

Court Security Standards Committee (CSSC)

January 12, 2016

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

Conference Room 119 A/B

1501 West Washington Street

Phoenix, Arizona 85007

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

Presenters/Guests: Timm Fautsko, National Center for State Courts (NCSC)

Administrative Office of the Courts (AOC) Attendees: Dave Byers, Mike Baumstark

Staff: Jennifer Albright (AOC), Sabrina Nash (AOC), Theresa Barrett (AOC)

Call to Order/Welcome and Introductions

With a quorum present, the January 12, 2016, meeting of CSSC was called to order at 10:00 a.m. by Marcus Reinkensmeyer, Chair. Mr. Reinkensmeyer introduced Timm Faustko from the National Center for State Courts (NCSC), who will be working with the committee to meet the goals of the administrative order. Committee members then introduced themselves and provided a brief bio. Mr. Reinkensmeyer then asked Theresa Barrett, Mike Baumstark and Dave Byers to introduce themselves.

Mr. Byers addressed committee members regarding the direction of court security and outlined some of the challenges facing the committee, such as creating standards that are applicable to both rural and urban courts, whether there should be guidelines or standards, and the manner of funding any increased security measure. He also discussed issues of armed versus unarmed security, bomb threats, and the creation of a lawyer bypass program to help expedite lawyers who move from courthouse to courthouse, as well as the certification and training of court security staff.

Review of AO 2015-104

Marcus Reinkensmeyer summarized the scope of work for the committee as outlined in the Administration Order:

- Develop and conduct a survey on court security provisions
- Develop recommendations on standards for courthouse and courtroom security and officer training
- Submit a final report by September 30, 2016

- Report recommendations to the Arizona Judicial Council (AJC) by the AJC's October 2016 meeting

Status of Court Security in the USA

Timm Fautsko, NCSC, spoke about several recent security incidents in courts throughout the country. He suggested that in planning court security these questions should be considered:

- Who is coming into the courthouse?
- How are they getting in (entryway points)?
- What is being brought into the courthouse?
- Keep track of contraband brought into the courthouse, as this information could be useful in planning trainings and could help with funding requests.
- Keep track of incidents to share with court security, and use this information in training staff to increase security awareness.

Mr. Fautsko shared statistics from a recent national survey: security measures that courts did and did not have; targeted acts of violence; and reported issues impacting court security such as scare funding, lack of training, and need for additional staff. Mr. Fautsko encouraged the committee to work towards court security standards that would be easily achievable by both metropolitan and rural courts, and to have security manuals that are succinct. He stated that communication, collaboration, and training (including security drills) are the best tools to increase court security.

Questions were raised during Mr. Fautsko's presentation including:

- Should court officers, law enforcement, and judges should be armed while in the courthouse.
- How to handle the possibility violence will be perpetuated by an employee and not someone coming into court as a litigant or as a member of the public.

Review of Publications & Materials

Marcus Reinkensmeyer deferred the review of publications to committee members' discretion and had Ms. Jennifer Albright show members how to navigate the Court Security Standards Committee webpage. Ms. Albright demonstrated how to access the information and materials made available through the website.

Discussion: Benchmarking Security Standards

What Other States Do/NCSC Best Practices/What Do We Want to Do

Timm Fautsko explained the best practices for keeping courts safe is collaboration and communication. He stated that the most successful and safe court systems in this country have a security team comprised of the presiding judge, court administrator, clerk, court security – whether employed by court or provided by local law enforcement, and often other stakeholders that work together to develop, test, and improve court security policies and protocols. He also presented information on three categories of security measure and their relative importance to overall security. Mr. Fautsko then opened the floor for discussion on what the committee wants to do. Suggestions from the committee were:

- Developing standards that would be adaptable from urban to rural courts
- Creating procedural guidance for court staff on how to deal with irate visitors to the court

- Assessing the culture of the each court and that particular court's security needs
- Requiring each court to have an active security committee
- Creating tiered security guidelines that courts could use to build up security over time
- Address the increased risk specialty courts (Mental Health, Drug and Veterans Court) bring to the courthouse.
- Develop a list of questions to survey the courts on current measures and concerns; then develop guidelines based on what the courts perceive to be the greatest need.
- Create a baseline of standard training for courts that can be expanded as resources need or in proportion to the needs of the court.
- Develop funding strategies, such as: ask legislature for funding or increase/add fees to support court security? Earmark enhancement funds?

