



Judicial Council of California · Administrative Office of the Courts

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on June 22, 2012

Title	Agenda Item Type
Report to the Legislature: Annual Summary of Trial Court Security Plans	Action Required
Rules, Forms, Standards, or Statutes Affected	Effective Date
None	June 22, 2012
Recommended by	Date of Report
Working Group on Court Security Hon. Richard D. Aldrich, Chair	June 22, 2012
Administrative Office of the Courts Mr. Malcolm Franklin, Senior Manager Office of Emergency Response and Security	Contact Malcolm Franklin, 415-865-8830 malcolm.franklin@jud.ca.gov

Executive Summary

The Working Group on Court Security recommends approval of the proposed report to the Legislature summarizing locally negotiated court security plans submitted to the Administrative Office of the Courts (AOC) by the trial courts. Annual submission of this report is required under Government Code section 69925.

Recommendation

The Working Group on Court Security recommends that the Judicial Council approve, effective June 22, 2012, its proposed report to the Legislature summarizing locally negotiated trial court security plans submitted to the AOC by the trial courts in conformance with the requirements of Government Code section 69925 and rule 10.172(e) of the California Rules of Court.

The annual report to the Legislature is included as Attachment A.

Previous Council Action

The Judicial Council adopted rules 10.172 and 10.173 of the California Rules of Court, effective January 1, 2009, to implement the provisions of Government Code section 69925.

Government Code section 69925 requires that the county sheriff or marshal, in conjunction with the presiding judge of the superior court, develop an annual or multiyear comprehensive court security plan that includes the mutually agreed upon law enforcement security plan to be used by the court. It also directs the Judicial Council to:

1. Provide for the subject areas to be addressed in the plan;
2. Specify the most efficient practices for providing court security services; and
3. Establish a process for the review of court security plans by the Judicial Council in the California Rules of Court.

Adoption of rule 10.172 fulfilled the requirement to provide for the subject areas to be addressed in court security plans and to establish a process for their review.

Rationale for Recommendation

As required by rule 10.172, no later than July 1 of each year, the Working Group on Court Security must submit to the Judicial Council a summary of the submissions received from the superior courts. The summary enables the council to comply with the Government Code section 69925 requirement that it annually submit to the Senate and Assembly Judiciary Committees a report summarizing the court security plans reviewed by the Judicial Council, including, but not limited to, a description of each plan, the cost involved, and whether each plan complies with the rules for the most efficient practices for providing court security services.

In 2010 and 2011, the Judicial Council submitted reports to the Legislature summarizing submissions received in the preceding years. These summarized submissions were presented to the council for its review at the August 27, 2010, and the June 24, 2011, business meetings.¹ The summary of changes received from the trial courts for the February 2011 deadline (see Cal. Rules of Court, rule 10.172(d)) is provided in Attachment A to this report.

Comments, Alternatives Considered, and Policy Implications

The proposed report was not circulated for comment because the summary information provided is factual and noncontroversial. No alternatives were considered because this report was created in conformance with the Legislature's specific mandate to the Judicial Council.

Implementation Requirements, Costs, and Operational Impacts

Approval of the proposed report will impose no implementation costs on the courts.

¹ The 2010 council report with the summarized submissions is available at www.courts.ca.gov/20100827item1.pdf. The 2011 council report with the summarized submissions is available at www.courts.ca.gov/20110624item1.pdf.

Relevant Strategic Plan Goals and Operational Plan Objectives

The proposed report supports Goal II, Independence and Accountability, as it assists with measuring and regularly reporting branch performance (Goal II.B.4). It also supports Goal III, Modernization of Management and Administration, as it works to ensure the safety and security of court facilities (Goal III.A.5).

Attachments

1. Attachment A: Annual Report Summarizing Court Security Plans Reviewed by the Judicial Council
2. Attachment B: Government Code section 69925

Annual Report Summarizing Court Security Plans Reviewed by the Judicial Council

Report to the Legislature July 2012

Trial Court Security Plans: Statutory Background

Government Code section 69925 requires every county sheriff or marshal to work with the presiding judge of the local superior court to “develop an annual or multiyear comprehensive court security plan” that specifies the practices and procedures for ensuring proper levels of security in each superior court. It also directs the Judicial Council to provide the subject areas to be addressed in these court security plans, establish a process for review of the plans, and annually summarize the plans it has received in a report to the Legislature. Court security plans are critical tools for ensuring that the court and the sheriff regularly examine the physical security profile of a court and establish and maintain all necessary protocols and procedures to best protect every person who enters the court.

