

**An Examination of Security and Recommendations
for
Arkansas Trial Courts**



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**Marty Sullivan
Judicial Education Specialist
Administrative Office of the Courts
Little Rock, Arkansas**

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Abstract

In 2005 there seemed to be a rash of courthouse violence all across the United States, gripping headlines from Connecticut¹ to Washington,² from major cities such as Chicago³ and Atlanta,⁴ to small counties in the heartland like Smith County, Texas,⁵ showed us that people were losing their lives in the nation's trial courts.

This led me to wonder about the safety and security of our states' courthouses and judicial officers. What security measures were in place to keep violence from erupting in an Arkansas courtroom? Were these measures adequate? Was there sufficient security planning and procedures? Did judges feel safe doing their job?

This study evaluates the current status of security within the state's trial courts and examines the current obligation of the state to provide reasonably safe courthouses that maintain and are responsible for the court records and assures the system's ability to survive and function after a disaster.

In this assessment the following questions were considered:

1. Is the leadership of Arkansas trial courts concerned about security and emergency planning within their courts?
2. Is there a potential source or threat of violence sufficient enough to cause concern for the need of more security measures?

¹ William Yardley and Avi Salzman "Shooting Tied To Divorce Leaves 2 Dead And One Hurt," *New York Times* (June 16, 2005).

² CBS NEWS "Cops On Seattle Court Shooting." (June 21, 2005).
<http://www.cbsnews.com/stories/2005/06/20/national/main703102.shtml>

³ Bethany Broida "Judges, Officials Hold D.C. Summit On Courthouse Security," *Legal Times* (April 25, 2005). <http://www.law.com/jsp/article.jsp?id=1114160713238>

⁴ PBS News Hour with Jim Lehrer Transcript "Protecting Judges," (March 11, 2005).
http://www.pbs.org/newshour/bb/law/jan-june05/judges_3-11.html

⁵ Associated Press "Texas Gunman Killed After Shooting 2 Dead," (February 24, 2005).
<http://www.foxnews.com/story/0,2933,148645,00.html>

3. Are there adequate plans in place within Arkansas trial courts to handle security incidents and emergency responses?
4. Is there a need to improve the security in Arkansas trial courts?

Using a survey instrument adapted from an earlier Michigan Judicial Institute survey and one administered by Jesse Hathcock, Court Security Coordinator in the Office of State Courts Administrator of Missouri, 115 trial court judges in Arkansas were asked to provide information on:

1. Recent security incidents.
2. Security concerns.
3. Current security measures.

After evaluation of the responses, it is clear that there is an overwhelming need for increased security and that few courts had any security policies and procedures in place. Only 14% of respondents indicated they had a court security committee; additionally, 14% stated they had written security policies and plans.

Shockingly, over 84% of the survey respondents indicated that their court had experienced at least one security incident since January 1, 2004. Seventy-six percent reported that an incident of disorderly behavior had required actual physical intervention. Thirty-two percent of respondents indicated their courts had walk-through magnetometers. However, after further investigation, it became clear that only a small number of these are manned full-time.

Of major concern was the lack of plans for emergency situations. Only 18% of respondents confirmed their court had written emergency plans for fires. From there the

percentage would plummet even more when asked if plans were in place for natural disasters (seven percent), medical emergencies (six percent), prisoner escape (five percent), and hostage situations (one percent). All this, and surprisingly, 80% of respondents admitted they generally feel safe in their courtrooms.⁶ Are Arkansas trial court judges living with a false sense of security?

My specific recommendations pertaining to the research collected are:

1. The Arkansas Supreme Court should establish minimum security requirements for Arkansas trial courts.
2. The Administrative Office of the Courts should hire a full-time security administrator to oversee courthouse security within the state and to conduct education courses for judges, court staff, bailiffs, and other security personnel.
3. The state should provide each circuit judge with a personal full-time bailiff.
4. Each county should provide a full-time security administrator for each courthouse to oversee each courthouse's security.
5. Minimum physical and training standards should be put into place for bailiffs within the state.
6. Each county should establish a courthouse security committee to recommend specific policies and procedures.
7. Each courthouse committee should conduct a courthouse security assessment and implement improvements.
8. The Arkansas Supreme Court should target five of the neediest courts and personally meet with the county leaders to voice their concern.

⁶ See Table 14: p. 38.

It is essential to realize the importance and magnitude of the task at hand. By working together, the Arkansas Supreme Court, local trial courts, the state legislature and county governments can improve the security within the state's court system. Some of my proposals are low cost and would be much needed interim steps toward securing our courthouses. Others, such as state funding for bailiffs for each circuit judge, would cost in excess of \$3 million. These expenditures may seem exuberant to some, but adequate security must be in place to ensure public trust and confidence, without which the firmest pillar of government may begin to crumble.

Introduction

Certain responsibilities come with a system that demands open access to justice. First and foremost among those responsibilities is security. It is essential that users of the system be free from fear and intimidation in a safe and secure environment. Sadly, security budgets are often sacrificed as unnecessary because their benefits may largely go unseen until a security incident occurs. Then, in an almost knee-jerk reaction, money is temporarily poured in and the latest gadgets purchased, only to be placed in a closet, unused because there is no money to pay for manpower to operate them. Oftentimes bailiffs and other security personnel become too relaxed on their jobs and fall into a routine that may put their lives and others within the courthouse at danger.

The state of Arkansas has an obligation to provide reasonably safe courthouses that maintain and are responsible for the court records and assures the system's ability to survive and function after a disaster. This effort is dedicated to finding the answers to questions that gauge the status of the security of Arkansas' trial courts: Is the leadership of Arkansas trial courts concerned about security and emergency planning within their courts? Is there a potential source or threat of violence sufficient enough to cause concern for the need of more security measures? Are there adequate plans in place within Arkansas trial courts to handle security incidents and emergency responses? Is there a need to improve the security in Arkansas trial courts?

The push to examine security policies, procedures, and measures typically comes after a tragic event has occurred. Fortunately, that is not the case in Arkansas. Over three years ago, through the leadership of Judge Jim Hudson and Judge Hamilton Singleton, the Long Range Planning Committee of the Arkansas Judicial Council moved to focus on

courthouse security. Through the committee's efforts four programs on court security were held in different regions of the state. Consultant Steve Steadman with Policy Studies Inc. of Denver was brought in and hundreds were educated on the importance of adequate courthouse security.

After the court security programs were held, a group of district judges joined with the Long Range Planning Committee to draft and propose minimum court security standards for the state. After much work, the draft proposal (see Appendix A) was presented to each of the judges' councils at their spring meetings and both councils passed the standards unanimously.

The councils then jointly submitted their proposed minimum security standards to the Chief Justice and asked him to consider passing an Order adopting standards for the state. Chief Justice Jim Hannah has shown tremendous leadership by expressing his concern for courthouse security within the state. He has, on more than one occasion, pointed to court security as one of his three major areas of concern and focus.

In October of 2005, J.D. Gingerich, Director of the Administrative Office of the Courts, announced the formation of the Arkansas Taskforce on Court Security. The Taskforce is made up of 16 individuals that include judges, mayors, legislators, sheriffs, bailiffs and court staff. The focus of the taskforce is to examine court security within the state and offer recommendations to the Supreme Court so they can fully consider the scope before making an Order.

It is my goal that the information gathered in this paper will assist the Taskforce in their duties and perhaps aid movement or momentum to raising awareness of the need for more adequate courthouse security within our state. The magnitude and scope of work to

be done on this topic is almost overwhelming and will take a concerted effort from many players on the state and local level.

We clearly cannot prevent or deter every future security incident that may happen in our state. However, knowing that we have made every effort to identify potential risks and have actively taken steps to eliminate or control those risks is our obligation to the citizens of Arkansas. Every court should have adequate security measures commensurate with its needs. Furthermore, every court should have viable emergency plans to respond to various crisis situations.

At the same time we must strive to keep the delicate balance required to keep our security measures from becoming too intrusive or inconvenient that they prevent citizens from utilizing court facilities by violating constitutional guarantees of access, due process and equal protection.

A mass of secondary research and conversations with colleagues around the country provided information on trends and emerging philosophies on courthouse security. In today's post 9-11 society, implementing security measures and emergency plans has become not only an obligation but an expectation of the citizenry. Even after taking on this issue for over six months and attaining a certain level of proficiency, there is still more to learn and even more to do.

A good start for the Arkansas Taskforce on Court Security would be to survey and target five of the neediest trial courts and personally meet with the county leaders to voice their concerns. Doing this in a non-adversarial manner and proposing low-cost steps toward fixing these deficiencies could do wonders in addressing the public's demand for safety and security within courthouses around the state.

Literature Review

In today's post 9-11 world, security seems to be on everyone's mind. The responsibility of the judiciary to provide a safe place for parties to find resolutions to their conflict is as important as ever. Serious pockets of violence have occurred in all levels of our court system in the United States, proving that no court is immune from the potential outbreak of violence.

When beginning to study the emerging field of court security one guide proved particularly helpful as a general starting point. The National Center for State Courts, as a result of a 2003 program in San Diego, has published a "Court Security and Disaster Planning Guide."⁷ This participant guide provides useful prevention and assessment tools along with high profile trial planning and emergency planning information.

For courts that have never conducted a security audit, this manual provides specific methodology that will be useful for learning how to formulate a court security audit to fit a court's individual needs. Information is also presented to help the user in understanding security zoning methodology and formulating recommendations to produce the desired results.

Another important, and often overlooked, area that this guide touches upon is the high profile trial (none of the 78 respondents to my survey had plans in place for high profile cases). This guide offers a detailed list of security considerations necessary to consider while managing everything from the masses to the media, and gives the user the tools to develop clear, comprehensive guidelines for the "possible and probable," as well as giving tips of what one should expect.

⁷ National Center for State Courts. Court Security and Disaster Planning: Participant Guide. Williamsburg: 2003.

The recent hurricanes that hit New Orleans and the gulf coast have brought attention to the need for added emergency planning by the court community. This guide not only defines “emergency plan” but also goes into great depth on plans each court should have written and communicated to all court staff. The area of emergency planning is often the most critical area lacking in the court community but oddly, at the same time, it costs the least to implement. All courts, no matter their location, are potentially at risk for fire, escape, natural disaster, civil disturbances, hostage situations, medical emergency, utility failure, and bomb threats. It is imperative that proper planning is in place so that court staff will know what to do during these circumstances that, at some point, may occur.

Finally, and most importantly, the guide offers tips on creating your own training curriculum for your court security staff. Sample checklists are provided as examples and suggested contents for a complete and comprehensive court security manual are outlined in an organized and useful manner.

The National Association for Court Management has also prepared a “Court Security Guide.”⁸ This guide is a more condensed version of the NCSC participate guide but, at the same time, is excellently put together and is a wonderful resource that deserves mention. It is packed with data that provides compelling evidence for the need for more courthouse security throughout the country. Not just a “gloom-and-doom” report, the guide offers practical and cost-efficient ways to increase the safety of courthouses by giving commonsense recommendations and valuable tools to improve policies and procedures. The guide also includes great checklists and other useful forms including mail censorship consent forms, sample security orders and sample orders for sequestered

⁸ National Association for Court Management. Court Security Guide. Williamsburg: 1995.

juries. It would be wise for anyone who is studying the issue of courthouse security to take a look at this guide.

Another impressive medium and quick training tool is that of video. A great educational and learning tool has been created by Judge Richard Carter of Texas. His video, produced in 1993, “Court Security for Judges, Bailiffs and Other Court Personnel,”⁹ offers up a wealth of information that can be used to aid courts in acquiring funding for court security. In the video, it is explained how inherent powers allow judges to order court security within their courthouses. Examples are given where city councils and other local governments were ordered to fund court security. The video makes it clear that judges have the legal authority to improve court security. Evidence is also presented to show that courts may hold some civil liability for failure to protect its users. In one particular case in Texas, an individual that was injured in courtroom violence successfully sued the county for \$1.6 million.

The video also touches on a myriad of other related issues such as assessment and survey tools, training areas for bailiffs, understanding bomb and hostage situations and handling the media in high profile situations. Also covered is the importance of courthouse architecture and design; clearly a useful tool for counties considering building a new or remodeling an older courthouse. The video is very informative and explains how minimum court security standards can save lives.

Through a grant from the Department of Homeland Security, Texas A&M University Systems teamed up with the National Emergency Response and Rescue Training Center to create a free course on enhanced threat and risk assessments. The two day course was

⁹ Carter, Richard W. “Court Security for Judges, Bailiffs and Other Court Personnel”. Arlington: Bluebonnet Video Productions, 1993.

recently offered by the University of Arkansas at Little Rock for local government agencies. I had the opportunity to attend the course and found their “Enhanced Threat and Risk Assessment Participant Manual”¹⁰ to be a top of the line resource, written in a textbook-like manner.

I would highly recommend any court in the country teaming up with other local agencies to bring this course to their community. The goal of the course is to “help prevent, reduce, or mitigate the potential damage from a terrorism incident in your jurisdiction.”¹¹ The course teaches how to work within groups to conduct an enhanced vulnerability assessment by looking at particular sites within the community and examining building systems and physical security practices and devices. The opportunity to see what an individual could get into without being stopped or even questioned was eye opening to say the least.