Web-Based Survey Best Practices

Marcus Reinkensmeyer and Timm Fautsko, presented research based practices to get good results from a web-based survey. These some of the practices include:

- Be succinct and specific with your questions
- Multiple choice or yes/no questions work best
- Consider your audience and possibly have two sets of questions: what do they have, what do they need?

The projected timeline for the web-based survey is to have a rough draft for review at the February 22, 2016 meeting, and after review and revision send the survey in March 2016.

Breakout: Small Working Group Discussions

The committee went into small workgroups to develop suggested topics for a survey on court security in the state. The groups were divided as follows:

Courthouse Security (Rolf Eckel)

Keith Kaplan, Joshua Halversen, Richard Colwell

Courtroom Security (Honorable Kyle Bryson)

Sheriff Mascher, Judge Krombeen, Tina Mattison

Courthouse Perimeter Security (John F. Phelps)

Sheriff Pribil, Greg DeMerritt

Court Security Training (Faye Guertin)

Robert Hughes, Sheriff Slade, Mary Jane Abril

Small Group Report Back

A spokesperson for each workgroup reported back to the committee a list of items discussed. The list included:

Courthouse Security:

Determine what security measure each court has?

Segregate by court type urban versus rural.

What do the people who work in and frequent the court feel are most important security measures?

Does each court have an active security committee?

Courtroom Security:

Courtroom populations – protocol for attorneys/judges/staff to notify court of a potentially volatile client, witness or litigant
Entrances into the courtroom – seating in the gallery; decorum orders
Exit or escape routes – rally points and designated contact person for communications
Duress/Incident alerts and reporting
Securing and locking of courtroom
Juror access – control for egress and ingress
In custody defendants: circulation patterns, location in courtroom
Armed personnel in courtroom

Courthouse Perimeter Security:

Definition of perimeter
Identification of threats from perimeter
Number of doors and windows; alarmed doors and windows
Line of sight; cameras or other manner of observing
Controlled access for vendors

Court Security Training:

When are employees trained on security measures
What is provided in training; How often is training
Court Security Officer Academy; what specific training do court security personnel receive
Mandatory defense tactics for armed security
Mental Health Training for all employees; de-escalation and defensive tactics
Use of force standards for court security personnel
Protocols for evacuation, lockdown, active shooter, other emergencies

Good of the Order/Call to the Public

There was no response to the call to the public.
Marcus Reinkensmeyer thanked committee members for their participation in this committee.

Next Committee Meeting Date

Monday, February 22, 2016
10:00 a.m. to 2:00 p.m.
Arizona State Courts Building, Conference Room 119 A/B
1501 West Washington Street
Phoenix, Arizona 85007

Adjourned at 1:57 p.m.

Court Security Standards Committee (CSSC)

February 22, 2016

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

Conference Room 119 A/B

1501 West Washington Street

Phoenix, Arizona 85007

Present: Marcus Reinkensmeyer, Mary Jane Abril, Judge Kyle Bryson, Richard Colwell, Greg DeMerritt, Rolf Eckel, Faye Guertin, Robert Hughes, Keith Kaplan, Judge Robert Krombeen, Earle Lloyd (proxy for Commander Scott Slade), Sheriff Scott Mascher, Tina Mattison, John Phelps, Sheriff William Pribil

Absent: Robert Hughes, Joshua Halversen

Administrative Office of Courts (AOC) Guests: Theresa Barrett, 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. and asked Committee members to introduce themselves to each other for the benefit of members on the phone. After introductions were made, Mr. Reinkensmeyer shared a few interesting news items related to court security around the country. Highlights included:

- **Rogers County, Oklahoma** -A ten dollar fee per civil case to help with the cost of security and screening, authorized by statute, was approved. The fee will provide funding for improved and increased court security.
- **Harris County, Texas** -A new law was recently passed allowing the public to carry concealed weapons into most county offices, i.e. County Assessor, Treasurer, and the Board of Supervisors, but not the court. All of these offices share the same building. The passing of this law necessitated changes in where court security checkpoints were located - removing from the main entrance and moving to areas closer to location of courtrooms, the installation of more panic buttons and better communication with the Sheriff's Office.
- **Calhoun County, Florida** - A judge was recently threatened and because court is held in a shared facility, the other tenants in the building did not want to inconvenience their visitors by screening all visitors to the building. Screening was instituted outside the courtroom to meet the concerns regarding screening persons not in the building for court business.