Implementation—Rule 10.172

To implement section 69925, the Judicial Council adopted rule 10.172 of the California Rules of Court, effective January 1, 2009, establishing the areas required to be addressed in every court’s security plan and creating a process for council review of the plans. (Rule 10.172 is attached as Appendix A.) The rule identifies areas that each court must address in producing a comprehensive court security plan reflecting the best and most efficient practices for the delivery of court security.

- Rule 10.172(b) specifies 39 subject matter areas that must be addressed in a court security plan for it to be considered comprehensive.
- Rule 10.172(c) requires each court and the county sheriff or marshal to conduct an assessment of court security at least once every two years. The purpose of this assessment is to ensure that the court security plan is based on the court’s most current security needs and practices.

Recognizing that the number and breadth of areas required to be examined by a court in developing its court security plan might seem overwhelming, the Office of Emergency Response and Security Unit (OERS) of the Administrative Office of the Courts (AOC) developed an online planning tool that courts may use to help prepare their court security plans, print them, and store them electronically offsite. OERS also prepared *Court Security Plan Guidelines* to assist the court and sheriff or other security provider in preparing a comprehensive court security plan. (A copy of the guidelines is attached as Appendix B.) OERS staff also provide individualized assistance at the request of a court.

Rule 10.172 required every court to submit its initial court security plan to the AOC by November 1, 2009. After that, on or before February 1 of each year starting in 2011, every superior court must report to the AOC whether it has made any changes to its court security plan

since the previous year's report and, if so, must identify all changes and provide a copy of its latest court security plan and assessment report.

Summary: Required Components of the Court Security Plan

At a minimum, every court security plan must address for each court facility the 39 separate subject matter areas specified in rule 10.172(b) as requirements for the best and most efficient trial court security:

- (A) Composition and role of court security committees;
- (B) Composition and role of executive team;
- (C) Incident command system;
- (D) Self-assessments and audits of court security;
- (E) Mail handling security;
- (F) Identification cards and access control;
- (G) Courthouse landscaping security plan;
- (H) Parking plan security;
- (I) Interior and exterior lighting plan security;
- (J) Intrusion and panic alarm systems;
- (K) Fire detection and equipment;
- (L) Emergency and auxiliary power;
- (M) Use of private security contractors;
- (N) Use of court attendants and employees;
- (O) Administrative/clerk's office security;
- (P) Jury personnel and jury room security;
- (Q) Security for public demonstrations;
- (R) Vital records storage security;
- (S) Evacuation planning;
- (T) Security for after-hours operations;
- (U) Custodial services;
- (V) Computer and data security;
- (W) Workplace violence prevention; and
- (X) Public access to court proceedings.

Each court security plan is also required to address the following law enforcement subject areas:

- (A) Security personnel and staffing;
- (B) Perimeter and entry screening;
- (C) Prisoner and inmate transport;
- (D) Holding cells;
- (E) Interior and public waiting area security;
- (F) Courtroom security;
- (G) Jury trial procedures;
- (H) High-profile and high-risk trial security;
- (I) Judicial protection;

- (J) Incident reporting and recording;
- (K) Security personnel training;
- (L) Courthouse security communication;
- (M) Hostage, escape, lockdown, and active shooter procedures;
- (N) Firearms policies and procedures; and
- (O) Restraint of defendants.

Conditions vary significantly among the 500-plus court facilities in California, so not all subject matter areas are relevant in all courts in all locations; e.g., civil courts do not have holding cells, juvenile courts do not need jury trial procedures. If the court and the sheriff determine that a subject is irrelevant to a specific facility, the plan will so indicate. However, by requiring each court to consider the applicability of all 39 subject matter areas, the council ensures that each plan will address, in the fashion most appropriate for each court location, the best practices for providing court security services.

Summary: Review of Trial Court Security Plans, 2011–2012

The council’s 2010 report to the Legislature documented that 39 of the 58 superior courts submitted court security plans, 30 of which addressed all required subject areas and were found to be complete under rule 10.172. (Failure to address all 39 required subject areas resulted in a finding that the plan was incomplete or deficient.)

The council’s 2011 report to the Legislature documented that 49 of the 58 courts submitted plans, 10 more than the previous year. Courts that had made changes to their previous plans submitted updated plans to the council with all changes identified. All 49 plans were complete or being revised for completeness.

At this writing, 50 of the 58 superior courts have submitted their 2012 court security plans, an increase of one new submission over 2011. All 50 plans arrived complete or are being revised for completeness. All courts that had made changes to their plans since the previous year properly submitted updated plans with all changes identified. Table A inventories the plans submitted and reports made to the AOC about changes and indicates the status of each plan.