After you are instructed on how to identify potential weaknesses, action plans are then discussed to help mitigate the risks identified. The skills learned enhances one’s ability to spot the problems and offers ideas on creating plans to reduce these risks, which therefore, may very well prevent future attacks. The course also shows an organization how to identify their most valuable assets and illustrates the steps that need to be taken to protect those assets. This course really forces an organization to examine what measures they have in place to protect their assets. The public clearly expects a government agency to do everything in its power to protect its information and facilities from those that wish to do it harm.

¹⁰ Texas Engineering Extension Service (TEEX). “Enhanced Threat and Risk Assessment Participant Manual.” Page 5. College Station: 2005.

¹¹ Ibid.

For any court that is working on creating a court security manual I would highly recommend using the manual completed by the Michigan Supreme Court as a guide. The “Michigan Court Security Manual”¹² is both well researched and organized in an effective and user friendly manner. The guide is also full of useful checklists that can be of great assistance to those wishing to create their own set of checklists. Comprehensive and precise, this guide covers all major areas of courthouse security including:

1. General Emergency Planning
2. Specific Procedures
3. Emergency Evacuation and Closure Procedures
4. Considerations and Emergency Procedures for Developing Fire Emergency Plans
5. Consideration and Emergency Procedures for Telephone Bomb Threat or Suspected Mail Bombs
6. Emergency Procedures for Natural/Civil Disaster
7. Emergency Procedures for Medical Emergency
8. Prisoner Escapes
9. Disaster Recovery, and
10. Security Audit Documents and Security Standards

The beauty of this manual is that it not only covers all areas of preparedness but also expresses the need for court staff to be familiar with these guidelines and standards. All too often, after countless hours of work creating a guide or manual, the guide quickly finds its way to a dusty bookshelf or affectionately becomes known as “the new doorstop.” It is important that the standards and guidelines are reviewed, at a very

¹² Michigan Supreme Court. “Michigan Court Security Manual”. Lansing: 2002.

minimum, twice a year. This is necessary in order to keep new employees updated on policies and procedures and serves as a good review for longer-term employees.

Becoming lax on security and planning procedures is dangerous.

Recently in November of 2005, more than 60 representatives of the courts, the National Sheriffs' Association, and local, state, and federal agencies met as a follow up to the April 21, 2005 *National Summit on Court Safety and Security*, sponsored by the National Center for State Courts, thanks to a grant by the Bureau of Justice Assistance. From this follow-up meeting flowed an interesting and intriguing idea of creating a national incident-reporting system.¹³ This concept would be a tremendous asset to the court system of the United States. A central database collecting data on all incidents would be a wonderful source to analyze for trends and potential information that could possibly predict future acts of violence against the courts.

These additional recommendations were also made:¹⁴

1. Fostering leadership on court security
2. Pursuing funding to help state and local jurisdictions with security efforts
3. Providing judicial branch security an agreed upon set of guidelines/checklists for court security
4. Creating a clearinghouse of information, which will serve as a repository of information but should also be used to push information to registered users
5. Addressing training and education needs to enhance incident reporting and threat assessment
6. Providing support to state and local jurisdictions to implement a security program

¹³ National Center for State Courts. Recommendations to Improve Court Security Developed to Present to Congress, Courts, and Law Enforcement Agencies. *Center Court Newsletter Vol. 8 No. 3, page 4.*

¹⁴ Ibid.

7. Developing staffing standards

I would encourage all of my colleagues in the judicial branch to follow and support the work of this committee. Their recommendations are not only ground breaking but also forward thinking and if all their recommendations are implemented the direct benefit to the administration of justice in this country would be instantly felt.

In order to provide context to the remainder of this report, what follows is a review of the structure of Arkansas's court system to illustrate the multi-layers of state and local funding that supports our judiciary. Arkansas has a three tiered court system that consists of limited jurisdiction, general jurisdiction and appellate courts.

District Courts are the main courts of limited jurisdiction, and have county-wide jurisdiction over misdemeanor cases, preliminary felony cases, and civil cases in matters less than \$5,000. There are 130 District Courts within the state with 113 judges that mostly serve part-time. A Small Claims division of District Court also exists where citizens represent themselves to resolve minor civil matters. District Court judges are elected to four year terms.

City Courts operate in small communities where District Courts do not exist and exercise somewhat more limited jurisdiction. There are 118 City Courts within the state with 97 judges that hear minor civil and criminal cases. There is no right to a jury trial in limited jurisdiction courts. City Court judges are appointed by the mayor.

County government pays all expenses of the county court facilities. The county government may also share with the city government the cost of the District Court. City

government is responsible for District Court expenses not provided by county government and provides the sole support for City Courts.

Circuit Courts are separated into five divisions for the purpose of management of cases. There are 115 Circuit Judges, each elected circuit wide in one of 28 circuits. The divisions are civil, criminal, juvenile, domestic relations and probate. The civil division includes tort, contract, real estate matters and the issuance of injunctions. The domestic relations division hears divorce, custody and paternity matters. Adoptions, guardianships and decedent estate cases are filed in the probate division. The juvenile division is assigned delinquency, abuse and neglect, and families in need of services (FINS) cases. There is a right to a jury trial in Circuit Court. Circuit Court judges are elected in non-partisan elections for a six-year term.

Funding for Circuit Courts comes from both state and county governments. State funds provide the salaries, travel costs and educational assistance for circuit judges and their court reporters and trial assistants. County government is the funding source for salaries for support and clerical staff and for supplies, equipment, utilities and facilities. This illustrates the shared responsibility of governments in funding the Arkansas court system.

All cases heard in circuit court may be appealed to the third level of Arkansas courts known as appellate courts. The Supreme Court, which consists of one Chief Justice, six Associate Justices, each elected statewide for an eight year term of office, was the only appellate court in Arkansas until Amendment 58 of the Arkansas Constitution authorized the General Assembly to establish an intermediate appellate court known as the Court of Appeals. The Court of Appeals began operation in 1979. The Court of Appeals

consists of one Chief Judge and eleven judges, each elected district wide for an eight year term of office. All cases are appealed either to the Supreme Court or Court of Appeals. Cases at the appellate level are not retired; rather the appellate judges review the lower court record for correct application of the law.

The Administrative Office of the Courts is the administrative office for the non-judicial business of the state courts. The office provides services to the court system, state and local government, and the public. Obviously, there must be a team effort that involves both the central offices and the trial courts in examining, planning, and funding courthouse security within the state. Continued outreach with county and local governments must also be a priority.

Clearly the issue of court security involves many players that have, and must recognize, a shared responsibility. Only by working together will branches of government and local agencies be able to address all areas of courthouse security in the efficient and effective manner that citizens now demand.

Is the leadership of Arkansas trial courts concerned about security and emergency planning? The answer to this question is a resounding yes. Because of the leadership of Circuit Judge Hamilton Singleton and the Long Range Planning Committee of the Arkansas Judicial Council, action on courthouse security has been taken. Also taking a leadership role is Kay Palmer, Judicial Branch Education Manager for the Administrative Office of the Courts.

During June 2003, Ms. Palmer along with Eddie Davis, Chief of the Supreme Court Police, organized a planning committee to develop a court security conference. The committee included circuit and district court judges, circuit and district court bailiffs, trial

court assistants and a district court administrator. From that meeting four regional court security summits were planned to be held around the state.

Consultants Steve Steadman and Dr. Steve Weller of Policy Studies Inc. from Denver, Colorado were brought in to teach a segment on getting court officials/employees from their individual homes to the courthouse and home again safely. Also covered during the programs were sessions on products that could be used for security purposes and another on finding and asking for resources to be used for courthouse security.

Four hundred ninety-three individuals attended the four court security summits. Participants included representation from all levels and offices of the Arkansas court system, state legislators, sheriffs, mayors and the Bar. From these meetings spawned several interesting events. First, the Arkansas Law Enforcement Training Academy is now considering creating a course on court security during new officers' school. Second, members of the Judicial Council and District Judges Council joined together to create an ad hoc court security committee and wrote proposed minimum court security standards and submitted them to the Chief Justice.¹⁵ Because of the work of the ad hoc committee, the Administrative Office of the Courts has now created an Arkansas Taskforce on Court Security to offer additional recommendations.

Thanks to the effort of Kay Palmer, since the four court security summits, the topic of court security has been presented for all court staff for which the Administrative Office of the Courts provides continuing education, including district and circuit judges, trial court assistants, court reporters, court clerks and probation officers. The issue has been brought to the forefront and communication lines seem to be opening across all levels of government on the importance of this issue.

¹⁵ See Appendix A: p. 53.

My survey was sent to the 115 Circuit Judges in the state. More work is certainly needed in the area of District and City Courts. However, this report is simply a starting point of which I hope others build. By working together, and utilizing the work being done all across the United States, we will continue to move our court system forward. I hope this study will contribute and be received positively by the Arkansas court community.

Methodology

See Appendix B for a copy of the entire survey I sent to the circuit judges within the state. To my knowledge this is the first ever effort undertaken to collect data on the status of courthouse security in Arkansas. I modified two surveys, one done in 1996 by the Michigan Supreme Court and one administered in 2000 by Jesse Hathcock, Court Security Coordinator for the Office of State Courts Administrator in Missouri. The revised survey consisted of four parts:

1. Part I – This section requested information on recent security incidents (those occurring since January 1, 2004) and whether those incidents were reported to law enforcement. For the purposes of this study, it is sufficient to know that a type of incident had occurred; it is not necessary to know if it occurred more than once. The time period was included to ensure the incidents were recent occurrences. Sixteen specific security incidents were listed, with adequate space for respondents to add additional incidents that did not fall into types provided.
2. Part II – This section sought to have the respondent rate their level of concern for specific security areas. The respondents were able to rate their level of concern from “Not at all” to “Among the greatest concerns.” Twenty-five security areas were provided, with additional space provided for the respondent to include additional concerns.
3. Part III – This section solicited information on types of security measures available within each courthouse. Included in this section were 34 areas (some were broken down into sub-areas) covering everything from the presents of emergency plans to whether judges should be allowed to carry firearms in the

courtroom. Space was also provided for the respondent to add additional security measures that may not have been listed.

4. Part IV – This section gave the respondent the opportunity to describe the most serious court security incident they had experienced. The second part of this section asked the respondent to describe a current security problem that is their most serious concern.

Respondents were also asked to provide their name, court division, and county with the assurance that their individual survey results would not be shared with others. The purpose of identifying the respondent was to have the capability to contact the respondent in the event there became a need to clarify information they provided in the survey. Each potential respondent was asked to consult with their staff in preparing the response. Each respondent was assured his or her answers would be held in confidence and released only as part of a compilation of data.

In August 2005, a total of 115 surveys were sent to the respondents, one to each of the circuit judges within the state. To help ensure the highest possible response rate, pre-paid self-addressed envelopes were provided. Although the majority of responses were received within 30 days, some were not received for approximately 45 days. A total of 84 responses (73 percent) were received and analyzed.

Except for Part II, the compilation of results was strictly tabulation. Security incidents in Part I were counted by type and rated in number of responses, not the number of incidents. The presence of security measures listed in Part III was also compiled based on the number of responses. The anecdotal responses of Part IV are listed.

Part II responses, those rating security concerns, were weighted according to the response. Responses indicating the issue was “Not a concern” were assigned a weight of “1,” while issues rated “Of little concern” received a weight of “2.” Issues rated “Of significant concern” were weighted “3,” and those “Among the greatest concerns” were weighted “4.” The total weighted value of each issue was then ranked in comparison with each other security issue.

Findings

Circuit Judges in Arkansas trial courts have sent a clear message that they are concerned with courthouse security within the state. The volume of completed and returned surveys, 84 of 115 or 73%, is very high.¹⁶ That judges would devote time from their extremely busy schedules to complete the rather lengthy four-page survey is further evidence of their concern and willingness to be a part of proactive change within the court system. Most of the surveys were returned with extensive written comments filled with their own security concerns and suggestions.¹⁷ These comments offered great insight and helped me to truly understand the importance of this issue. However, the magnitude and scope of work to be done on this topic is almost overwhelming. A complete listing of data collected, which illustrates this, can be found in Appendix C of this report. When examining the data collected, some interesting conclusions can be formulated.

Shockingly, over 84% (71 of 84) of the survey respondents indicated that their court had experienced at least one security incident since January 1, 2004.¹⁸ Upon examining these responses, it was clear that security incidents occur in all types of courts. There were no indicators that suggest the incidents happen only in metropolitan courts or only in specific types of hearings. Nor was there any evidence that suggested any particular proceeding was exempt from a potential security threat.

The evidence shows that of the five most frequent occurrences of security incidents, four involved a level of violence or threat of violence. Respondents were not asked for

¹⁶ See Appendix C: p. 73.

¹⁷ See Appendix C: p. 76.

¹⁸ See Appendix C: p. 62.

the specific number of incidents, but whether if a particular type of incident had occurred. Seventy-six percent of the respondents indicated that one or more persons in the court had created a disturbance that required the intervention of security personnel or other officials.¹⁹ While the majority of those incidents were apparently defused rather quickly before they could escalate further, over 46% of those incidents were serious enough to be reported to law enforcement officials. Potentially just as dangerous, over 41% of respondents reported that they or trial personnel had been the target of verbal threats. Clearly some of these threats could be spouted off in the “heat of the moment” with the aggressor having little or no intention or opportunity to actually act on their spoken word. However, it was somewhat surprising to find that only 54% of the respondents that indicated that a verbal threat was received had actually informed law enforcement of the particular threat.

