey Reference Justification: 64% Extremely Important, 20% Very Important.

**17. Secured Access to Non-Public Areas.** Areas of the court not open to the public shall be electronic card key or hard key controlled. The court administrator or designee shall ensure doors remain locked at all times and are not propped open.

**18. Security Cameras.** Courts shall have video cameras in entryways, common public areas, and around the facility perimeter. **Cameras should be equipped with the appropriate lens for the area they will cover.**

**19. Exterior Lighting.** Each court location shall have exterior lighting at building entrances and exits.

Survey Reference Justification: 73% Extremely Important, 18% Very Important.

**20. Bollards.** **Courts shall ensure sufficient set back areas between the court facility and vehicle accessible areas, and shall install bollards to protect the building perimeter and entrances.**

Comment: **Exceptions to this standard due to architectural construct of a building can apply for a waiver from the Administrative Office of Courts. Courts requesting a waiver shall have written procedures for ensuring security monitoring of areas where vehicle accessibility is within what would otherwise be the standard set back area.**

**21. Window Coverings.** Courts shall have window coverings to prevent views from the outside into courtrooms, chambers, and judicial offices. Window coverings must allow visibility from inside to the outside.

Survey Reference Justification: 58% Extremely Important, 23% Very Important.

22. **Ballistic Proof Glass.** Clerk transaction counters and public service windows shall have a ballistic proof glass barrier with appropriate pass-through openings installed between the public customers and court staff.

23. **Bullet Resistant Material in Courtrooms.** Judge benches and staff work areas in courtrooms shall be equipped with bullet resistant material.

24. **Standard Equipment Belt Tools for Court Security Officers<sup>[A]9</sup>.** Court security officers restrict equipment belt tools to items the officer is trained and certified in the use of and to items approved by the in-service court security officer-training program adopted by the Administrative Office of Courts. (See Standard 28.)

25. **Data Centers and Electronic Equipment.** Court facilities shall maintain separate, secure electronic key card or hard key controlled areas for computer data centers, network equipment, video recording systems and other critical electronic equipment. Courts shall maintain remote, off-site disaster recovery “hot sites.”

## **TRAINING**

26. **Security Training Required at New Hire Orientation.** All judicial employees, including judges and judicial staff, shall, within three (3) months of their hire date with a court, participate in and complete, whether in person or online, at least two (2) hours of court security training that involves the court security manual, personal safety on the job and emergency preparedness, including what to do in a negative event.

Comment: The two (2) hours of training should bear a relationship to the position for which the new employee is hired. For example, employees who will interact with the public would have

training focused on topics such as evacuation routes, safety to and from work, de-escalation tactics, or mental health awareness training.

Survey Reference Justification: 64% Extremely Important, 23% Very Important.

**27. Annual Security Training Requirements for All Judicial Employees.** All employees of the Arizona Judicial branch shall complete a minimum of two hours of security related training each year.

Comment: The Committee recognizes the current requirement that one (1) hour of COJET training related to cyber security is required and that cyber security training likely will continue to be a mandatory component of COJET training. The Committee recommends that the second hour of training be different each year and recommends the AOC, Education Services Division, develop a series of security related trainings to be offered on a rotational basis.

**28. In-Service Court Security Officer Training.** Court security officers employed by a court must receive annual training and recertification on the following: firearms, if armed; metal detection devices and x-ray machines, as applicable to what the officer uses at their court; de-escalation tactics<sup>[AJ10]</sup>; active shooter; and emergency preparedness.

Comment: The Committee recommends that a security training workgroup collaborate with the AOC, Education Services Division, to determine the specific training curriculum and annual training hours necessary for an effective, ongoing security officer training education and certification program such as an Arizona Court Security Officer Academy or Arizona Court Security Officer Training program.

**29. Active Shooter/Sheltering in Place.** All employees are required to participate in and complete an active shooter and sheltering in place training program every three years.

Survey Reference Justification: 69% Extremely Important, 21% Very Important.