Table A: Trial Court Security Plan Reports Received (by Court, Year, and Status)

Superior Court	2010 Plan Submitted	2010 Plan Complete	2011 Report Submitted; Plan Updated and Complete	2012 Report Submitted; Plan Updated and Complete
Alameda	X	X	X	X
Alpine	X		X	X
Amador	X	X	X	X
Butte	X	X	X	X
Calaveras	X	X	X	X
Colusa	X		X	X
Contra Costa	X	X	X	X

Superior Court	2010 Plan Submitted	2010 Plan Complete	2011 Report Submitted; Plan Updated and Complete	2012 Report Submitted; Plan Updated and Complete
Del Norte	X	X	X	X
El Dorado				
Fresno	X	X	X	X
Glenn				
Humboldt				
Imperial	X	X	X	X
Inyo	X	X	X	X
Kern			X	X
Kings	X	X	X	X
Lake				
Lassen	X	X	X	X
Los Angeles	X	X	X	X
Madera	X	X	X	X
Marin	X	X	X	X
Mariposa				
Mendocino	X	X	X	X
Merced	X	X	X	X
Modoc			X	X
Mono			X	X
Monterey			X	X
Napa	X	X	X	X
Nevada	X	X	X	X
Orange	X	X	X	X
Placer	X		X	X
Plumas			X	X
Riverside			X	X
Sacramento	X		X	X
San Benito	X	X	X	X
San Bernardino	X		X	X
San Diego			X	X
San Francisco	X	X	X	X
San Joaquin	X		X	X
San Luis Obispo				X
San Mateo	X	X	X	X
Santa Barbara	X		X	X
Santa Clara	X	X	X	X
Santa Cruz				
Shasta	X	X	X	X
Sierra			X	X

Superior Court	2010 Plan Submitted	2010 Plan Complete	2011 Report Submitted; Plan Updated and Complete	2012 Report Submitted; Plan Updated and Complete
Siskiyou	X	X	X	X
Solano	X	X	X	X
Sonoma			X	X
Stanislaus	X	X	X	X
Sutter	X		X	X
Tehama				
Trinity	X	X	X	X
Tulare	X	X	X	X
Tuolumne				
Ventura	X		X	X
Yolo			X	X
Yuba	X	X	X	X

OERS staff called the eight courts that have not submitted court security plans for FY 2011–2012 and also sent e-mail messages to each court’s presiding judge and court executive officer. The reasons these courts gave for not submitting plans: two have started work on their court security plans but have not finished, four have been delayed by shortages of staff and resources, and two have been delayed by difficulty enlisting their sheriff’s participation in the court security plan process. OERS efforts to assist the trial courts with compliance include providing a user-friendly online form, reminders, and offering the individualized help and assistance of its staff.

Summary: Trial Court Security Plan Allocations—Before and After Realignment

In 2011, as part of the realignment from state to local government of responsibilities for providing government services—and of the funding for those services—the Governor proposed and enacted a realignment of court security funding. Assembly Bill 118 (Stats. 2011, ch. 40) requires each county to establish a Trial Court Security Account, which may be used only for sheriff-provided court security costs. These accounts are funded by specified taxes, and the General Fund support for sheriff-provided court security previously included in the judicial branch budget was eliminated.

Under the realignment, the funding previously provided to the judicial branch to allocate to the trial courts for sheriff-provided security was instead deposited in a Trial Court Security Account in the Local Revenue Fund 2011.¹ The money in the account is continuously appropriated and allocated to individual counties, who must deposit the money into their local Trial Court Security Accounts in the county treasury and use it only to fund trial court security provided by sheriffs.²

The judicial branch budget still includes funding to be allocated to the courts for non–sheriff-provided security, including all costs for the two courts that use marshals in lieu of sheriffs as

¹ Gov. Code, § 30025.

² Gov. Code, § 30025(f)(3).

well as costs for civil court attendants, private security screening, and similar expenses. Prior to realignment of security funding, courts were only responsible for funding “allowable costs,” as defined.³ The distinction between allowable and unallowable costs no longer exists after the realignment; the only limitation on the expenditure of funds is that the money in the Trial Court Security Account must only be used for court security. The AOC, the California State Association of Counties, and the California State Sheriffs Association expressed their joint understanding and agreement in a letter sent to all counties, courts, and sheriffs (and attached as Appendix C) that said, “while realignment clearly changed the source of funding for court security, it is not intended nor should it result in reduced court security service delivery, increased obligations on sheriffs or counties, or other significant programmatic changes that would not otherwise have occurred absent realignment.”