Thirty-four percent of respondents reported an actual physical altercation within the courtroom.²⁰ The level of seriousness clearly goes up once physical contact is made and several judges indicated that their bailiff or other court personal had actually been injured while breaking up an altercation within their courtroom. Over 29% of respondents reported an occurrence of a medical emergency within the courtroom. This illustrates the importance of good emergency preparedness and emergency plans.

Finally, rounding out the top five incidents, and perhaps the most dangerous, 20% of respondents reported an attempt to bring a weapon into the courthouse or courtroom. Of those, several judges indicated that firearms had been found within their particular

¹⁹ See Table 1: p. 27.

²⁰ Ibid.

courtroom.²¹ This to me is the greatest concern and speaks to the need for total, competent and complete screening by magnetometers for all individuals desiring entry into a courtroom.

| Type of Incident | Occurred | | Reported | |
|--|-----------------|--------------|-----------------|--------------|
| 1. Disorderly behavior by an individual requiring intervention | 64 | 76.1% | 30 | 46.8% |
| 2. Verbal threat (Against judge, court staff, jurors and witnesses) | 35 | 41.6% | 19 | 54.2% |
| 3. Physical altercation (with or without weapon) | 29 | 34.5% | 18 | 62.0% |
| 4. Medical emergency | 25 | 29.7% | 14 | 56.0% |
| 5. Attempts to bring a weapon into courthouse or courtroom | 17 | 20.2% | 10 | 58.8% |

Table 1. Most frequent security incidents.

Interestingly, a majority of respondents rated adequacy of security policies and procedures as either a significant or among their greatest security concern.²² Eighty-five percent of respondents also included the adequacy of emergency plans as either a significant or among their greatest security concerns. This high level of concern is coming from judges who are the managers and leaders of their court, the very ones who should be actively involved in establishing policies, plans, and procedures. The judges should also be working to ensure that their employees fully understand the policies and receive adequate training on the plans and procedures. If judges are this concerned about procedures and planning, imagine how the court staff must feel. Clearly, Arkansas must make a serious effort in the coming years to improve security management within the court system.

| Security Concern | No | Little | Significant | Greatest | Total |
|--|-----------|---------------|--------------------|-----------------|--------------|
| 1. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 | 73 |
| 2. Adequacy of emergency plans | 0 | 12 | 44 | 25 | 69 |
| 3. Adequacy of security staff | 2 | 11 | 30 | 39 | 69 |

²¹See Appendix C: p. 76.

²²See Table 2: p. 27.

| | | | | | |
|--|----------|-----------|-----------|-----------|-----------|
| 4. Possession of weapons by members of the public | 0 | 13 | 30 | 38 | 68 |
| 5. Adequacy of security training for court staff | 3 | 12 | 33 | 34 | 67 |

Table 2. Five highest responses of significant or greatest security concerns.

Responses to security concerns were assigned the following weight in accordance to the level of concern:

| | | | | |
|-----------------|---------------|-------------------|------------------------|---------------------|
| Weight | 1 | 2 | 3 | 4 |
| Response | No Concern | Little Concern | Significant Concern | Greatest Concern |

After applying weights to each response, the adequacy of security policies and procedures and the adequacy of emergency plans remain in the top ten concerns, even-though they both fall a couple of positions. The greatest concern becomes adequacy of security staff. Most respondents took the time to write about concerns regarding the lack of training of their security staff. Another typical response that I saw over and over again was much like this one: “For the most part, our bailiffs are retired [law enforcement] and over 65 years of age.”²³

Ironically, both of these concerns could be solved if there were proper policies and procedures in place. Policies that require bailiffs and security staff to take continuing education courses and requiring them to meet certain physical requirements could be mandated in a way that is perfectly legal.

| Security Concern | No | Little | Significant | Greatest | Weighted Total |
|--|-----------|---------------|--------------------|-----------------|-----------------------|
| 1. Adequacy of security staff | 2 | 11 | 30 | 39 | 270 |
| 2. Possession of weapons by members of the public | 0 | 13 | 30 | 38 | 268 |
| 3. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 | 265 |
| 4. Adequacy of security training for security staff | 3 | 12 | 33 | 34 | 262 |
| 5. Adequacy of emergency plans | 0 | 12 | 44 | 25 | 256 |
| 6. Adequacy of alarm systems | 4 | 12 | 31 | 32 | 249 |

²³ See Appendix C: p. 76.

| | | | | | |
|---|----------|-----------|-----------|-----------|------------|
| 7. Adequacy of security training for court staff | 5 | 14 | 33 | 29 | 248 |
| 8. Timeliness of law enforcement response | 5 | 15 | 32 | 29 | 247 |
| 9. Dealing with emotionally disturbed persons | 1 | 12 | 40 | 25 | 245 |
| 10. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 | 240 |

Table 3. Top-Ten Weighted responses to security concerns.

Most courts are without plans or procedures that will assist employees in responding to emergency situations. Perhaps three factors can be attributed to this lack of preparation:

- Insufficient time to devote to emergency planning;
- Reliance on other agencies or oversight bodies to prepare plans;
- A general lack of knowledge on emergency planning.

Severe weather is commonplace in Arkansas; yet, surprisingly over 92% of respondents reported no plans for natural disasters. Eight-one percent reported that they did not have plans in place for what to do in case of a fire and 95% reported they have no plans in place in the event of a prisoner escape.

| Security Measure | Have | | Don't Have | |
|--|-------------|--------------|-------------------|--------------|
| 1. Written emergency plans on what to do for a bomb threat | 11 | 13.5% | 70 | 86.4% |
| 2. Written emergency plans on what to do if there is a fire | 15 | 18.5% | 66 | 81.4% |
| 3. Written emergency plans for natural disasters | 6 | 7.5% | 73 | 92.4% |
| 4. Written emergency plans for medical emergencies | 5 | 6.4% | 72 | 93.5% |
| 5. Written emergency plans for a prisoner escape | 7 | 5.0% | 75 | 95.0% |
| 6. Written emergency plans for hostage situations | 1 | 1.2% | 77 | 98.7% |
| 7. Written emergency plans for high profile trials | 0 | N/A | 78 | 100% |
| 8. Written emergency plans for continuity of operations | 4 | 5.1% | 74 | 94.8% |

Table 4. Presence of emergency plans.

Over 85% of respondents reported they have no standing court security committee or written security policies and plans. The fact that few courts have either established

court security committees or prepared written security plans and policies is yet another cause for concern. Court security committees are necessary tools for identifying the needs of each individual courthouse and are great at offering specific recommendations. A lack of clear policies can lead to confusion during critical moments of a serious security incident when each second can make the difference between life and death.

| Security Measure | Have | | Don't Have | |
|--|-------------|--------------|-------------------|--------------|
| Standing court security committee | 12 | 14.6% | 70 | 85.3% |
| Written security policies and plans | 12 | 14.6% | 70 | 85.3% |

Table 5. Security Committees and policies.

The number two weighted response to security concerns was the possession of weapons by members of the public with 68 of 81 respondents listing it as a significant or their greatest concern.²⁴ Twenty percent of the respondents said they knew of specific attempts to bring in weapons into their courthouse/courtroom. The problem is that the occurrence of this type of incident is hard to measure without active weapons screening stations and over 67% of respondents reported they do not have walk-through magnetometers. Of those that have them very few are manned full-time.

| Type of Incident | Occurred | | Reported | |
|---|-----------------|--------------|-----------------|--------------|
| Attempts to bring a weapon into courthouse/courtroom | 17 | 20.2% | 10 | 58.8% |

Table 6. Attempts to bring a weapon into the courthouse/courtroom.

One startling example of this can be found in the Faulkner County Courthouse, where, in the aftermath of the Atlanta courthouse shootings, the county purchased two metal detectors at a cost of nearly \$7,000.00. To date the courthouse has had them for six

²⁴ See Table 3: p. 28.

months and only used them one time because they do not have the manpower to operate them full time. Incidentally, during the one time they were used, 16 knives were found on individuals entering the courthouse.²⁵

| Security Measure | Have | Don't Have |
|---|-----------------|-------------------|
| Walk-through magnetometers | 27 32.1% | 57 67.8% |
| Hand-held weapons screening device | 34 41.4% | 48 58.5% |

Table 7. Presence of weapons screening stations/equipment.

Forty-one percent of respondents said they have access to hand-held weapons screening devices. This option is seemingly more cost efficient than the more expensive walk-through magnetometers; however, the problem once again seems to be the lack of skilled manpower to operate the units. One judge wrote, “Deputies using a hand held wand did not know how it worked so the courthouse could have been full of weapons and probably was.”²⁶

Using hand-held devices require more time to search individuals than do walk-through types. Further complicating the process is that hand held devices require physical searches of packages, purses and briefcases. When as many as 100 individuals want access into a courthouse at one time, this can quickly become problematic when the courts staff is not adequate. It seems that in many instances where the courts have security equipment, it is not utilized full time. One judge responded, “The one and only

²⁵ Courtroom Security. Writ. and prod. by Scott Madaus. KLRT, Little Rock. November 2005.

²⁶ See Appendix C: p. 76.

time we used a metal detector, 53 weapons were detected!”²⁷ One is left to wonder why the judge, after that event, has not used metal detectors since.

| Security Measure | Have | Don't Have |
|--|-----------------|-------------------|
| Duress alarm system in court room (panic buttons) | 37 45.1% | 45 54.8% |

Table 8. Respondents with duress alarms installed in courtrooms.

Adequacy of alarm systems and timeliness of law enforcement response were two more of the respondents’ major concerns. In the event of an emergency, every second can be critical. Unfortunately, in many courtrooms there are no means of communication available within a courtroom and, during a security incident, it may be impossible for an individual to get out of the courtroom because the majority of older courtrooms have limited entrances and more often than not, the only entrance is located in the rear of the courtroom. A bailiff may or may not have a radio to call for back-up. Unfortunately, as evidenced by the majority of respondents, bailiffs are not always present in the courtroom, court offices, or in the judge’s chambers.

Over 54% of respondents reported they have no panic buttons located within their courtroom. Although not asked in the survey, those numbers would surely go up if the respondents were asked how many had panic buttons within their chambers. Sadly, the need for duress alarms has been neglected. I spoke with one clerk who told me she always carries her cell phone with her into court. Unfortunately, if a serious incident was to occur, it would take her far longer to dial 911 and try to explain where she was than it would be to simply push a silent alarm. It is clear that duress alarms save time and if

²⁷ See Appendix C: p. 76.

implemented properly could save lives. They should be standard equipment within each courtroom and court office in the state.

Number one on the top ten weighted responses to concerns was the adequacy of security staff.²⁸ The essential security measures, such as weapons screening stations and emergency response to duress alarms, require adequate manpower. Unfortunately, according to the respondents, the court is often times lucky to have just one deputy serving as a bailiff. An astonishing 64% of respondents reported they have no permanent full time security staff.²⁹

The vast majority of respondents depend on the local county sheriff's office to send over a deputy during trials. Many times the sheriff's office is short handed and cannot or will not send a deputy. A security staff that is available only on a part-time basis is clearly not able to provide full coverage to all court related hearings and business. This was clearly the judges' greatest concern and is an issue that must be addressed.

Another major stumbling block is that we do not know the full extent of how well the security personnel are trained. Only 60% of respondents reported that their security staff is annually certified on firearms use. While only 64% stated that their security personnel are trained on the use of deadly force, there were many respondents that did not know the status of training at all.³⁰

The survey showed that the majority of security personnel have completed some form of training, most commonly basic law enforcement training, but, it is clear that there is little or no formal training to define the duties they are expected to fulfill within a courtroom. I was unable to find anywhere in the state a regularly held and well

²⁸ See Table 3: p. 28.

²⁹ See Appendix C: p. 73.

³⁰ Ibid.

developed course to train law enforcement personnel on the unique duties performed by the bailiff.

| Security Measure | Have | | Don't Have | |
|---|-------------|--------------|-------------------|--------------|
| Permanent full time security staff | 29 | 35.3% | 53 | 64.6% |
| Is security staff issued firearms | 53 | 64.6% | 29 | 35.3% |
| If so, are they annually certified on firearms use | 45 | 60.8% | 29 | 39.1% |
| If so, are they trained on use of deadly force | 46 | 64.7% | 25 | 35.2% |

Table 9. Availability and qualification of security force.

The adequacy of security training for court personnel found its way into the top ten security concerns, ranking fourth. The Arkansas General Assembly mandated training for court personnel to be administered by the Administrative Office of the Courts. Arkansas law clearly states that there is a “responsibility for training and providing additional judicial education to circuit and chancery judges, municipal judges, city judges, circuit and chancery clerks, municipal clerks, case coordinators, court reporters, and all other personnel directly associated with the state’s courts.”³¹

Clearly court bailiffs and security personnel could and should be included in the “all other personnel directly associated with the state’s courts.” Unfortunately, the A.O.C. does no training for trial court security personnel. Additionally, the A.O.C. has only two full time personnel dedicated to judicial branch education. These two individuals, by working with numerous committees, are responsible for the facilitation, planning and production of continuing education programs for all court personnel throughout the state.

Knowing how to deal with the court’s diverse clientele, often when they are at their most emotionally charged points of life, can help calm and prevent potential volatile

³¹ Ark. Code Ann. §16-10-103

situations. Knowing what to look for, how to deal with a variety of situations, and how to report information correctly are necessary skills required of all court employees.