Approval of Minutes from January 12, 2016

Motion: Mr. Phelps moved to approve the January 12, 2016, minutes as presented. **Seconded:** Judge Bryson **Vote:** Unanimous.

Rules of Business/Proxy Form

Marcus Reinkensmeyer explained the purpose of the proxy form is to allow committee members to designate a proxy to represent them at meetings they themselves cannot attend due to scheduling conflicts. The proxy form identifies in writing who will be attending in the members absence and the duties and authority associated with the role of proxy.

Motion: Judge Bryson moved to approve the proxy form. **Seconded:** Mr. Phelps **Vote:** Unanimous.

Web-Based Survey Best Practices

Jennifer Albright, Senior Policy Analyst, AOC, talked about best practices for web-based surveys. Things to consider are:

- Audience - Stakeholders are more likely to respond when they have a vested interest in the subject of the survey and the results. Identify audience.
- Content - Development of questions to get desired information; keep the survey from being too long and time consuming for respondents.
- Consistency - Use consistent language in both the survey and message to stakeholders.
- Goal - For the Committee, the goal is to evaluate what courts have and what they need. Questions should be specific to that goal.
- Organization - Questions should be organized in a manner that is easy to follow and logical.

Review of Draft Survey Questions

Marcus Reinkensmeyer, Chair, asked the committee if they thought the survey should go out to stakeholders via a message from the Committee or the Chief Justice. It was suggested by judges on the Committee that the survey should come from the Chief Justice. Mr. Reinkensmeyer then asked committee members to review the sample surveys and provide input. Discussion ensued with suggestions as follows:

- **Survey Introduction** - **Question 1** - add "other" to position title and ask respondent to identify their position. **Question 4** - add municipal court to the list of court types. **Questions 1 and 5** - change the list of various law enforcement agencies to be law enforcement officer (LEO), to cover them all. It was suggested the survey ask respondents to designate if they are in-house court staff, transport staff, or probation officer. **Question 5** - Add "no security" to the list of options.
- **Perimeter of the Court Building** - add an open comment box at the end of each survey question, add questions related to the first four items listed in the National Center for State Courts (NCSC) recommended additional topics.
- **In the Court Building** - change the word magnetometer to metal detector, change security command/control room to security command/control area, add monitoring of security cameras and duress alarms, secured interior doors, and the first four items in the NCSC list of recommended additional topics.
- **Courtroom** - add courtroom protocol on firearms and cellphones in the courtroom, questions regarding lock down policy/procedure, shelter in place, facility orientation and training for key responders, first responder knowledge of building layout, locked courtroom doors, and sweeps of courtrooms. It was suggested that the survey group duress alarm questions in a single question.
- **Training** - add questions regarding how often training is received, whether use of force training is provided, staff training on building evacuation, active shooter and internal communication during emergency.

Discussion then concluded with comments regarding prospective survey participants and how best to distribute the survey to those participants.

Breakout: Small Working Group Discussions on policy development

The Committee went into small workgroups to discuss policy development for court security related to their work group topic areas. Mr. Reinkensmeyer asked the committee to consider policies that would be designated as standards versus policies better suited for guidelines. The Committee was also asked to consider policies that are known best practices for court security. The workgroups were divided as follows:

- Courthouse Security
- Courtroom Security
- Courthouse Perimeter Security
- Court Security Training

Small Group Report Back

The spokesperson for each workgroup reported back to the Committee their thoughts. Highlights included:

- **Courthouse Security Workgroup** - This workgroup discussed how to differentiate between large and small courts and the role court size plays in making recommendations for court security guidelines and standards. The workgroup reported that standards for all courts should include: a security committee, a policy or procedure manual, and an annual security checklist. It discussed the possibility of assessing a court security fee to be used to purchase security equipment and fund training for courts. Guidelines for smaller courts included replacing glass with ballistic glass, locking doors, conducting random employee screenings, separating in-custody defendants from judges and the general public, and screening packages. Guidelines for larger courts included the additional items of screening all public visitors entering the courthouse, adding duress alarms and cameras, monitoring of duress alarms and cameras, and armed security officers.
- **Courtroom Security Workgroup** - This workgroup discussed increasing security awareness, duress alarms and testing with staff and the bench, courtroom evacuation, establishing of courtroom decorum orders, ballistic resistance material for the bench, courtroom assessment for improvised weapons, and locking courtroom doors to shelter in place.
- **Courthouse Perimeter Security Workgroup** - This workgroup also discussed differentiating between large and small courts, as well as creating a security checklist specific to the perimeter or defining the perimeter and reviewing it annually, instituting perimeter sweeps, and creating a way to identify high profile cases that may require heightened security measures. This workgroup indicated it considered security threats that were most probable versus least probable in its discussion of whether a measure should be a standard or a guideline.
- **Court Security Training Workgroup** - This workgroup debated mandatory training for rural courts versus metropolitan courts. They also discussed the pros and cons of armed versus unarmed security personnel; the need for training to be reviewed annually; when training should occur; mandatory security orientation for judges, security officers and court staff; the possibility of traveling security trainers and train-the-trainer approaches to help with training; annual re-training of security personnel

on x-ray machines, hand wands and metal detectors; and the mandatory screening for all armed personnel including background checks, drug screening, and psychological evaluations.

Good of the Order/Call to the Public

Jennifer Albright outlined the process for updating the survey based on comments received from committee members. Once the survey is updated, she will send it to a sample group of respondents that will include the Committee members, for feedback.

Ms. Albright will also send out an email to committee members regarding meeting dates in April and May.

Next Committee Meeting Date:

Tuesday, March 22, 2016

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

Arizona State Court Building, Conference Room 119

1501 West Washington Street

Phoenix, Arizona 85007

Adjourned at 2:01 p.m.

COURT SECURITY STANDARDS COMMITTEE (CSSC)

March 22, 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, Judge Kyle Bryson, Greg DeMerritt, Rolf Eckel, Faye Guertin, Joshua Halversen, Keith Kaplan, Judge Robert Krombeen, Commander Scott Slade, Sheriff Scott Mascher, Tina Mattison, Sheriff William Pribil

Absent: Richard Colwell, John Phelps

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

Administrative Office of Courts (AOC) Guest: Theresa Barrett

AOC Staff: Jennifer Albright, Sabrina Nash

Call to Order/Welcome and Introductions

Marcus Reinkensmeyer, Chair, called the meeting to order at 10:01 a.m. and introduced Timm Fautsko of the NCSC. Mr. Reinkensmeyer inquired as to whether any members were on the phone. Mr. Reinkensmeyer then shared a couple of interesting news items related to court security around the country:

- **State of Texas** – Following a shooting of a judge, investigation revealed court security had received two reports of threats against an unnamed judge. The threats were from a person that was a defendant in two separate matters before two separate judges. One of those judges was the victim. No judge was told of the threats. In response to the shooting the Texas Supreme Court completed a large survey of judges and staff. Thirty-eight percent of judges surveyed reported that they feared for their safety in the courtroom and forty-two percent expressed concern about their safety at home.
- **Vermont** – Some Vermont courts have very good security and others do not. Four judges are lobbying the legislature for a standard minimum security at all courthouses. The proposal sought one fulltime security person at each courthouse. The proposal required funding of 1.8 million to hire 35 new court security staff.

Timm Fautsko, NCSC, shared his experiences with the courts in both Texas and Vermont and stated that communication is the key to court security.