Under realignment, court security funding is distributed in two ways: (1) sheriff security funding realigned to the county and (2) private security/court-provided security funding to the court, as shown in table B below.

Table B: Annual Security Funding Allocations to the Courts (by Year and Court)

Superior Court	Sheriff Security Funding Realigned to the County FY 2011–2012	Private Security/Court-Provided Security Funding to the Court FY 2011–2012
Alameda	21,371,837	3,177,924
Alpine	11,855	-
Amador	553,946	-
Butte	1,845,015	467,145
Calaveras	345,039	-
Colusa	143,628	-
Contra Costa	13,290,301	-
Del Norte	320,913	-
El Dorado	2,373,453	-
Fresno	14,465,261	-
Glenn	460,378	-
Humboldt	1,095,459	167,800
Imperial	1,186,979	375,440
Inyo	357,129	-
Kern	9,630,924	-
Kings	921,827	418,625
Lake	489,016	196,493
Lassen	157,673	292,053
Los Angeles	144,445,154	14,294,467
Madera	1,268,086	171,600
Marin	2,962,739	-
Mariposa	195,360	-
Mendocino	1,311,805	299,349
Merced	2,777,152	-

³ Gov. Code, § 69927(a).

Superior Court	Sheriff Security Funding Realigned to the County FY 2011–2012	Private Security/Court- Provided Security Funding to the Court FY 2011–2012
Modoc	102,583	-
Mono	464,710	-
Monterey	3,704,426	870,000
Napa	1,581,357	295,552
Nevada	817,425	379,305
Orange	41,850,703	2,733,776
Placer	3,730,631	-
Plumas	374,549	-
Riverside	15,511,880	1,561,824
Sacramento	24,836,021	1,864,424
San Benito	376,684	-
San Bernardino	25,300,874	2,916,811
San Diego	32,729,466	-
San Francisco	10,978,411	-
San Joaquin	8,256,687	287,747
San Luis Obispo	4,023,308	-
San Mateo	10,008,470	443,042
Santa Barbara	6,614,637	-
Santa Clara	29,119,768	-
Santa Cruz	2,925,616	-
Shasta	-	2,389,668
Sierra	26,597	-
Siskiyou	617,893	-
Solano	5,512,781	435,400
Sonoma	6,960,954	440,000
Stanislaus	4,499,015	-
Sutter	536,093	247,071
Tehama	550,131	-
Trinity	-	450,608
Tulare	5,531,040	-
Tuolumne	999,178	-
Ventura	10,909,354	953,993
Yolo	2,659,916	582,889
Yuba	522,324	132,569
Total:	\$484,614,415	\$36,845,575

Conclusion

Providing safe and secure facilities for judicial proceedings is a longstanding Judicial Council goal. Court security plans help to make that possible by addressing essential security measures that help to protect the public, personnel, and judiciary who visit and serve the courts.

California Rules of Court, rule 10.172

Rule 10.172. Court security plans

(a) Responsibility

The presiding judge and the sheriff or marshal are responsible for developing an annual or multiyear comprehensive, countywide court security plan.

(b) Scope of security plan

- (1) Each court security plan must, at a minimum, address the following general security subject areas:
 - (A) Composition and role of court security committees;
 - (B) Composition and role of executive team;
 - (C) Incident command system;
 - (D) Self-assessments and audits of court security;
 - (E) Mail handling security;
 - (F) Identification cards and access control;
 - (G) Courthouse landscaping security plan;
 - (H) Parking plan security;
 - (I) Interior and exterior lighting plan security;
 - (J) Intrusion and panic alarm systems;
 - (K) Fire detection and equipment;
 - (L) Emergency and auxiliary power;
 - (M) Use of private security contractors;
 - (N) Use of court attendants and employees;
 - (O) Administrative/clerk's office security;
 - (P) Jury personnel and jury room security;

- (Q) Security for public demonstrations;
 - (R) Vital records storage security;
 - (S) Evacuation planning;
 - (T) Security for after-hours operations;
 - (U) Custodial services;
 - (V) Computer and data security;
 - (W) Workplace violence prevention; and
 - (X) Public access to court proceedings.
- (2) Each court security plan must, at a minimum, address the following law enforcement subject areas:
- (A) Security personnel and staffing;
 - (B) Perimeter and entry screening;
 - (C) Prisoner and inmate transport;
 - (D) Holding cells;
 - (E) Interior and public waiting area security;
 - (F) Courtroom security;
 - (G) Jury trial procedures;
 - (H) High-profile and high-risk trial security;
 - (I) Judicial protection;
 - (J) Incident reporting and recording;
 - (K) Security personnel training;
 - (L) Courthouse security communication;
 - (M) Hostage, escape, lockdown, and active shooter procedures;

(N) Firearms policies and procedures; and

(O) Restraint of defendants.