Therefore, planning and training must take place so that during an emergency situation an “every man for themselves” mentality does not rule the day.

By ranking the potential sources of violence in the courthouse, one quickly is made aware of the many players that are involved in any given case. The clear and most pressing concern is for the custody of prisoners within the courthouse. In most cases, the public, prisoners, judges, and court staff share the same hallways and common areas.

According to the respondents, almost all courts can make vast improvements in the way they handle the physical security of prisoners.

| Security Concern | No | Little | Significant | Greatest | Weighted Total |
|--|-----------|---------------|--------------------|-----------------|-----------------------|
| 1. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 | 240 |
| 2. Family members/supporters of defendants | 3 | 18 | 48 | 9 | 219 |
| 3. Family members/supporters of victims | 4 | 26 | 41 | 7 | 207 |
| 4. Civil litigant behavior/reactions | 5 | 32 | 32 | 10 | 205 |
| 5. Criminal defendant during sentencing | 6 | 36 | 23 | 12 | 195 |
| 6. Victims of crimes | 9 | 29 | 36 | 4 | 191 |
| 7. Criminal defendant during trial | 6 | 37 | 27 | 7 | 189 |
| 8. Witnesses of crimes | 8 | 38 | 28 | 4 | 184 |
| 9. Behavior of juveniles | 5 | 30 | 27 | 8 | 178 |

Table 10. Potential sources of violence in the court.

Only 14% of the respondents confirmed having separate and restricted hallways for prisoners.³² In addition, only 31% acknowledged having secure prisoner holding areas adjacent to courtrooms. In many courtrooms, prisoners are shackled together and sit in groups while waiting to have conference with their attorney. Keeping an eye on each of

³² See Table 11: p. 36.

the players during daily court appearances and not getting settled into a lackadaisical routine can be a challenge even for the most experienced bailiff. Only 18% of the respondents confirmed their courts have video arraignment systems. Based on these responses, the ability to adequately secure and segregate prisoners from the public is a clear and serious challenge that Arkansas courts face.

| Security Measure | Have | | Don't Have | |
|---|-------------|--------------|-------------------|--------------|
| Separate and restricted access hallways for judicial movement | 10 | 12.1% | 72 | 87.8% |
| Video arraignment systems | 15 | 18.5% | 66 | 81.4% |
| Secure prisoner transport sallyport area | 18 | 21.9% | 64 | 78.0% |
| Separate/secure hallways for prisoner escort within courthouse | 12 | 14.1% | 73 | 85.8% |
| Secure prisoner holding areas adjacent to courtrooms | 25 | 31.6% | 54 | 68.3% |
| Provisions for prisoner restraint in the courtroom | 45 | 56.2% | 35 | 43.7% |

Table 11. Security measures for prisoners in the courthouse.

The safety and security of jurors rounded out the major security concerns. Unfortunately in many of the older courthouses there isn't much separation of jurors, defendants and the public. In these instances the court must do the best it can to protect all individuals involved. When looking at designs of future proposed courthouses, juror protection should be a major consideration.

| Security Concern | No | Little | Significant | Greatest | Weighted Total |
|---|-----------|---------------|--------------------|-----------------|-----------------------|
| 1. Safety and security of jurors | 4 | 22 | 26 | 24 | 222 |
| 2. Building security after hours | 15 | 27 | 21 | 10 | 172 |
| 3. Unauthorized disclosure of confidential court records or info | 23 | 36 | 15 | 5 | 160 |
| 4. Loss of evidence | 29 | 35 | 15 | 1 | 148 |
| 5. Theft by court staff | 56 | 16 | 4 | 5 | 120 |

Table 12. Additional security concerns.

Courthouses around the state hold vital information, records and a substantial amount of office equipment. Interestingly, the physical security measures to protect these oftentimes irreplaceable amounts of information are more often than not minimal at best. Only 16% of the respondents indicated that their courthouse is protected by an intrusion alarm system.

| Security Measure | Have | | Don't Have | |
|---|-------------|--------------|-------------------|--------------|
| Intrusion alarm system (court building) | 14 | 16.8% | 69 | 83.1% |
| Bench(es) equipped with ballistic resistant protective materials | 27 | 33.7% | 53 | 66.2% |
| Secure parking area for judges and court employees | 4 | 4.8% | 79 | 95.1% |
| Separate and restricted employee building access | 12 | 14.4% | 71 | 85.5% |

Table 13. Physical security measures for courthouses.

With all the negatives already discussed, such as lack of basic security planning and procedures, need for more security personnel, and better methods for handling prisoners, I was a bit surprised to find that 80% of the respondents admitted they generally feel safe in their courtrooms. After pondering this for some time, I realized that judges may be carrying a false sense of security because security may not be on their mind in their day to day activity. Trial court judges generally hear a substantial caseload with a variety of issues that keep them more than occupied. One may simply fall into a routine because one's schedule does not permit time to discuss security issues. Furthermore, many judges know that county funding agencies do not have the funds to improve courthouse security so they do not see the point in taking on an uphill battle for more staff, training and security equipment. Certainly, all of the security measures discussed, such as weapons screening stations, clear security plans and procedures, and proper duress alarms, would help create an even safer working environment that would benefit all users of the system.

It is unfair that judges, because of their own time constraints, have to do without and put their personal safety and those of their staff at risk.

I was also somewhat surprised to find that 44% of respondents believe that judges should not be allowed to carry concealed weapons within their courtroom. This may illustrate that they understand they, as judges, have a distinct role in the administration of justice, a role that does not include arming themselves in an effort to protect the courthouse. After all, isn't that the role of a bailiff?

| Security Measure | Yes | | No | |
|---|------------|--------------|-----------|--------------|
| Do you generally feel safe in your courtroom | 65 | 80.2% | 16 | 19.7% |
| Should judges be allowed to carry concealed weapons in the Courtroom | 41 | 55.4% | 33 | 44.5% |
| If so, should judges be required to take a yearly firearm safety Course | 55 | 78.5% | 15 | 21.4% |
| If so, should judges be required to notify the local Sheriff and/or other court security personnel that they are armed | 59 | 83.0% | 12 | 16.9% |

Table 14. Judges feelings on safety and arming themselves in the courthouse.

Two of the lowest three security concerns can be attributed to strong efforts by the Administrative Office of the Courts. In the last few years there has been a wide effort to teach *The Code of Judicial Conduct* and ethics to all court personnel at each of their education programs. The third area, loss of evidence, is largely seen as a responsibility of the law enforcement officials, not of the courts.

| Security Concern | No | Little | Significant | Greatest | Weighted Total |
|---|-----------|---------------|--------------------|-----------------|-----------------------|
| 1. Theft by court staff | 56 | 16 | 4 | 5 | 120 |
| 2. Loss of evidence | 29 | 35 | 15 | 1 | 148 |
| 3. Unauthorized disclosure of confidential court records or info | 23 | 36 | 15 | 5 | 160 |

Table 15. Lowest rated security concerns.

Recommendations

From the amount of action being taken on court security around the state, it is clear that courthouse security is a concern. However, I am still perplexed that 80% of the respondents admitted they feel generally safe in their courtrooms. Considering the evidence that this report uncovered, illustrating a lack of preparation and procedures in place in the event of an emergency incident, and the high number of reported incidents that have occurred within Arkansas trial courts, I am left to conclude that Arkansas trial court judges are holding a false sense of security. I believe another survey needs to be conducted to find if other court staff and personnel feel the same way. I recommend that the Taskforce on Court Security construct and conduct an additional survey to gauge the feelings of other court staff. This is a very important contradiction that needs much more attention; a false sense of security could be putting people's lives at risk.

After the four regional summits on court security, the discussions have substantially increased within the state. Through creating Arkansas Taskforce on Court Security, the A.O.C. has shown tremendous leadership on this issue. Hopefully, the taskforce will take its charge seriously and make solid recommendations to the A.O.C. on improving courthouse security.

Further evidence of concern of court security can be found in the high response rate to this survey (73%). That judges would devote time from their busy schedules to complete the rather lengthy four-page survey illustrates their concern and, most importantly, their willingness to help improve security throughout the court system.

My specific recommendations pertaining to the research collected are:

1. The Arkansas Supreme Court should establish minimum security requirements for Arkansas trial courts.
2. The Administrative Office of the Courts should hire a full-time security administrator to oversee courthouse security within the state and to conduct education courses for judges, court staff, bailiffs, and other security personnel.
3. The state should provide each circuit judge with a personal full-time bailiff.
4. Each county should provide a full-time security administrator for each courthouse to oversee each courthouse's security.
5. Minimum physical and training standards should be put into place for bailiffs within the state.
6. Each county should establish a courthouse security committee to recommend specific policies and procedures.
7. Each courthouse committee should conduct a courthouse security assessment and implement improvements.
8. The Arkansas Supreme Court should target five of the neediest courts and personally meet with county leaders to voice their concern.

Is there a potential source or threat of violence sufficient enough to cause concern for the need of more security measures? Absolutely, according to the survey respondents, more than 84% (71 of 84) indicated that their court had experienced at least one security incident since January 1, 2004. It is clear that a security incident can occur in any

courthouse, at any time; the potential is there, and unfortunately, it is not *if* an incident will occur but, without improvements, *when* such incidents will occur. Being prepared with proper plans, policies and procedures is a duty we owe to ourselves and the users of our great court system. Without making improvements we run the risk of losing public trust and confidence.

Are there adequate plans in place within Arkansas trial courts to handle security incidents and emergency responses? Unfortunately, few courts have developed any policies or procedures concerning security and emergency planning. Surprisingly, more than 92% of respondents reported no plans for natural disasters. 81% reported that they did not have plans in place for what to do in case of a fire and 95% reported they have no plans in place in the event of a prisoner escape. The Arkansas court system must make the time to address these issues so their employees will have the proper tools to respond during an emergency situation. Recently, Ouachita County completed a survey from the Justice Programs Office from the School of Public Affairs at American University. The survey was funded by a State Justice Institute Technical Assistance Grant for Court Security and Emergency Preparedness. Hopefully, the results of this survey will aid our effort in this crucial area.

Is there a need to improve the security in Arkansas trial courts? After studying the responses to this survey it is clear that improvements in courthouse security must be made. These improvements can only be accomplished if there is a combined effort with many players in state and local government being actively involved. This process must be inclusive and ongoing to ensure the safety and security of persons who enter Arkansas courthouses daily. Each security plan or measure must be tailored to the specific needs of

each community's courthouse. Together positive change can and will be made in the effort to secure the fundamental foundation of our democracy. It is imperative that the courts make every effort to provide a safe environment for the public to conduct its business.

The Arkansas Supreme Court would show tremendous leadership by publishing a court security manual, such as the one Michigan wrote back in 2002.³³ This manual could serve as a guide to those that want to adapt it to their own individual courthouse. Establishing minimum security requirements and actively engaging the state legislature and local county governments for funding would illustrate a firm desire to make security a top priority within the state. This could be done with minimal costs and without additional funding.

The Supreme Court could, at first, target five of the neediest courts and personally meet with the county leaders to voice their concern. The newly formed Arkansas Taskforce on Court Security could survey Arkansas courthouses to identify these five courts of greatest concern. Surely, this would have a positive effect by encouraging county governments to fund more court security in local courthouses.

Furthermore, the Administrative Office of the Courts should lobby the legislature for a new position of "Court Security Administrator" whose job it would be to meet with local elected officials and perform security assessments of courthouses throughout the state. Other than time and effort invested, targeted communication and lobbying costs would be minimal. The only financial costs that the legislature would have to find would be funding for the position of "Court Security Administrator." This new state funded employee position would cost the state roughly \$55,000.00 per year salary costs,

³³ Michigan Supreme Court. "Michigan Court Security Manual". Lansing: 2002.

according to salary estimates of surrounding states that also employ a “Court Security Administrator.”

The Court Security Administrator could also be responsible for the production, planning and implementation of continuing education classes for bailiffs, of which now, there are none regularly held. The Administrator could also be charged with creating and maintaining a central reporting system for all incidents that happen in courthouses throughout the state. A training budget of \$50,000.00 would also be necessary, bringing the total legislative expenditure for this position to \$105,000.00.