Approval of Minutes, February 22, 2016, meeting

Motion to approve minutes: Judge Bryson moved to approve the February 22, 2016, minutes as presented. **Seconded:** Commander Slade **Vote:** unanimous

Review of Draft Survey and Testing Results

Marcus Reinkensmeyer, Chair, stated that he wanted the committee's input to finalize and shorten the length of the survey. Testing revealed the survey took approximately 20 minutes or longer to complete. It was agreed this time needed to be significantly reduced. The committee considered the audience for the survey. The range of distribution was from 200 to 9200 participants. Jennifer Albright thanked the committee for being beta testers along with a select few persons outside the committee. She then proceeded to lead the committee through the survey questions and noted the following:

1. **Position Title** – At the last meeting the committee asked that the term “law enforcement officer” be used instead of listing sheriff, deputy, policeman, and DPS individually. In the process of making that edit “court security officer (non-law enforcement)” was inadvertently deleted and will be added back in. Another job position reviewed was “employee of another agency sharing building with court.” It was decided to keep that title. There was discussion regarding adding probation officers (juvenile and adult), and attorneys to the survey. The committee agreed to add probation officers but not attorneys. Tim Fautsko, NCSC, who is assisting with the creation of the survey, advised that the committee may want to gather information from those respondents whose input will directly impact standards, guidelines and training.
2. **Location, County** – Renamed “county” with a drop down box listing all fifteen Arizona counties.
3. **City** – The list of cities would be over 100. The committee discussed various alternatives to listing 100 cities. Two options were to have a drop down list of “rural, suburban, metropolitan” or to have a drop down of population ranges. The committee recommended using population ranges.
4. **Type of Court Building** – No recommended changes
5. **Court Type** – A recommendation was made to change “Justice of the Peace court” to Justice Court and add Municipal/City court.
6. **Who provides security for your court building** – Suggestions were made to add “no security” and “don’t know” to the response selections.

Jennifer shared comments she received regarding the length of the survey, the use of the Likert scale, specifically use of numbers only, words only, or a combination of numbers and words. The committee agreed numbers and words would be best. The discussion then focused on comments received on the “Do you have” questions (7, 10, 13):

- **Do you have the following security measures around the perimeter of your court building?** – Added the question “Secured or monitored parking areas for court staff.”
- **Do you have the following security measures in your court building?** – Questions were received on the need for detailed employee screening questions (entryway weapons screening, screening station for employees includes: metal detector, X-ray machine, hand wand). Committee members discussed the importance of the information provided by the answers. Discussion also focused on whether employees are randomly screened or visually screened upon entering the courthouse and whether employees enter through the main courthouse entrance or through an employee entrance.
- **Do you have the following security measures for your courtroom?** – Regarding the “rules in place” questions a comment was received on whether the rules were written or rules of practice? Comments were also made about “are officers in the courtroom armed”

are officers armed in all criminal, mental health, civil, veterans, drug and family courtrooms? A recommendation was made to remove the word "all" from questions on the survey.

- **Screening mail and packages?** Suggestion was made to change the language to "policies and procedures for screening mail and packages."
- **The "How Effective are/How Well Do [security measures] Work..." questions involved the following discussion:**

Jennifer discussed that this line of questions may not lead to useful data because there was not a baseline which the results could be compared to. She suggested the committee might want to have a recommendation of a follow-up survey in six months to a year to determine if standards and guidelines established by the committee's work are effective and in use. Jennifer also discussed an issue that came up with the survey regarding questions that asked "how well do you think the following security measures currently work in your court building/court/courtroom?" Respondents felt that they had to answer the questions even if they'd answered "didn't know" or they didn't have the security measures in place. Discussion took place regarding this issue and the committee decided to remove the "how well" questions 8, 11, 14 and 17 from the survey.

Discussion of Survey Audience and Distribution

Marcus Reinkensmeyer began the discussion on the survey's audience and distribution of the survey by mentioning that Timm Fautsko had suggested a phased distribution of the survey. Marcus outlined the envisioned phased distribution as follows:

Phase 1 - both superior and limited jurisdiction court administrators, presiding judges or judge of the court for standalone courts, county clerks of the court and chief adult and juvenile probation officers.

Phase 2 - remaining judges, clerks line staff, other court line staff, probation officers, law enforcement officers and other building occupants.

Discussion took place among committee members regarding the phased survey audience, random samples, the distribution of the survey and upcoming meetings (Presiding Judges, AZ Courts Association) where the survey could be unveiled.