(3) Each court security plan should address additional security issues as needed.

(c) Court security assessment and assessment report

At least once every two years, the presiding judge and the sheriff or marshal are responsible for conducting an assessment of security with respect to all court operations. The assessment must include a comprehensive review of the court's physical security profile and security protocols and procedures. The assessment should identify security weaknesses, resource deficiencies, compliance with the court security plan, and any need for changes to the court security plan. The assessment must be summarized in a written assessment report.

(d) Submission of court security plan to the Administrative Office of the Courts

On or before November 1, 2009, each superior court must submit a court security plan to the Administrative Office of the Courts (AOC). On or before February 1, 2011, and each succeeding February 1, each superior court must report to the AOC whether it has made any changes to the court security plan, and if so, identify each change made and provide copies of the current court security plan and current assessment report. In preparing any submission, a court may request technical assistance from the AOC.

(e) Plan review process

The AOC will evaluate for completeness submissions identified in (d). Annually, the submissions and evaluations will be provided to the Working Group on Court Security. Any submissions determined by the working group to be incomplete or deficient must be returned to the submitting court for correction and completion. No later than July 1 of each year, the working group must submit to the Judicial Council a summary of the submissions for the Judicial Council's report to the Legislature.

(f) Delegation

The presiding judge may delegate any of the specific duties listed in this rule to another judge or, if the duty does not require the exercise of judicial authority, to the court executive officer or other court employee. The presiding judge remains responsible for all duties listed in this rule even if he or she has delegated particular tasks to someone else.

Rule 10.172 adopted effective January 1, 2009.

Advisory Committee Comment

This rule is adopted to comply with the mandate in Government Code section 69925, which requires the Judicial Council to provide for the areas to be addressed in a court security plan and to establish a process for the review of such plans. The Working Group on Court Security is authorized by Government Code section 69927 and established by rule 10.170 for the purpose of studying and making recommendation to the Judicial Council regarding court security matters. For the assistance of the courts and sheriffs in preparing and submitting their court security plans, the Working Group on Court Security has prepared "*Court Security Plan Guidelines*" with respect to each of the subject areas identified in subsections (b)(1) and (b)(2). The courts and sheriffs may obtain copies of the *Court Security Plan Guidelines* from the Administrative Office of the Courts' Emergency Response and Security Unit.

Court Security Plan Guidelines



Court Security Plan Guidelines

JANUARY 30, 2009



ADMINISTRATIVE OFFICE
OF THE COURTS

OFFICE OF EMERGENCY
RESPONSE AND SECURITY

The following guidelines are intended to assist courts and sheriffs in preparing court security plans as required by Government Code section 69925. Courts and sheriffs may consult with the Administrative Office of the Courts' Office of Emergency Response and Security for additional assistance.

GENERAL SECURITY ELEMENTS

A comprehensive security plan will address each of the following items.

Court Security Committee

Identify the members of the court security committee and each subcommittee, including the subcommittee's primary point of contact.

Executive Team

Set forth in detail the courtwide executive team as well as the executive team established for each court facility.

Incident Command System

Establish a court-wide Incident Command System (ICS) that identifies a chain of command for decision-making authority and provides procedures for controlling personnel, facilities, equipment, and communications in the event of an emergency. The ICS for each court must incorporate an ICS for each facility used by the court and must identify representatives and plans of any nonjudicial agencies who share the facility. An organizational chart detailing the ICS chain of command should be included in the court security plan.

Self-Assessments and Audits

At least once a year, the court security plan must be updated with the inclusion of the self-assessment/audit report for that year.

Mail Handling

Procedures for handling mail should be detailed, including point of receipt and x-ray or screening of deliveries from the U.S. Postal Service, UPS, FedEx, and couriers. Include specific procedures for identifying and responding to suspicious packages and letters.

Identification Cards and Access Control

Provide written policies and procedures for identification cards (ID), access, and key control of facilities, including signature receipts and the issuing and reclaiming of IDs, access cards, and keys. Describe procedures for scheduled checks of access and exit doors to ensure locking systems are functioning properly.

Courthouse Landscaping Security Plan

Document procedures for inspections of courthouse landscaping, describing the monitoring and removal of plants, particularly against facility walls.

Parking Plan

Detail each facility's parking program, including areas dedicated to judge's parking, signage, type of controlled entry system, staff security program for winter hours, etc. Include identified deficiencies in annual self-assessment/audit.