The legislature should also be lobbied to fund a personal full-time bailiff for each of the 115 circuit judges. Security costs should be shared with the state and local funding authorities, as it is now, the state is not doing enough. Adding 115 new bailiffs for our courthouses would clearly make things safer and more secure; please see Appendix D for a map of Arkansas’ Judicial Circuits. After examining local salaries for law enforcement officers,³⁴ I propose the following minimum salaries for the new bailiffs for circuit judges:

| Judicial Circuit | Proposed Salary for State Funded Bailiffs times number of judges in Circuit |
|--------------------------------------|--|
| First Judicial Circuit | \$25,422 X 5 |
| Second Judicial Circuit | \$28,275 X 10 |
| Third Judicial Circuit | \$26,974 X 3 |
| Fourth Judicial Circuit | \$32,500 X 6 |
| Fifth Judicial Circuit | \$28,500 X 4 |
| Sixth Judicial Circuit | \$27,000 X 17 |
| Seventh Judicial Circuit | \$27,000 X 2 |
| Eighth Judicial Circuit North | \$26,000 X 2 |
| Eighth Judicial Circuit South | \$25,422 X 3 |
| Ninth Judicial Circuit East | \$30,000 X 1 |
| Ninth Judicial Circuit West | \$28,186 X 2 |

³⁴ Association of Arkansas Counties. 2005 Arkansas County Employees Salary Survey. Little Rock: 2005. <http://www.arcountries.org/publications/pubs/2005SalarySurvey.pdf>

| | |
|---|--|
| Tenth Judicial Circuit | \$27,500 X 5 |
| Eleventh Judicial Circuit East | \$27,048 X 1 |
| Eleventh Judicial Circuit West | \$26,000 X 6 |
| Twelfth Judicial Circuit | \$28,000 X 6 |
| Thirteenth Judicial Circuit | \$25,266 X 6 |
| Fourteenth Judicial Circuit | \$27,000 X 4 |
| Fifteenth Judicial Circuit | \$25,266 X 3 |
| Sixteenth Judicial Circuit | \$25,266 X 4 |
| Seventeenth Judicial Circuit | \$26,500 X 3 |
| Eighteenth Judicial Circuit-East | \$28,500 X 4 |
| Eighteenth Judicial Circuit-West | \$25,266 X 1 |
| Nineteenth Judicial Circuit-West | \$30,000 X 5 |
| Nineteenth Judicial Circuit-East | \$25,422 X 1 |
| Twentieth Judicial Circuit | \$25,422 X 4 |
| Twenty-First Judicial Circuit | \$28,500 X 2 |
| Twenty-Second Judicial Circuit | \$29,378 X 3 |
| Twenty-Third Judicial Circuit | \$29,378 X 2 |
| | Total Cost to the State: \$3,152,192.00 |

Each county should be responsible for hiring a full-time security administrator for each courthouse. As a first step, the county could designate an existing staff person to oversee these duties. This administrator would be responsible for overseeing the security in their individual courthouse. They would work closely with the bailiffs and local sheriffs to make sure everything is in place, such as disaster plans and procedures and the operation of metal detectors, to ensure the safety of all users of the court system. Again, after studying salaries for local law enforcement officers,³⁵ I propose the following minimum salaries for the county courthouse security administrators:

| County | Proposed Salary for County Funded Courthouse Security Administrator |
|--------------------|--|
| 1. Arkansas | \$27,048 |
| 2. Ashley | \$31,529 |
| 3. Baxter | \$28,954 |
| 4. Benton | \$33,904 |
| 5. Boone | \$32,767 |
| 6. Bradley | \$23,329 |

³⁵ Ibid.

| | |
|------------------|----------|
| 7. Calhoun | \$25,266 |
| 8. Carroll | \$24,500 |
| 9. Chicot | \$21,363 |
| 10. Clark | \$35,141 |
| 11. Clay | \$29,066 |
| 12. Cleburne | \$27,250 |
| 13. Cleveland | \$27,074 |
| 14. Columbia | \$29,126 |
| 15. Conway | \$29,678 |
| 16. Craighead | \$31,992 |
| 17. Crawford | \$32,018 |
| 18. Crittenden | \$25,750 |
| 19. Cross | \$28,100 |
| 20. Dallas | \$25,579 |
| 21. Desha | \$33,267 |
| 22. Drew | \$25,200 |
| 23. Faulkner | \$26,370 |
| 24. Franklin | \$26,416 |
| 25. Fulton | \$22,000 |
| 26. Garland | \$29,768 |
| 27. Grant | \$28,661 |
| 28. Greene | \$29,547 |
| 29. Hempstead | \$28,700 |
| 30. Hot Spring | \$26,195 |
| 31. Howard | \$30,559 |
| 32. Independence | \$35,219 |
| 33. Izaard | \$23,500 |
| 34. Jackson | \$27,048 |
| 35. Jefferson | \$30,558 |
| 36. Johnson | \$32,662 |
| 37. Lafayette | \$23,348 |
| 38. Lawrence | \$22,019 |
| 39. Lee | \$25,746 |
| 40. Lincoln | \$21,000 |
| 41. Little River | \$28,186 |
| 42. Logan | \$27,000 |
| 43. Lonoke | \$30,585 |
| 44. Madison | \$29,705 |
| 45. Marion | \$27,000 |
| 46. Miller | \$28,266 |
| 47. Mississippi | \$27,426 |
| 48. Monroe | \$22,358 |
| 49. Montgomery | \$24,406 |
| 50. Nevada | \$24,160 |
| 51. Newton | \$19,679 |

| | |
|------------------------|---|
| 52. Ouachita | \$19,679 |
| 53. Perry | \$22,000 |
| 54. Phillips | \$25,422 |
| 55. Pike | \$27,160 |
| 56. Poinsett | \$28,275 |
| 57. Polk | \$28,181 |
| 58. Pope | \$27,551 |
| 59. Prairie | \$23,118 |
| 60. Pulaski | \$29,079 |
| 61. Randolph | \$30,344 |
| 62. St. Francis | \$33,280 |
| 63. Saline | \$29,378 |
| 64. Scott | \$21,583 |
| 65. Searcy | \$19,679 |
| 66. Sebastian | \$30,244 |
| 67. Sevier | \$31,767 |
| 68. Sharp | \$26,974 |
| 69. Stone | \$20,800 |
| 70. Union | \$34,000 |
| 71. Van Buren | \$24,009 |
| 72. Washington | \$34,870 |
| 73. White | \$35,282 |
| 74. Woodruff | \$22,080 |
| 75. Yell | \$27,851 |
| | Total Cost to Counties: \$2,058,594.00 |

The state legislature should pass a bill requiring minimum physical and training standards for bailiffs within the state. Being a bailiff is a serious job and requires one to be both physically and mentally able to fulfill certain duties. Annual firearms training should also be mandated. This training would be organized by the A.O.C. Court Security Administrator.

Each county should establish a courthouse security committee to recommend specific policies and procedures. Judges, county judges, city officials and mayors should take the lead in these committees and show that they are serious about the issue of courthouse security. Other than the expense of time, the cost for this would be minimal and should

be a top priority. We can no longer standby and do nothing, now that we know that a problem exists.

Each county courthouse committee should conduct a courthouse security assessment. The A.O.C. Court Security Administrator, along with the county security administrator, should be available to train and assist in conducting the security assessments courthouse by courthouse. Further detailed assessments must take place; this should be a top priority.

Clearly, there is much work to be done. It is my hope that this security survey will be administered again in two years to see exactly how much progress has been made; the issue of courthouse security must be pushed by leaders at all levels. As public servants, we have a duty to keep those that use the court system safe. If we fail in that aspect, disasters will surely occur and these disasters will undercut confidence in the Arkansas courts for both insiders and outsiders.

To some, the cost of these proposals may seem too much; however, the cost of doing nothing would be far greater. Imagine the day when someone is killed in an Arkansas courthouse. What if that person is you or someone you know? Some of my proposals, such as targeting five of the neediest courts, are low cost and are much needed interim steps toward securing our courthouses. Others, such as state funding for bailiffs for each circuit judge, would cost in excess of \$3 million. It is essential to realize the importance and magnitude of the task at hand. As public officials we must now address these needs that have been clearly identified.

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Appendix A: Draft Standards

DRAFT

Arkansas Court Security Standards

Arkansas courthouses represent justice and reason. We recognize that every effort should be made to provide a safe environment for all persons visiting, working or having business within the State's court buildings. Court must be safe and secure for all those who visit and work there. Nationally, attacks have been directed to not only court facilities, operations, court support staff, judges and their families but also, at the users of the court. As a result court security planning must emphasize awareness and prevention. This document takes into account the diverse interests of each community.

Standard 1: Security Advisory Committee

A Security Advisory Committee should be appointed for the purpose of implementing court standards. The committee should reflect the diversity of our state's courts and should be inclusive of representatives of the interested public, judges, clerks' offices, law enforcement agencies, funding authorities, and other agencies that provide security to the court. Committee members should serve on the committee for an extended duration of time so as to lend continuity, strength, and knowledge to the oversight of court security.

Discussion: This committee is the force to guide, develop, and maintain a viable security plan. In such development, consideration should be given to, but not limited to, the following: each court and clerks' office should have a Security/Emergency Coordinator who can act as a liaison with the Security Advisory Committee; determine who should get a copy of the "Court Security Policy and Procedure Manual" (sensitive material may require limited distribution of parts of the manual); determine who will be responsible for reviewing and updating the "Court Security Policy and Procedure Manual"; what information will be on public record; determine the appropriate level of security needed for each court, clerk's office, and courthouse; and determine if a periodic "risk assessment audit" should be taken.

Standard 2: Security Policy and Procedure Manual

A Court Security Policy and Procedure Manual shall be created to govern the preparedness of the courts to manage emergency situations in a consistent and appropriate manner. Upon its creation, all affected court personnel should receive initial training on the manual. Thereafter, all newly hired personnel should receive training on the manual and all employees should review the manual annually. The manual should be reviewed and updated annually. Copies of the manual should be distributed as deemed necessary. Periodic tests should be performed to measure the effectiveness of established security policies and procedures.

Discussion: To meet the goal of providing a safe environment, the Security Policy and Procedure Manual should ensure appropriate emergency planning and procedures for incidents that threaten public and personal safety. This list includes, but is not limited

to, court room security, fire, tornado, power/utility failure, and other natural disasters; medical emergencies, hostage situations, bomb threats, chemical or biological threat, civil disorders, terrorism, weapons threats, records preservation, high risk trials, escapes, assaults, general evacuation, and other emergencies.

Standard 3: Security Personnel and Training

Uniformed, Court Security Officers shall be assigned specifically and in sufficient numbers for court security to ensure the security of the court and its facilities. At a minimum, one Court Security Officer shall be present whenever court is in session. Minimum standards for the hiring of court security personnel should be observed. Court Security Officers shall be trained and shall meet established standards of experience, law enforcement certification training, and performance. Additional training should be given on those issues that are specific to each court setting, such as security issues, weapons instruction, or policies such as “use of force”.

Discussion: The development of a standardized core safety and security training program for all Court Security Officers is mandated. The presence of at least one Court Security Officer is essential to the maintenance of a safe environment for the public and court personnel.

Standard 4: Access Control

Without exception and regardless of the purpose or hour, all individuals entering a court must be subject to a screening process. All entrances to the court should be examined and secured. When possible, entrances should be limited to one main entrance and exit. Screening procedures, personnel, and equipment should be placed at the main entrance. For those entrances without screening, proper locking mechanisms and alarms should be maintained. Proper signage should be posted in highly visible traffic areas to notify individuals that both their person and their belongings will be screened and/or searched.

Other ways to control access to the court should be explored and incorporated such as locking mechanisms on all entrances, all employees to wear a visible identification, restricted access to offices, and maintaining a policy of restricting weapons in the court facility.

Discussion: Optimal methods of screening and equipment should be discussed and recommended. Ways to properly dispose of confiscated items should also be addressed.

Standard 5: Security of Facility

The design of facilities and offices should be made with security in mind. Buildings should be designed to protect against attack, limit access, and to avoid inappropriate interaction between the participants in the judicial process. Waiting areas and traffic flows should be designed to allow for the separation of judges, court personnel, and other judicial parties such as juries, witnesses, and prisoners.

To enhance the safety of our court facilities, all courtrooms and hearing rooms should be equipped with a duress alarm. Phones should have a caller identification system* installed and when practicable, video surveillance of court facility parking areas and other strategic areas is recommended. Access to environmental controls should be secured and limited to authorized personnel.

Discussion: Other items that can be utilized to heighten court facility security is the use of physical barriers when necessary, conducting an annual audit of facilities and equipment, and securing parking for court personnel that have been threatened.

Standard 6: Communication

Good communication is essential in an emergency. A clear line of authority must be established in each agency and court. This will enable clear definition of who will activate an emergency plan and implement security responses, such as an evacuation. In addition, all names and contact information of key court security personnel should be provided to the Security Advisory Committee and other appropriate agencies. This information should remain up to date.

Discussion: Some thought should be given to how courts will communicate with one another during emergencies and to how information will be disseminated regarding potential court emergencies.

Standard 7: After-Hours Security

Each court facility should adopt procedures to ensure security outside of normal working hours. Additionally, procedures should be implemented for notification of unauthorized entry of a court facility after-hours.

Discussion: Intrusion alarms could be utilized.

Standard 8: Needs Assessment

A thorough assessment of each court facility in the state should be conducted. This assessment will give a clear depiction of how each facility handles their court security and the needs of each facility to meet Court Security Standards.

Discussion: Other states have utilized the attached “Physical Security Checklist or Physical Security Report” as a needs assessment tool.

Note Attachments.

Standard 9: Incident Reporting

All court employees shall be immediately and accurately reported in a manner to be set out in the “Court Security Policy and Procedure Manual” outlined in Standard Two.

Discussion: All violations of law occurring within a court facility should immediately be reported to the law enforcement agency having jurisdiction. Incident reporting should be included in court personnel’s new hire and recurrent training.

Definition: “Incident” is defined as any situation that disrupts court services.

Appendix B: Survey Sent

Part I. Security Incidents

Instructions

This section requests information on the type of court security incidents that have occurred in your court since January 1, 2004. Please solicit information from your staff to determine which incidents have occurred.

An incident is defined as a security-related event that threatened the normal or safe operation of the court. Incidents include all occurrences involving court staff, judges, trial participants, jurors, general public, etc.