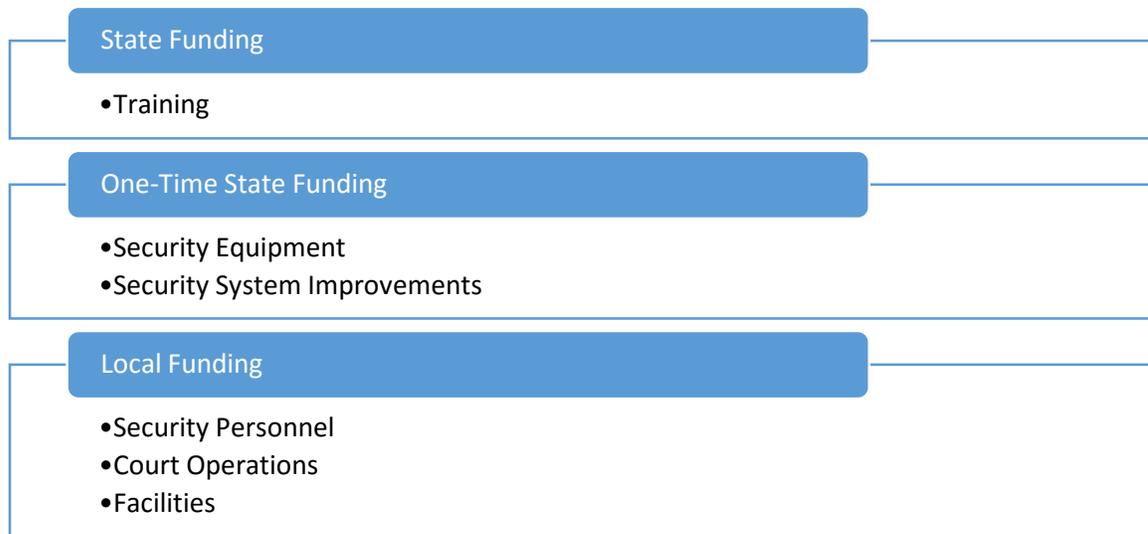
**30. Cyber and Information Technology (IT) Security.** The AOC, Education Services Division, shall ensure that adequate, relevant, and up-to-date cyber and information technology training is provided to all newly hired employees as well as available for all employees as part of annual COJET security training.<sup>8</sup>

### **C. RELATED RECOMMENDATIONS**

During the development of the survey and standards, the Committee considered a number of related measures to ensure a continued focus on court security and an ongoing program of security system improvements. To this end, the Committee respectfully offers the following recommendations:

1. Establish statewide security funds that will be available for statewide staff security training, and to local courts for one-time outlays for security equipment and security system improvements. Security system improvements entail, but are not limited to, security system screening equipment, panic alarms, bullet proof glass, bullet resistant courtroom benches, video cameras and communication systems. Specifically, the committee recommends expansion of spending authority for some current state and local fee funds (e.g., court diversion fee or county law library fund) for security enhancements. Under this model, the trial courts will continue to pursue local funding for court security personnel and ongoing operations.

<sup>8</sup> The AOC, Education Services division current requires one (1) hour of COJET training annually on the topic of cyber and information technology security.



2. Provide dedicated state level (AOC) staff support for coordination of court security assessments, technical assistance, and training. This position should also assist in oversight of compliance with any standards adopted by the **Arizona Judicial Council [Supreme Court of Arizona]**. The Committee notes that a staff member dedicated to court security would allow for court security to be pursued in an active rather than reactive manner.
3. Maintain the Court Security Standards Committee or a subset of this body to promote timely implementation of the proposed court security standards, statewide information sharing and coordination of a systemic court security program. Such a committee could also assist the AOC Education Services Division on development of court security training curriculum and programs.
4. Institute an annual inventory of essential court security provisions to be completed by each court, as coordinated by the proposed county-wide court security committees and superior court presiding judges or their designees.
5. Include a method for assessment of court compliance with the proposed court security standards, particularly standards that require training, certification, and testing.