Interior and Exterior Lighting Plan

Document procedures for inspecting and maintaining interior and exterior lighting, including emergency lighting and exit signage. Include lighting deficiencies and planned upgrades in the annual self-assessment/audit report.

Intrusion and Panic Alarm Systems

Describe procedures for testing intrusion and panic alarms, including the testing schedule. Describe how employees are instructed to respond to such alarms. Describe instructions or guidelines regarding the use of panic/duress alarms provided to judges and court staff. Provide information on who conducts maintenance and repairs, including contact information. Include deficiencies and planned upgrades in the annual self-assessment/audit report.

Fire Detection and Equipment

Describe procedures for inspecting fire extinguishers, hoses, pull stations, and alarms. Include who is responsible for scheduling these inspections. List vendor and maintenance contact information. Describe any employee fire equipment training at the facility. Include floor plans identifying the location of firefighting equipment, alarm stations, and emergency exits. Floor plans should also identify emergency shut-off locations for gas, electricity, and water.

Emergency and Auxiliary Power

If the facility is equipped with emergency power supplies, describe the areas covered by the system, the testing schedules, fuel supply, checks, etc. Include security measures in place used to protect the system (e.g., fencing, monitored by CCTV, etc.). Provide maintenance contact information and alternate emergency power generator vendor and resource information.

Private Security Contractors

Describe the duties of security contractors (e.g., perimeter screening, patrols, reception, etc.) and reference who administers the contract (e.g., court, sheriff, county, etc.). Include contractor supervisory authority, training requirements, and background check requirements. Include information about whether contract security guards are armed or possess defensive weapons.

Court Attendants and Employees

Describe the use of civil court attendants, the types of court proceedings in which they are used, and their basic court duties.

Administrative/Clerk's Office Security

Describe what systems (e.g., controlled entrances, bullet-resistant screens at public counters, panic alarms, escape route plans, etc.) are in place in administrative offices and the clerk's office. Describe the procedure for responding to bomb threats and under what circumstances, and by whom an evacuation may be ordered. Include specific instructions for the recipient of a bomb threat (e.g., bomb threat checklist, notifications, etc.). Include emergency telephone numbers, such as court security, 911, etc.

Jury Personnel and Jury Rooms

Describe the measures taken to ensure security of jurors, the public, witnesses, and jury rooms, including whether jury rooms have separate restrooms for juror use only.

Public Demonstrations

Describe the specific plans and procedures employed during public demonstrations to ensure the safety and security of staff, visitors, and the facility and to ensure unobstructed access to the courts. Reference applicable legal authority, California Rules of Court, etc.

Vital Records Storage Security

Describe the locations of vital records storage and how these areas are secured. Describe how the storage site was selected and include whether it is onsite or offsite, dry, and secure and has access controls and fire suppression equipment.

Evacuation Planning

Describe the evacuation plans for judicial staff, employees, and visitors. Separate the responsibilities and actions for court employees and the court security provider. If these areas are addressed in existing emergency plans, refer to documentation by manual name, title, and page number. Provide detailed evacuation plans that are regularly tested and drilled. Describe the joint debriefing conducted after each exercise or event.

After-Hours Operations

Describe the policies and procedures for after-hours access to the facility, including authorization process, means of entry (e.g., keys, access cards, escort, etc.), areas available, and authorized hours of access. Include contact names and telephone numbers for after-hours emergencies.

Custodial Services

Detail supervision of custodial personnel, including hours of operation, after-hours work, controls on trash removal, etc. Describe the contract or human resource policy on employee screening and background checks. Include contact information for business hours and after hours.

Computer and Data Security

Describe the policies for training all employees on basic computer security. Basic computer security includes password use, frequency of password changes, backup policies for specific data, offsite storage capabilities, and security of electronic media.

Workplace Violence Prevention

Describe who receives this training, if applicable, and the frequency of any such training.

Public Access to Court Proceedings

Describe policies and procedures for ensuring that security services are provided in a manner that protects the legal rights of criminal defendants to a public trial and the legal rights of public access to court proceedings. Describe the training to be provided to ensure compliance with these policies and procedures. Describe efforts at communicating with local bar groups, the media, and other stakeholders, regarding the formulation and implementation of court security policy and procedures.

LAW ENFORCEMENT SECURITY ELEMENTS

The court security plan must address the following elements with respect to the court and each facility where special policies or procedures are in place:

Security Personnel and Staffing

Describe staffing requirements at each court facility, including the number, classification, roles, and responsibilities of staff for:

Entry screening and perimeter security;
Courtroom security;
Prisoner transportation;
Holding cells;
Public waiting areas; and
Judicial protection.