Occurred – Please check (✓) if this incident has occurred in your court since January 1, 2004.
Reported – Please check (✓) if this incident was reported to law enforcement.

| Type of Incident | Occurred | Reported |
|--|-----------------|-----------------|
| 1. Verbal threat (Against judge, court staff, jurors and witnesses) | | |
| 2. Written threat (Against judge, court staff, jurors and witnesses) | | |
| 3. Physical altercation (with or without weapon) | | |
| 4. Other use of weapon (suicide threat, accidental discharge) in courthouse | | |
| 5. Disorderly behavior by an individual requiring intervention | | |
| 6. Theft | | |
| 7. Breaking and entering (Court building or offices) | | |
| 8. Unauthorized release of records/information | | |
| 9. Breach of computer security integrity | | |
| 10. Fire (requiring fire department response) | | |
| 11. Bomb threat | | |
| 12. Hostage situation | | |
| 13. Attempts to bring a weapon into courthouse or courtroom | | |
| 14. Prisoner escape | | |
| 15. Medical emergency | | |
| 16. Other incidents requiring evacuation of the courthouse | | |
| 17. Other security incidents (describe below) | | |

Part II. Security Concerns

Instructions

Using the scale below, rate the degree to which each area is a security concern to your court:

- 1 – Not at all** **2 – Of little concern** **3 – Of significant concern** **4 – Among the greatest concerns**

Please circle the appropriate response to each item.

| Security Concern | Rating | | | |
|--|---------------|----------|----------|----------|
| 1. Adequacy of security policies and procedures | 1 | 2 | 3 | 4 |
| 2. Adequacy of emergency plans | 1 | 2 | 3 | 4 |
| 3. Adequacy of security staff | 1 | 2 | 3 | 4 |
| 4. Adequacy of security training for security staff | 1 | 2 | 3 | 4 |
| 5. Adequacy of security training for court staff | 1 | 2 | 3 | 4 |
| 6. Adequacy of alarm systems | 1 | 2 | 3 | 4 |
| 7. Possession of weapons by members of the public | 1 | 2 | 3 | 4 |
| 8. Timeliness of law enforcement response | 1 | 2 | 3 | 4 |
| 9. Prisoner custody in courthouse/courtroom | 1 | 2 | 3 | 4 |
| 10. Loss of evidence | 1 | 2 | 3 | 4 |
| 11. Criminal defendant during trial | 1 | 2 | 3 | 4 |
| 12. Criminal defendant during sentencing | 1 | 2 | 3 | 4 |
| 13. Victims of crimes | 1 | 2 | 3 | 4 |
| 14. Witnesses of crimes | 1 | 2 | 3 | 4 |
| 15. Family members/supporters of defendants | 1 | 2 | 3 | 4 |
| 16. Family members/supporters of victims | 1 | 2 | 3 | 4 |
| 17. Civil litigant behavior/reactions | 1 | 2 | 3 | 4 |
| 18. Domestic abuse hearings | 1 | 2 | 3 | 4 |
| 19. Domestic relations hearing | 1 | 2 | 3 | 4 |
| 20. Behavior of juveniles | 1 | 2 | 3 | 4 |
| 21. Safety and security of jurors | 1 | 2 | 3 | 4 |
| 22. Dealing with emotionally disturbed persons | 1 | 2 | 3 | 4 |
| 23. Unauthorized disclosure of confidential court records or info | 1 | 2 | 3 | 4 |
| 24. Theft by court staff | 1 | 2 | 3 | 4 |
| 25. Building security after hours | 1 | 2 | 3 | 4 |
| 26. Other concerns (please list) | | | | |

Part III. Security Measures

Instructions

This section requests information regarding the type of security measures adopted or installed in the courthouse in _____ county.

Please check (✓) the appropriate response.

Does your courthouse have/use the following security measures?

| Security Measure | Yes | No |
|--|-----|----|
| 1. Standing court security committee | | |
| 2. Written security policies and plans | | |
| 3. Written emergency plans on what to do for a bomb threat | | |
| 4. Written emergency plans on what to do if there is a fire | | |
| 5. Written emergency plans for natural disasters | | |
| 6. Written emergency plans for medical emergencies | | |
| 7. Written emergency plans for a prisoner escape | | |
| 8. Written emergency plans for hostage situations | | |
| 9. Written emergency plans for high profile trials | | |
| 10. Written emergency plans for continuity of operations | | |
| 11. Security and emergency procedure training for all court staff | | |
| 12. Walk-through magnetometers | | |
| 13. Hand-held weapons screening device | | |
| 14. Intrusion alarm system (court building) | | |
| 15. Duress alarm system in court room (panic buttons) | | |
| 16. Bench(es) equipped with ballistic resistant protective materials | | |
| 17. Secure parking area for judges and court employees | | |
| 18. Perimeter fencing | | |
| 19. Separate and restricted employee building access | | |
| 20. Separate and restricted access hallways for judicial movement | | |
| 21. Video arraignment systems | | |
| 22. Secure prisoner transport sallyport area | | |
| 23. Separate/secure hallways for prisoner escort within courthouse | | |
| 24. Permanent full time security staff | | |
| 25. Is security staff issued firearms | | |
| 26. If so, are they annually certified on firearms use | | |
| 27. If so, are they trained on use of deadly force | | |

| Security Measure Continued | Yes | No |
|---|------------|-----------|
| 28. Secure prisoner holding areas adjacent to courtrooms | | |
| 29. Provisions for prisoner restraint in the courtroom | | |
| 30. Secure evidence storage area/room | | |
| 31. Do you generally feel safe in your courtroom | | |
| 32. Should judges be allowed to carry concealed weapons in the courtroom | | |
| 33. If so, should judges be required to take a yearly firearm safety course | | |
| 34. If so, should judges be required to notify the local Sheriff and/or other court security personnel that they are armed | | |
| 35. Other security measures (please describe) | | |

Part IV. Most Serious Issues

Please describe the **MOST SERIOUS COURT SECURITY INCIDENT** that your court has experienced (additional space is available on reverse side).

Please describe the one current court security problem that is your **MOST SERIOUS CONCERN** (additional space is available on reverse side).

How many full-time court security staff do you currently have? How many part-time? Do you feel your current security staff is adequate?

Part V. Respondent Data

Instructions: Please complete the respondent information requested. We may need to contact you regarding the content of the survey.

Information from your survey will **NOT** be reported separately or with any identifying information.

Name: _____

Court Division: _____

County: _____

Appendix C: Data Collected

Survey Results – Part A (Security Incidents)

| Type of Incident | Occurred | Reported |
|--|-----------------|-----------------|
| 1. Verbal threat (Against judge, court staff, jurors and witnesses) | 35 | 19 |
| 2. Written threat (Against judge, court staff, jurors and witnesses) | 10 | 7 |
| 3. Physical altercation (with or without weapon) | 29 | 18 |
| 4. Other use of weapon (suicide threat, accidental discharge) in courthouse | 2 | 1 |
| 5. Disorderly behavior by an individual requiring intervention | 64 | 30 |
| 6. Theft | 10 | 7 |
| 7. Breaking and entering (Court building or offices) | 7 | 6 |
| 8. Unauthorized release of records/information | 5 | 3 |
| 9. Breach of computer security integrity | 1 | 0 |
| 10. Fire (requiring fire department response) | 3 | 3 |
| 11. Bomb threat | 15 | 12 |
| 12. Hostage situation | 0 | 0 |
| 13. Attempts to bring a weapon into courthouse or courtroom | 17 | 10 |
| 14. Prisoner escape | 14 | 10 |
| 15. Medical emergency | 25 | 14 |
| 16. Other incidents requiring evacuation of the courthouse | 4 | 3 |
| 17. Other security incidents (describe below) | | |

Data Collected: Survey Results – Part A (Security Incidents)
(Continued)

17. Other security incidents (describe below)

–Please note that I took office January 1, 2005. Incidents may have occurred of which I am not aware.

-Mentally unbalanced parties in court case-extra security requested and extra security did assist in keeping the peace.

-One member of the janitorial staff had active warrants.

-Lack of trained bailiffs.

-No Firearms...the weapons involved were pocket knives. Some were larger than can be legally carried in public.

-The Pulaski County Courthouse was evacuated 3-4 times for bomb threats. No bomb found. The threats were directed to other courts involved in criminal cases...my division did not receive the threat.

-There was some courthouse evacuation.

Data Collected: Security Incidents – Frequency of Response

| Type of Incident | Occurred | | Reported | |
|--|-----------------|--------------|-----------------|--------------|
| 1. Disorderly behavior by an individual requiring intervention | 64 | 76.1% | 30 | 46.8% |
| 2. Verbal threat (Against judge, court staff, jurors and witnesses) | 35 | 41.6% | 19 | 54.2% |
| 3. Physical altercation (with or without weapon) | 29 | 34.5% | 18 | 62.0% |
| 4. Medical emergency | 25 | 29.7% | 14 | 56.0% |
| 5. Attempts to bring a weapon into courthouse or courtroom | 17 | 20.2% | 10 | 58.8% |
| 6. Bomb threat | 15 | 17.8% | 12 | 80.0% |
| 7. Prisoner escape | 14 | 16.6% | 10 | 71.4% |
| 8. Written threat | 10 | 11.9% | 7 | 70.0% |
| 9. Theft | 10 | 11.9% | 7 | 70.0% |
| 10. Breaking and entering (Court building or offices) | 7 | 8.3% | 6 | 85.7% |
| 11. Unauthorized release of records/information | 5 | 5.9% | 3 | 60.0% |
| 12. Other incidents requiring evacuation of the courthouse | 4 | 4.7% | 3 | 75.0% |
| 13. Fire (requiring fire department response) | 3 | 3.5% | 3 | 100% |
| 14. Other use of weapon (suicide threat, accidental discharge) | 2 | 2.3% | 1 | 50.0% |
| 15. Breach of computer security integrity | 1 | 1.1% | 0 | N/A |
| 16. Hostage situation | 0 | N/A | 0 | N/A |

Data Collected: Security Concerns – Number of Responses and Weighted Total

| Security Concern | No | Little | Significant | Greatest | Weighted Total |
|---|-----------|---------------|--------------------|-----------------|-----------------------|
| 1. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 | 265 |
| 2. Adequacy of emergency plans | 0 | 12 | 44 | 25 | 256 |
| 3. Adequacy of security staff | 2 | 11 | 30 | 39 | 270 |
| 4. Adequacy of security training for security staff | 3 | 12 | 33 | 34 | 262 |
| 5. Adequacy of security training for court staff | 5 | 14 | 33 | 29 | 248 |
| 6. Adequacy of alarm systems | 4 | 12 | 31 | 32 | 249 |
| 7. Possession of weapons by members of the public | 0 | 13 | 30 | 38 | 268 |
| 8. Timeliness of law enforcement response | 5 | 15 | 32 | 29 | 247 |
| 9. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 | 240 |
| 10. Loss of evidence | 29 | 35 | 15 | 1 | 148 |
| 11. Criminal defendant during trial | 6 | 37 | 27 | 7 | 189 |
| 12. Criminal defendant during sentencing | 6 | 36 | 23 | 12 | 195 |
| 13. Victims of crimes | 9 | 29 | 36 | 4 | 191 |
| 14. Witnesses of crimes | 8 | 38 | 28 | 4 | 184 |
| 15. Family members/supporters of defendants | 3 | 18 | 48 | 9 | 219 |
| 16. Family members/supporters of victims | 4 | 26 | 41 | 7 | 207 |
| 17. Civil litigant behavior/reactions | 5 | 32 | 32 | 10 | 205 |
| 18. Domestic abuse hearings | 3 | 8 | 34 | 29 | 237 |
| 19. Domestic relations hearing | 2 | 8 | 35 | 28 | 235 |
| 20. Behavior of juveniles | 5 | 30 | 27 | 8 | 178 |
| 21. Safety and security of jurors | 4 | 22 | 26 | 24 | 222 |
| 22. Dealing with emotionally disturbed persons | 1 | 12 | 40 | 25 | 245 |
| 23. Unauthorized disclosure of confidential court records or information | 23 | 36 | 15 | 5 | 160 |
| 24. Theft by court staff | 56 | 16 | 4 | 5 | 120 |
| 25. Building security after hours | 15 | 27 | 21 | 10 | 172 |

Data Collected: Security Concerns – Number of Responses and Weighted Total

26. Other concerns (please list)

-There is no behind the bench exit from the courtroom. There are two doors into the courtroom but the closest one to the bench requires the judge to come down around in front of the bench to get out. Of further concern, my court reporter cannot move quickly, she requires a walker to walk.

-There is only one way to access the courtroom. That is up a long flight of stairs and an aisle through the general public seating area. There is no other way out of the judge's chambers or off of the bench.

-Total lack of concern by sheriff for courthouse security.

-Behavior of parents/relatives at termination or parental rights hearings.