Standards versus Guidelines

Timm Fautsko, NCSC, reviewed the charge of the committee as outlined in the Administrative Order and suggested that the committee consider how they are defining "standards" and "guidelines." He outlined a few standards and guidelines developed by the state of Ohio:

- Establish a court security committee
- Create security policy and procedure manual
- Determine who is subject to security search
- Minimum number of court security officers
- Weapons in court facilities
- Prisoner transport
- Duress alarms for judges and court staff
- Restricted access to offices
- Onsite security personnel
- Incident reporting policy/system
- Design of court facilities with security in mind

Mr. Fautsko stated that National Center for State Courts will complete an anonymous search around the country on mandatory court security standards using the NCSC listserv and would provide the results to the Committee for review.

Discussion ensued regarding the definition of standards and guidelines, which states have best practices for standards, funding for standards, development of security committee (by county vs statewide), and the monitoring of implementation of standards within an established timeline.

Small Group Discussions: Review of Framework of Standards and Guidelines Document

Marcus Reinkensmeyer explained to the committee that he asked Jennifer Albright to draft a framework for the development of proposed standards and guidelines for review by the committee. Jennifer provided background on how she developed that framework. The committee then reviewed the framework in their work groups and made suggested edits to be integrated before the next meeting.

Announcements/Call to the Public

No members of the public were present

Next Committee Meeting Date:

Monday, May 16, 2016

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

Arizona State Courts Building, Conference Room 119 A/B

1501 West Washington Street

Phoenix, Arizona 85007

Adjourned at 1:52 p.m.

COURT SECURITY STANDARDS COMMITTEE (CSSC)

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.

Court Security Standards Committee

Monday, September 12, 2016
Conference Room 119 A/B, Arizona State Courts Building
1501 West Washington Street
Phoenix, AZ 85007

Present: Marcus Reinkensmeyer, Mary Jane Abril, Judge Kyle Bryson, Greg DeMerritt, Rolf Eckel, Sean Gibbs, Faye Guertin by proxy Carla Boatner, Judge Krombeen, Keith Kaplan, Tina Mattison, Sheriff William Pribil, John Phelps, Commander Scott Slade

Absent/Excused: Richard Colwell, Joshua Halversen, Sheriff Scott Mascher

Guests: J Earle Lloyd, Superior Court in Maricopa County, Security Office; Donald Jacobson, Flagstaff Municipal Court; Dean Nyhart, Arizona Department of Public Safety (retired)

Administrative Office of the Courts (AOC): Amy Love, Jeff Schrade, Mike Baumstark

AOC Staff: Jennifer Albright, Sabrina Nash

I. REGULAR BUSINESS

Welcome and Opening Remarks. The September 12, 2016, meeting of Court Security Standards Committee (CSSC) was called to order at 10:03 a.m. by Marcus Reinkensmeyer, Chair.

Mr. Reinkensmeyer introduced and welcomed Don Jacobson, Flagstaff Municipal Court. Mr. Jacobson has been hired as a part-time senior consultant to work in part with this committee on implementing the standards and on education and information outreach to courts. Mr. Jacobson introduced his guest Dean Nyhart (retired from the Arizona Department of Public Safety). Mr. Jacobson stated that Mr. Nyhart has a wealth of experience and knowledge dealing with court security and will be a valuable resource. Mr. Reinkensmeyer then introduced Amy Love, Deputy Director for Legislative Relations, who will be helping with funding proposals for court security in the coming legislative session.

Approval of Minutes from July 26 2016

The draft minutes from the July 26, 2016, meeting of the CSSC were presented for approval.

Motion: Sheriff Pribil moved to approve the July 26, 2016, minutes as presented. **Seconded:** Tina Mattison. **Vote:** Unanimous.

Discussion and Feedback from Presentation to Standing Committees. Mr. Reinkensmeyer stated that the court security standards have been presented to a number of committees for input. Ms. Albright outlined the responses received by the following committees she visited:

- **Committee on Juvenile Courts (COJC)** - took no action on request to support the court security standards. The committee was supportive of the standards, but had concerns regarding the capital outlay to implement the standards in courts that had no security at all. There was a question regarding the training on courtroom sweeps and the impact the training and duties could have on job titles.
- **Limited Jurisdiction Courts Committee (LJC)** – LJC was supportive of the standards overall, but had concerns similar to the ones expressed by the Committee on Juvenile Courts in relation to

funding. LJC's focus was on the standards being mandatory and the three-year implementation plan. The concern was that LJ courts with no security staff or entryway screening would need a greater amount of funding in order to hire a security officer and purchase screening equipment than those LJ courts that had already hired in security officers and purchased screening devices. There was a concern the three year implementation period for those courts with no security office or screening may be too short due to budgetary constraints. Mr. Jerry Landau was also at the LJC meeting to present the legislative proposals for the next year and LJC voted to support the court security funding legislative proposals with a request that an additional proposal allowing removal of the surcharge on local court enhancement fees which would allow the courts to keep the money locally for court security funding.

- **Limited Jurisdiction Court Administrators Association (LJCAA)** – Ms. Albright noted that before her presentation to the LJCAA a representative from Holbrook was present to talk about the shooting incident that happened in Holbrook, what was learned from the incident and what the court learned from Mr. Tim Fautsko, Court Security Consultant, National Center for State Courts, about security measures that were and were not in place. Ms. Albright stated that after the administrator from Holbrook spoke the LJCAA members were very attentive and supportive of the court security standards and the legislative funding proposal. Their concerns mirrored the concerns regarding funding for courts with no security.
- **Committee on Superior Court (COSC)** – Mr. Reinkensmeyer stated that COSC met last Friday and voted to support the recommendations. Judge Gurtler, Mohave County Superior Court, was concerned about the three-year timeline in response to the new courthouse being built in Mohave County and needs of the limited jurisdiction courts. He suggested that each county come up with their own plan for implementing the security standards and time certain for full implementation. Judge Warner, Maricopa County Superior Court, was concerned about possible impacts on the Maricopa County courts. Mr. Reinkensmeyer noted that COSC also supported the court security funding proposals. Mr. Reinkensmeyer announced that an email to help determine the initial financial impact on the courts would go out to superior court administrators to learn more details about courts without security or security personnel and about courts that are co-located with other entities.

Court Security Funding Strategies and Legislative Proposals.

Amy Love, Deputy Director for Legislative Relations, talked about the two court security funding proposals. Ms. Love stated that the local law library fund balances are down and she is not certain that the statute's current language would cover the use of these monies for court security enhancements and statutes should be clarified to allow use of monies for court security. She stated that the defensive driving diversion fund has 10.4 million dollars earmarked for the DPS Crime Lab and has not yet reached that goal. It is anticipated that there may be \$300,000 to \$600,000 in the fund for court security use after the DPS crime lab allotment, however it may be difficult to get the extra funds dedicated to court security as normally the excess goes into the state's General Fund. Mr. Reinkensmeyer reminded committee members of the proposed three-tiered court security funding:

- All security training would be funded by the state
- One time equipment expenditures would require courts to apply for funding at the state level
- Court operational costs and staffing expenditures would be locally funded

Discussion – Are county law library funds available to limited jurisdiction courts? What is the protocol for requesting funds and how will decisions be made on the disbursement of funds at the state level? What types of equipment will be covered and how much money will be allotted for equipment purchases?

Review of Final Report Draft

Mr. Reinkensmeyer led the committee through the draft report section by section, focusing on omissions, edits, wordsmithing, comments or other feedback. Ms. Albright either made edits on the projected working draft for the members to see or made notes on the recommended in-depth edits that would be made and distributed to the committee for another review. The members discussed the standards in-depth.

Discussion – Discussion occurred regarding: the confidentiality of court security manuals, definition of a significant threat, reservations on allowing court employees to arm themselves for personal safety reasons at presiding judge’s discretion, need for a waiver and a process for requesting the waiver, armed court personnel in the courthouse, court security training requirements (staff and officers), subject matter or training, and logistics of firearms training. Once members indicated there were no additional edits or feedback, Mr. Reinkensmeyer called for a motion on the draft report.

Motion: Commander Scott Slade moved to approve the report draft as written with noted amendments. **Seconded:** John Phelps **Vote:** Unanimous approval.

Mike Baumstark and Marcus Reinkensmeyer thanked the committee for their exemplary work in developing the proposed court security standards.

Announcements/Call to the Public

No public comments

Adjournment

Meeting adjourned at 2:00 p.m.