Perimeter and Entry Screening

Describe the security at each entry point and how many personnel are used at each location. Describe the procedures used to screen all persons and items entering the facility (e.g., laptops, CD/MP3 players, cell phones, pagers, radios, etc.). Describe any special provisions for screening individuals with wheelchairs or baby carriages. Describe the equipment used at each screening station (e.g., metal detectors, x-ray machines, etc.) and the policies covering their use. Describe the type of signage used to notify individuals of the court's screening policies and prohibited items. Include any exceptions to weapons screening for peace officers, employees, etc.

Prisoner and Inmate Transport

Describe inmate transportation and emergency plans and procedures in the event of an escape, attempted escape, or in-transit medical emergencies. Describe the protocols governing the escort of prisoners to and from the courthouse, including staffing levels required to safely escort prisoners. Include juvenile transportation policies.

Holding Cells

Describe the holding areas where inmates, including juveniles, can be detained and supervised by security personnel while awaiting court appearances, during court proceedings, or while returning to jail facilities. Include cell check and well-being check schedules. Describe protocols for the movement of inmates from holding areas to courtrooms, emergency evacuation of inmates, in-custody medical emergencies, administrative segregation, segregation of inmates from the public, and inmate contact with witnesses, families, victims, etc.

Interior and Public Waiting Areas

Describe the procedures for monitoring hallways and public waiting areas, separation of juries, witnesses, and others in a public setting. Include response procedures for incidents in public areas, how incidents are recorded, and which personnel are responsible for handling calls to these areas. If child-care facilities are on the premises, list what ages of children are in that area and the procedures for ensuring children leave with an authorized person.

Courtroom Security

Describe bailiff's duties, including courtroom preparation, security sweeps, and in-session courtroom duties. Document the allocation of court security personnel based on perceived risks posed in a particular calendar or case (e.g., family, criminal, juvenile, etc.). Describe the security of environmental controls, such as lights, heat, etc. Describe any nonverbal communication used by courtroom staff, such as hand signals. Describe the evacuation routes for judges from the bench and for staff from other areas of the courtroom. Identify where ballistic protection is installed, if applicable. Describe witness, spectator, and inmate management procedures. Describe the procedure for emergency medical response in the courtroom. Describe the lockdown procedures for unused courtrooms and procedures for ensuring that potential assault items are removed or secured, such as flagpoles, shelving, books, furniture, etc. Describe security procedures for fire, earthquake, bomb threats, and power failures affecting the courtrooms.

Jury Trial Procedures

Describe jury control procedures, including care of the jury during trial, transportation, deliberations, etc. Include any special security provisions for jurors during high-profile or high-risk trials.

High-Profile and High-Risk Trials

Describe pretrial planning procedures and the measures taken for high-profile or high-risk trials. Include information about the allocation of security personnel based on factors such as the type of trial, number of participants, media coverage, and degree of anticipated risk. Identify specific personnel responsible for managing traffic, parking, and overall security of the court facility, courtroom, perimeter security, media control, housing, and infrastructure. Describe any special accommodations made for witnesses. Identify specific courtrooms that may be specially equipped or suitable for high-security, multidefendant or high media or public interest trials.

Judicial Protection

Indicate whether a judicial protection unit exists, its composition, duties, and responsibilities. Describe the parking arrangements for judges and their movement between chambers and the courtroom. Describe specific methods for securing chambers and parking and for maintaining separation of judges from the general public as they arrive and depart from work. Detail any access control for separate judicial entrances. Describe procedures for handling threats against judicial officers and court staff.

Incident Reporting and Recording

Describe the system for reporting security breaches and incidents. Identify who receives these reports, such as court administration, judges, and the Administrative Office of the Courts. Describe whether the reporting system is standardized and the procedures for maintaining confidentiality of these reports and distribution lists.

Security Personnel Training

Describe the training and frequency of training provided to security personnel on evacuations, emergency procedures, general security awareness, and enhancements to the local security plan. Describe any drills involving all staff and how often these are conducted. Describe the security agency's training and certification in the skills and performance standards required to execute court security roles and responsibilities, including transportation, restraint, court facility procedures, use of force, and dealing with the public.

Courthouse Security Communication

Describe each type of security communication used.

Describe the security information provided to court staff and judges. Identify whether this information is clear and simple and reinforced through security directives, rules, manuals, handbooks, bulletins, announcements, e-mail, and newsletters. List standard publications provided to employees.

Describe if radios or other electronic methods of communicating are available for emergency response, whether all agencies within the court complex share a common frequency, and which channel/frequency is used for court-owned radios.

Describe nonverbal communications used. (See “Courtroom Security” above.)