## **APPENDICES**

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## APPENDIX A

## APPENDIX B

The following is an example of the pre-survey email:

Dear Presiding Judges:

Court security has been identified as a high priority initiative and the Supreme Court established a Court Security Standards Committee to recommend court security standards for Arizona courts. In order to develop these recommendations, the Committee seeks your assistance in (1) completing a survey and (2) distributing the survey to the judges within your court (including judges located in other physical locations) and to other judicial officers.

The survey was created by the Committee with assistance from the National Center for State Courts (NCSC) and seeks to discover what security measures are in place in your building and what you believe are the most important security measures. Your court's participation in the survey will help the Committee to develop recommendations that are meaningful for Arizona courts, large and small, rural and metropolitan.

The survey **will be sent to you within 24 hours** and will take less than 10 minutes to complete. Please complete the survey at your earliest convenience, and no later than **Friday, May 6, 2016**, and forward the message containing the survey to the other judges and judicial officers in your court.

Court Administrators and Court Clerks will receive the survey as well and will assist with distribution to other court employees. *However*, if your court does not have a court administrator or clerk, the Committee would appreciate your help in distributing the survey to court employees as well as judges and judicial officers.

Thank you for your assistance in this endeavor,

The following is an example of the email distributing the survey:

Dear Presiding Judges:

In an email yesterday, the Court Security Standards Committee asked for your assistance (1) completing a survey and (2) distributing the survey to the judges within your court (including judges located in other physical locations) and to other judicial officers. This is the link for the survey:

[Court Security Survey](#)

Please complete the survey no later than **Friday, May 6, 2016**, and forward the message containing the survey to the other judges and judicial officers in your court.

Thank you for your assistance in this endeavor,

The following is an example of the reminder email:

Dear Judges, Clerk of Court, Court Administrator, Court Security, and Probation Chief:

In an email last week, the Court Security Standards Committee asked for your assistance (1) completing a survey and (2) distributing the survey to other judges, security personnel and staff within your court. It is important that each level of court (LJ and GJ) and each court location for those courts with multiple locations be represented in the survey results. It is also important that the survey reach someone who provides security for your court.

The Committee recognizes the time involved in taking the survey and forwarding it to others and sincerely thanks you for your willingness to participate.

If you have not had an opportunity to take the survey, this is the link:

[Court Security Survey](#)

The survey should be completed by **Friday, May 6, 2016**.

Again, thank you for your assistance,

## APPENDIX C

**APPENDIX D**  
**Recommended tools for inclusion in Court Security Standards Manual**

## GLOSSARY

The following definitions govern the meaning of terms within the standards proposed by the Court Security Standards Committee.

**Standard** A court security standard is 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 and the law enforcement officers and court security officers that protect them.

**Guideline** A court security guideline is a policy or measure that is recommended 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 and the law enforcement officers and court security officers that protect them.

**Incident** An incident is an action or communication that causes or threatens to cause personal injury, property damage, or disruption of courthouse proceedings

**Hierarchy of seriousness of incident** In descending order: (1) incident against persons, (2) incident against property, (3) threats without violence

**High risk event** These events can occur at any time and often arise with little notice to a court. The following characteristics are commonly associated with high risk events: multiple victims involved in the matter, incidents involving female victims and multiple offenders, homicides that involve intimate partners and family relationships, celebrated or featured articles or media coverage are associated with the matter, demonstrations may occur before, during, or after hearings or otherwise be associated with the events of the case.<sup>9</sup>

<sup>9</sup> See National Association for Court Management, *Court Security Guide* p.24. June 2005

**Negative event**        A negative event is an event that has potential to, or does cause interruption of court operations or poses a risk to the safety and security of those in and around a court facility. Negative events can include threats, such as threats to the physical safety of someone on or associated with a court, bomb threats, or suspicious or unattended packages; security incidents such as physical violence, active shooter, hostage taking; and other incidents such as cyber attacks, medical emergencies, fires, severe weather, or power outages.

**Threat**            A statement of an intention to inflict pain, injury, damage, or other hostile action on someone (court employee) or an institution (court building) in retribution for something done or not done now or in the future. A threat is synonymous with a threatening remark, warning, or ultimatum such as a menace to a person or institution. A threat can be a person or a thing likely to cause damage or danger.