Data Collected: Security Concerns – Ranking of Weighted Total

| Security Concern | No | Little | Significant | Greatest | Weighted Total |
|---|-----------|---------------|--------------------|-----------------|-----------------------|
| 1. Adequacy of security staff | 2 | 11 | 30 | 39 | 270 |
| 2. Possession of weapons by members of the public | 0 | 13 | 30 | 38 | 268 |
| 3. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 | 265 |
| 4. Adequacy of security training for security staff | 3 | 12 | 33 | 34 | 262 |
| 5. Adequacy of emergency plans | 0 | 12 | 44 | 25 | 256 |
| 6. Adequacy of alarm systems | 4 | 12 | 31 | 32 | 249 |
| 7. Adequacy of security training for court staff | 5 | 14 | 33 | 29 | 248 |
| 8. Timeliness of law enforcement response | 5 | 15 | 32 | 29 | 247 |
| 9. Dealing with emotionally disturbed persons | 1 | 12 | 40 | 25 | 245 |
| 10. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 | 240 |
| 11. Domestic abuse hearings | 3 | 8 | 34 | 29 | 237 |
| 12. Domestic relations hearing | 2 | 8 | 35 | 28 | 235 |
| 13. Safety and security of jurors | 4 | 22 | 26 | 24 | 222 |
| 14. Family members/supporters of defendants | 3 | 18 | 48 | 9 | 219 |
| 15. Family members/supporters of victims | 4 | 26 | 41 | 7 | 207 |
| 16. Civil litigant behavior/reactions | 5 | 32 | 32 | 10 | 205 |
| 17. Criminal defendant during sentencing | 6 | 36 | 23 | 12 | 195 |
| 18. Victims of crimes | 9 | 29 | 36 | 4 | 191 |
| 19. Criminal defendant during trial | 6 | 37 | 27 | 7 | 189 |
| 20. Witnesses of crimes | 8 | 38 | 28 | 4 | 184 |
| 21. Behavior of juveniles | 5 | 30 | 27 | 8 | 178 |
| 22. Building security after hours | 15 | 27 | 21 | 10 | 172 |
| 23. Unauthorized disclosure of confidential court records or information | 23 | 36 | 15 | 5 | 160 |
| 24. Loss of evidence | 29 | 35 | 15 | 4 | 148 |
| 25. Theft by court staff | 56 | 16 | 4 | 5 | 120 |

Data Collected: Security Concerns – Ranking of “Greatest Concern” Responses

| Security Concern | No | Little | Significant | Greatest |
|---|-----------|---------------|--------------------|-----------------|
| 1. Adequacy of security staff | 2 | 11 | 30 | 39 |
| 2. Possession of weapons by members of the public | 0 | 13 | 30 | 38 |
| 3. Adequacy of security training for security staff | 3 | 12 | 33 | 34 |
| 4. Adequacy of alarm systems | 4 | 12 | 31 | 32 |
| 5. Adequacy of security training for court staff | 5 | 14 | 33 | 29 |
| 6. Timeliness of law enforcement response | 5 | 15 | 32 | 29 |
| 7. Domestic abuse hearings | 3 | 8 | 34 | 29 |
| 8. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 |
| 9. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 |
| 10. Domestic relations hearing | 2 | 8 | 35 | 28 |
| 11. Adequacy of emergency plans | 0 | 12 | 44 | 25 |
| 12. Dealing with emotionally disturbed persons | 1 | 12 | 40 | 25 |
| 13. Safety and security of jurors | 4 | 22 | 26 | 24 |
| 14. Criminal defendant during sentencing | 6 | 36 | 23 | 12 |
| 15. Civil litigant behavior/reactions | 5 | 32 | 32 | 10 |
| 16. Building security after hours | 15 | 27 | 21 | 10 |
| 17. Family members/supporters of defendants | 3 | 18 | 48 | 9 |
| 18. Behavior of juveniles | 5 | 30 | 27 | 8 |
| 19. Family members/supporters of victims | 4 | 26 | 41 | 7 |
| 20. Criminal defendant during trial | 6 | 37 | 27 | 7 |
| 21. Unauthorized disclosure of confidential court records or information | 23 | 36 | 15 | 5 |
| 22. Theft by court staff | 56 | 16 | 4 | 5 |
| 23. Victims of crimes | 9 | 29 | 36 | 4 |
| 24. Witnesses of crimes | 8 | 38 | 28 | 4 |
| 25. Loss of evidence | 29 | 35 | 15 | 1 |

Data Collected: Security Concerns – Ranking of “Significant Concern” Responses

| Security Concern | No | Little | Significant | Greatest |
|---|-----------|---------------|--------------------|-----------------|
| 1. Family members/supporters of defendants | 3 | 18 | 48 | 9 |
| 2. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 |
| 3. Adequacy of emergency plans | 0 | 12 | 44 | 25 |
| 4. Family members/supporters of victims | 4 | 26 | 41 | 7 |
| 5. Dealing with emotionally disturbed persons | 1 | 12 | 40 | 25 |
| 6. Victims of crimes | 9 | 29 | 36 | 4 |
| 7. Domestic relations hearing | 2 | 8 | 35 | 28 |
| 8. Domestic abuse hearings | 3 | 8 | 34 | 29 |
| 9. Adequacy of security training for security staff | 3 | 12 | 33 | 34 |
| 10. Adequacy of security training for court staff | 5 | 14 | 33 | 29 |
| 11. Timeliness of law enforcement response | 5 | 15 | 32 | 29 |
| 12. Civil litigant behavior/reactions | 5 | 32 | 32 | 10 |
| 13. Adequacy of alarm systems | 4 | 12 | 31 | 32 |
| 14. Possession of weapons by members of the public | 0 | 13 | 30 | 38 |
| 15. Adequacy of security staff | 2 | 11 | 30 | 39 |
| 16. Witnesses of crimes | 8 | 38 | 28 | 4 |
| 17. Criminal defendant during trial | 6 | 37 | 27 | 7 |
| 18. Behavior of juveniles | 5 | 30 | 27 | 8 |
| 19. Safety and security of jurors | 4 | 22 | 26 | 24 |
| 20. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 |
| 21. Criminal defendant during sentencing | 6 | 36 | 23 | 12 |
| 22. Building security after hours | 15 | 27 | 21 | 10 |
| 23. Loss of evidence | 29 | 35 | 15 | 1 |
| 24. Unauthorized disclosure of confidential court records or information | 23 | 36 | 15 | 5 |
| 25. Theft by court staff | 56 | 16 | 4 | 5 |

Data Collected: Security Concerns – Ranking of “Little Concern” Responses

| Security Concern | No | Little | Significant | Greatest |
|--|-----------|---------------|--------------------|-----------------|
| 1. Witnesses of crimes | 8 | 38 | 28 | 4 |
| 2. Criminal defendant during trial | 6 | 37 | 27 | 7 |
| 3. Criminal defendant during sentencing | 6 | 36 | 23 | 12 |
| 4. Unauthorized disclosure of confidential court records or information | 23 | 36 | 15 | 5 |
| 5. Loss of evidence | 29 | 35 | 15 | 1 |
| 6. Civil litigant behavior/reactions | 5 | 32 | 32 | 10 |
| 7. Behavior of juveniles | 5 | 30 | 27 | 8 |
| 8. Victims of crimes | 9 | 29 | 36 | 4 |
| 9. Building security after hours | 15 | 27 | 21 | 10 |
| 10. Family members/supporters of victims | 4 | 26 | 41 | 7 |
| 11. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 |
| 12. Safety and security of jurors | 4 | 22 | 26 | 24 |
| 13. Family members/supporters of defendants | 3 | 18 | 48 | 9 |
| 14. Theft by court staff | 56 | 16 | 4 | 5 |
| 15. Timeliness of law enforcement response | 5 | 15 | 32 | 29 |
| 16. Adequacy of security training for court staff | 5 | 14 | 33 | 29 |
| 17. Possession of weapons by members of the public | 0 | 13 | 30 | 38 |
| 18. Adequacy of emergency plans | 0 | 12 | 44 | 25 |
| 19. Dealing with emotionally disturbed persons | 1 | 12 | 40 | 25 |
| 20. Adequacy of security training for security staff | 3 | 12 | 33 | 34 |
| 21. Adequacy of alarm systems | 4 | 12 | 31 | 32 |
| 22. Adequacy of security staff | 2 | 11 | 30 | 39 |
| 23. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 |
| 24. Domestic relations hearing | 2 | 8 | 35 | 28 |
| 25. Domestic abuse hearings | 3 | 8 | 34 | 29 |

Data Collected: Security Concerns – Ranking of “No Concern” Responses

| Security Concern | No | Little | Significant | Greatest |
|--|-----------|---------------|--------------------|-----------------|
| 1. Theft by court staff | 56 | 16 | 4 | 5 |
| 2. Loss of evidence | 29 | 35 | 15 | 1 |
| 3. Unauthorized disclosure of confidential court records or information | 23 | 36 | 15 | 5 |
| 4. Building security after hours | 15 | 27 | 21 | 10 |
| 5. Victims of crimes | 9 | 29 | 36 | 4 |
| 6. Witnesses of crimes | 8 | 38 | 28 | 4 |
| 7. Criminal defendant during trial | 6 | 37 | 27 | 7 |
| 8. Criminal defendant during sentencing | 6 | 36 | 23 | 12 |
| 9. Civil litigant behavior/reactions | 5 | 32 | 32 | 10 |
| 10. Behavior of juveniles | 5 | 30 | 2 | 8 |
| 11. Timeliness of law enforcement response | 5 | 15 | 32 | 29 |
| 12. Adequacy of security training for court staff | 5 | 14 | 33 | 29 |
| 13. Family members/supporters of victims | 4 | 26 | 41 | 7 |
| 14. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 |
| 15. Safety and security of jurors | 4 | 22 | 26 | 24 |
| 16. Adequacy of alarm systems | 4 | 12 | 31 | 32 |
| 17. Family members/supporters of defendants | 3 | 18 | 48 | 9 |
| 18. Adequacy of security training for security staff | 3 | 12 | 33 | 34 |
| 19. Domestic abuse hearings | 3 | 8 | 34 | 29 |
| 20. Adequacy of security staff | 2 | 11 | 30 | 39 |
| 21. Domestic relations hearing | 2 | 8 | 35 | 28 |
| 22. Dealing with emotionally disturbed persons | 1 | 12 | 40 | 25 |
| 23. Possession of weapons by members of the public | 0 | 13 | 30 | 38 |
| 24. Adequacy of emergency plans | 0 | 12 | 44 | 25 |
| 25. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 |

***Data Collected: Combined Responses of “Greatest Concern” and
“Significant Concern”***

| Security Concern | No | Little | Significant | Greatest | (3+4) Total |
|---|-----------|---------------|--------------------|-----------------|--------------------|
| 1. Adequacy of security policies and procedures | 0 | 9 | 45 | 28 | 73 |
| 2. Adequacy of emergency plans | 0 | 12 | 44 | 25 | 69 |
| 3. Adequacy of security staff | 2 | 11 | 30 | 39 | 69 |
| 4. Possession of weapons by members of the public | 0 | 13 | 30 | 38 | 68 |
| 5. Adequacy of security training for security staff | 3 | 12 | 33 | 34 | 67 |
| 6. Dealing with emotionally disturbed persons | 1 | 12 | 40 | 25 | 65 |
| 7. Adequacy of alarm systems | 4 | 12 | 31 | 32 | 63 |
| 8. Domestic abuse hearings | 3 | 8 | 34 | 29 | 63 |
| 9. Domestic relations hearing | 2 | 8 | 35 | 28 | 63 |
| 10. Adequacy of security training for court staff | 5 | 14 | 33 | 29 | 62 |
| 11. Timeliness of law enforcement response | 5 | 15 | 32 | 29 | 61 |
| 12. Family members/supporters of defendants | 3 | 18 | 48 | 9 | 57 |
| 13. Prisoner custody in courthouse/courtroom | 4 | 23 | 26 | 28 | 54 |
| 14. Safety and security of jurors | 4 | 22 | 26 | 24 | 50 |
| 15. Family members/supporters of victims | 4 | 26 | 41 | 7 | 48 |
| 16. Civil litigant behavior/reactions | 5 | 32 | 32 | 10 | 42 |
| 17. Victims of crimes | 9 | 29 | 36 | 4 | 40 |
| 18. Criminal defendant during sentencing | 6 | 36 | 23 | 12 | 35 |
| 19. Behavior of juveniles | 5 | 30 | 27 | 8 | 35 |
| 20. Criminal defendant during trial | 6 | 37 | 27 | 7 | 34 |
| 21. Witnesses of crimes | 8 | 38 | 28 | 4 | 32 |
| 22. Building security after hours | 15 | 27 | 21 | 10 | 31 |
| 23. Unauthorized disclosure of confidential court records or information | 23 | 36 | 15 | 5 | 20 |
| 24. Loss of evidence | 29 | 35 | 15 | 1 | 16 |
| 25. Theft by court staff | 56 | 16 | 4 | 5 | 9 |

Data Collected: Survey Results (Security Measures)