Describe duress/panic alarm response procedures.

Hostage, Escape, Lockdown, and Active Shooter Procedures

Detail specific procedures provided to all court staff regarding hostage situations, escapes or escape attempts, active shooter situations, and lockdowns. Describe if equipment exists to secure a courtroom from the outside. Describe if procedures are consistent with local agencies managing hostage negotiations and how often those procedures are drilled and tested with those agencies.

Firearms Policies and Procedures

Describe procedures and policies for the following areas:

- Courthouse policies on carrying firearms inside the facility by anyone, including but not limited to the public, judicial staff, and on- and off-duty law enforcement.
- Security staff carrying weapons in holding cell areas, while escorting inmates, and while performing bailiff duties inside courtrooms.
- Availability and use of less-lethal weapons. (Reference existing policy documentation by manual, page number, etc.)

Restraint of Defendants

Describe policies and procedures for restraining defendants in the courtroom. Include types of restraints available and how the court security provider receives authorization from the court to implement additional security measures.

Appendix C



California State Sheriffs Association
1231 I Street • Suite 200
Sacramento, CA • 95814
916/375-8000



Judicial Council of California
Administrative Office of the Courts •
Finance Division
455 Golden Gate Avenue
San Francisco, CA • 94102-3688
415/865-7960



*California State Association of
Counties*
1100 K Street • Suite 101
Sacramento, CA • 95814
916/327-7500

September 8, 2011

To: California Sheriffs
Presiding Judges and Court Executive Officers of the Superior Courts
County Supervisors and Administrative Officers

Re: Court Security in California

The realignment of court security funding — while not intended to fundamentally affect the provision of services — presents a number of transitional issues as courts and counties adjust to a new funding structure. This memo is intended to express the joint commitment of the courts, counties, and sheriffs to work collaboratively to identify and resolve both short- and long-term issues associated with the change in funding.

During this first year of transition, we anticipate the need to deal with jurisdiction-specific issues as they arise. For example, we are aware that despite efforts to realign funds only associated with sheriff-provided security services, some errors were made. In a few instances, the amount reduced from a court's budget and allocated to the county included court funding dedicated to court attendants, marshals, or private security contracts – funding that should have remained with the court. We believe there could be other allocation issues that may arise.

To correct future allocations, courts and sheriffs will receive surveys to allow us to better capture the amount of funding that should have been allocated to each county for court security, and the extent to which that amount differs from the allocation made as a result of the realignment.

We also recognize that longer-term implementation issues exist that must be analyzed and addressed. This effort will include a review of relevant statutes to determine where and how current law conflicts with realignment and an exploration of ways to resolve those areas of conflict. In the meantime, courts and sheriffs have a continuing responsibility to enter into an annual or multiyear memorandum of understanding (MOU). The MOUs in the new funding context may be different than in past years, as they are likely to focus more on the services to be provided, the deployment of resources, and similar topics, as opposed to payment for services provided.

Finally, while realignment clearly changed the source of funding for court security, it is not intended nor should it result in reduced court security service delivery, increased obligations on sheriffs or counties, or other significant programmatic changes that would not otherwise have occurred absent realignment. As we work through transitional issues, we ask courts and counties

Court Security in California
September 8, 2011
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alike to keep CSSA, the Administrative Office of the Courts, and CSAC informed of questions as they arise so that we may assist you as necessary in resolving them. This information exchange also will be helpful in developing FAQs on a timely basis to apprise other jurisdictions of issues and potentially effective solutions.

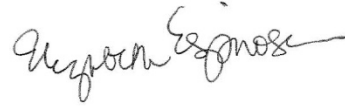
Sincerely,



Curtis Hill
Legislative Advocate
California State Sheriffs
Association



Zlatko Theodorovic
Chief Financial Officer
Administrative Office of the
Courts



Elizabeth Howard Espinosa,
Legislative Representative
California State Association of
Counties

Government Code section 69925

On and after July 1, 2003, the sheriff or marshal, in conjunction with the presiding judge, shall develop an annual or multiyear comprehensive court security plan that includes the mutually agreed upon law enforcement security plan to be utilized by the court. The Judicial Council shall provide for the subject areas to be addressed in the plan and specify the most efficient practices for providing court security services. The Judicial Council shall establish a process for the review of court security plans by the Judicial Council in the California Rules of Court. The Judicial Council shall annually submit to the Senate Judiciary Committee and Assembly Judiciary Committee a report summarizing the court security plans reviewed by the Judicial Council, including, but not limited to, a description of each plan, the cost involved, and whether each plan complies with the rules for the most efficient practices for providing court security services.