Table D-1: Presence of Security Measures

| Security Measure | Responses | Yes | % | No | % |
|--|-----------|-----|-------|----|-------|
| 1. Standing court security committee | 82 | 12 | 14.6% | 70 | 85.3% |
| 2. Written security policies and plans | 82 | 12 | 14.6% | 70 | 85.3% |
| 3. Written emergency plans on what to do for a bomb threat | 81 | 11 | 13.5% | 70 | 86.4% |
| 4. Written emergency plans on what to do if there is a fire | 81 | 15 | 18.5% | 66 | 81.4% |
| 5. Written emergency plans for natural disasters | 79 | 6 | 7.5% | 73 | 92.4% |
| 6. Written emergency plans for medical emergencies | 77 | 5 | 6.4% | 72 | 93.5% |
| 7. Written emergency plans for a prisoner escape | 79 | 4 | 5.0% | 75 | 94.9% |
| 8. Written emergency plans for hostage situations | 78 | 1 | 1.2% | 77 | 98.7% |
| 9. Written emergency plans for high profile trials | 78 | 0 | N/A | 78 | 100% |
| 10. Written emergency plans for continuity of operations | 78 | 4 | 5.1% | 74 | 94.8% |
| 11. Security and emergency procedure training for all court staff | 81 | 9 | 11.1% | 72 | 88.8% |
| 12. Walk-through magnetometers | 84 | 27 | 32.1% | 57 | 67.8% |
| 13. Hand-held weapons screening device | 82 | 34 | 41.4% | 48 | 58.5% |
| 14. Intrusion alarm system (court building) | 83 | 14 | 16.8% | 69 | 83.1% |
| 15. Duress alarm system in court room (panic buttons) | 82 | 37 | 45.1% | 45 | 54.8% |
| 16. Bench(es) equipped with ballistic resistant protective materials | 80 | 27 | 33.7% | 53 | 66.2% |
| 17. Secure parking area for judges and court employees | 83 | 4 | 4.8% | 79 | 95.1% |
| 18. Perimeter fencing | 82 | 0 | N/A | 82 | 100% |
| 19. Separate and restricted employee building access | 83 | 12 | 14.4% | 71 | 85.5% |
| 20. Separate and restricted access hallways for judicial movement | 82 | 10 | 12.1% | 72 | 87.8% |
| 21. Video arraignment systems | 81 | 15 | 18.5% | 66 | 81.4% |
| 22. Secure prisoner transport sallyport area | 82 | 18 | 21.9% | 64 | 78.0% |
| 23. Separate/secure hallways for prisoner escort within courthouse | 85 | 12 | 14.1% | 73 | 85.8% |
| 24. Permanent full time security staff | 82 | 29 | 35.3% | 53 | 64.6% |
| 25. Is security staff issued firearms | 82 | 53 | 64.6% | 29 | 35.3% |
| 26. If so, are they annually certified on firearms use | 74 | 45 | 60.8% | 29 | 39.1% |
| 27. If so, are they trained on use of deadly force | 71 | 46 | 64.7% | 25 | 35.2% |
| 28. Secure prisoner holding areas adjacent to courtrooms | 79 | 25 | 31.6% | 54 | 68.3% |
| 29. Provisions for prisoner restraint in the courtroom | 80 | 45 | 56.2% | 35 | 43.7% |
| 30. Secure evidence storage area/room | 80 | 35 | 43.7% | 45 | 56.2% |
| 31. Do you generally feel safe in your courtroom | 81 | 65 | 80.2% | 16 | 19.7% |
| 32. Should judges be allowed to carry concealed weapons in the courtroom | 74 | 41 | 55.4% | 33 | 44.5% |
| 33. If so, should judges be required to take a yearly firearm safety course | 70 | 55 | 78.5% | 15 | 21.4% |
| 34. If so, should judges be required to notify the local Sheriff and/or other court security personnel that they are armed | 71 | 59 | 83.0% | 12 | 16.9% |
| 35. Other security measures (please describe) | | | | | |

***Table D-1: Presence of Security Measures
(Continued)***

35.

-Judges by virtue of their election and office should be allowed to carry weapons, training by Capitol Police!

-Need state funded Bailiffs.

-Upon request the sheriff's office does have a deputy in the courtroom.

-My bailiff has been trained in the use of and I plan to arm him with a taser device.

-Keep eyes and ears open. Appraise door security & bailiffs of cases/parties on daily docket.

-A bailiff brought a prisoner up on the elevator with me yesterday.

-Need videotape security cameras.

Table D-2: Ranking of Available Security Measures

| Security Measure | Responses | Yes | % | No | % |
|---|-----------|-----|-------|----|-------|
| 1. If so, should judges be required to notify the local Sheriff and/or other court security personnel that they are armed | 71 | 59 | 83.0% | 12 | 16.9% |
| 2. Do you generally feel safe in your courtroom | 81 | 65 | 80.2% | 16 | 19.7% |
| 3. If so, should judges be required to take a yearly firearm safety course | 70 | 55 | 78.5% | 15 | 21.4% |
| 4. If so, are they trained on use of deadly force | 71 | 46 | 64.7% | 25 | 35.2% |
| 5. Is security staff issued firearms | 82 | 53 | 64.6% | 29 | 35.3% |
| 6. If so, are they annually certified on firearms use | 74 | 45 | 60.8% | 29 | 39.1% |
| 7. Provisions for prisoner restraint in the courtroom | 80 | 45 | 56.2% | 35 | 43.7% |
| 8. Should judges be allowed to carry concealed weapons in the courtroom | 74 | 41 | 55.4% | 33 | 44.5% |
| 9. Duress alarm system in court room (panic buttons) | 82 | 37 | 45.1% | 45 | 54.8% |
| 10. Secure evidence storage area/room | 80 | 35 | 43.7% | 45 | 56.2% |
| 11. Hand-held weapons screening device | 82 | 34 | 41.4% | 48 | 58.5% |
| 12. Permanent full time security staff | 82 | 29 | 35.3% | 53 | 64.6% |
| 13. Bench(es) equipped with ballistic resistant protective materials | 80 | 27 | 33.7% | 53 | 66.2% |
| 14. Walk-through magnetometers | 84 | 27 | 32.1% | 57 | 67.8% |
| 15. Secure prisoner holding areas adjacent to courtrooms | 79 | 25 | 31.6% | 54 | 68.3% |
| 16. Secure prisoner transport sallyport area | 82 | 18 | 21.9% | 64 | 78.0% |
| 17. Written emergency plans on what to do if there is a fire | 81 | 15 | 18.5% | 66 | 81.4% |
| 18. Video arraignment systems | 81 | 15 | 18.5% | 66 | 81.4% |
| 19. Intrusion alarm system (court building) | 83 | 14 | 16.8% | 69 | 83.1% |
| 20. Standing court security committee | 82 | 12 | 14.6% | 70 | 85.3% |
| 21. Written security policies and plans | 82 | 12 | 14.6% | 70 | 85.3% |
| 22. Separate and restricted employee building access | 83 | 12 | 14.4% | 71 | 85.5% |
| 23. Separate/secure hallways for prisoner escort within courthouse | 85 | 12 | 14.1% | 73 | 85.8% |
| 24. Written emergency plans on what to do for a bomb threat | 81 | 11 | 13.5% | 70 | 86.4% |
| 25. Separate and restricted access hallways for judicial movement | 82 | 10 | 12.1% | 72 | 87.8% |
| 26. Security and emergency procedure training for all court staff | 81 | 9 | 11.1% | 72 | 88.8% |
| 27. Written emergency plans for natural disasters | 79 | 6 | 7.5% | 73 | 92.4% |
| 28. Written emergency plans for medical emergencies | 77 | 5 | 6.4% | 72 | 93.5% |
| 29. Written emergency plans for continuity of operations | 78 | 4 | 5.1% | 74 | 94.8% |
| 30. Written emergency plans for a prisoner escape | 79 | 4 | 5.0% | 75 | 94.9% |
| 31. Secure parking area for judges and court employees | 83 | 4 | 4.8% | 79 | 95.1% |
| 32. Written emergency plans for hostage situations | 78 | 1 | 1.2% | 77 | 98.7% |
| 33. Written emergency plans for high profile trials | 78 | 0 | N/A | 78 | 100% |
| 34. Perimeter fencing | 82 | 0 | N/A | 82 | 100% |

Data Collected: Survey Results (Most Serious Issues)

Please describe the **MOST SERIOUS COURT SECURITY INCIDENT** that your court has experienced since January 1, 2004.

-Juvenile erupted and threw himself into a block wall on the way back to the detention center.

-Termination of parent's parental rights of their children.

-Unruly disorderly persons on contempt's.

-Juvenile resisted violently arrest/incarceration.

-Disturbance between families of child sexual abuse victim and defendant in hall during jury trial.

-Disorder by relative of litigant.

-Parent using profanity had to be tackled and restrained.

-At a termination of parental rights hearing, after I terminated mother's rights, she threatened to kill me as she stormed out of court. In another termination case a grandmother threatened me. I have had other parents throw fits in court and have to be removed.

-Mental health litigant became unruly. Took 15 deputies to subdue him, deputies had to use mace on him.

-Disturbance by prisoner who was taken down in the courtroom.

-Disorderly behavior.

-Advised that child support defendant was coming to courthouse to kill a judge.

-No security nor deputies in courtroom during sentencing.

-Drunk threatened suicide at his home and told officers he would kill me.

-Adult county inmate in a child support case escaped.

-There was a bomb threat-the juvenile justice complex was evacuated. We did not know where to go or what to do. It was UGLY!!!

-Defendant running away.

- Disorderly behavior by a criminal defendant in court requiring intervention.
- Threats between parties and threats between defendant and public defender.
- Verbal threats.
- No serious problems, just mouthing off which is handled quickly by bailiffs.
- Four prisoner escapes; three fist fights with prisoner and bailiff and have court many times with no bailiff/security at all. So take your pick.
- Disorderly parties and family members in domestic relations cases.
- No serious incidents recalled.
- One of our Circuit Judges ordered door security officers NOT to look inside stacks of boxes that were being brought into the courthouse by a defendant on trial for capital murder. The man was convicted of the offense. The Judge did not notify anyone else in the courthouse that he was ordering this breach of security rules. The Sheriff was unaware that his officers had been so ordered until after the incident was over.
- A defendant during a hearing before the court became belligerent and potentially violent and had to be taken down by law officers and cuffed.
- Someone broke into an outside window and rummaged the active criminal cases and then doused the files, computers, and office with a flammable liquid and set fire to it all.
- A criminal defendant was found guilty and became combative. The situation was quickly brought under control.
- Gun found on spectator leaving courtroom.
- 5" lock blade knife found on defendant with prior felony conviction for attempted murder of Federal Official.
- A bomb threat phoned into the courthouse.
- Only disorderly behavior.
- We have a litigant who makes threats (written) frequently. He may be harmless but it's hard to say.
- Verbal threat to court by litigant.
- An escape between this building and main courthouse about two months ago.

-The XXXXXXXX County Court Complex was burned due to Arson. All prisoners are brought through same courthouse doors across the district that all courthouse employees and court personnel come through.

-Lobby disputes between petitioner and respondent in Domestic Abuse cases.

-Bomb threats.

-We had a fight break out in the hallway outside the courtroom on the Monday after the Atlanta incident. Individual threatened to bring a gun back!

-Mentally deranged person struggled with two patrol deputies. Gun discharged in deputy's holster, bounced off concrete floor and missed clerk by inches.

-Generally, disruptive defendants in courtroom.

-Three fights in front of bench-required four staff to subdue, bailiff injured in one.

-A party threatened a witness. Had to be restrained then arrested.

Please describe the **MOST SERIOUS COURT SECURITY INCIDENT** that your court has experienced in the last six years.

-Most incidents with disturbed/frustrated parents occur after court in juvenile court lobby; there have been several potential 'incidents', particularly after termination of parental rights; however all were handled without physical violence.

-After being sentenced to time in detention, child wanted to jump on/beat-up parents.

-Battery of a defendant. Family jumped rail and battered defendant in a murder case. Scuffled with officer and attempted to get gun.

-Juvenile resisted violently arrest/incarceration.

-Divorce party left witness stand during his cross-examination, charged opposing council, broke door to courtroom and left building.

-Fight in hallway.

-Juvenile escaped and had to be apprehended after sentenced to detention.

-When I removed custody of children from a mother who tested positive for meth and animal tranquilizers, she rushed the bench, threw her purse at me, and bailiff had to tackle her to prevent her from reaching the bench.

-Shots were fired into the courthouse at my end of the building. It was approximately 11p.m. and I was in the building at the time.

-Two medical emergencies.

-Advised that child support defendant was coming to courthouse to kill a judge.

-Victim family member in double homicide getting into conflict with defendant's family members in courtroom during sentencing.

-Fight in courtroom when sheriff let a murder defendant visit family in courtroom and victim's family started fighting him.

-Deputies using a hand held wand did not know how it worked so the courthouse could have been full of weapons and probably was.

-Generalized threat by a defendant in a dependency-neglect case to cause possible harm to someone at court or perhaps away from court.

-Disorderly behavior by a criminal defendant in court requiring intervention.

- Threats between parties and threats between defendant and public defender.
- Defendant escaping while jury deliberating.
- Verbal threats.
- Parties in a lawsuit we were having got into a fight in the hallway and caused quite a disturbance but nothing really bad happened.
- Rough housing between parties.
- The one and only time we used a metal detector 53 weapons were detected!
- Two bomb threats.
- During closing argument a defendant attempted to strike Deputy Prosecutor from behind with a chair. Fortunately that day there were additional police near the defendant because they anticipated problems with him and took him down quickly without harm.
- None-On occasion a party gets out of hand, but my bailiff anticipates the problem and quickly gets it under control.
- A friend of the victim mouthing off during sentencing hearing in a capital murder case.
- Only disorderly behavior.
- Defendant in divorce case, while shackled, picked up and threw water pitcher.
- Written threat to court requiring law enforcement security.
- Door Deputies not properly trained/supervised.
- A 17 year old juvenile high on meth made an attempt to come at me on the bench but bailiff intervened successfully.
- Threatening letters.
- Repeated bomb threats made to the XXXXX County Courthouse after the 9-11 incidents.
- Two attempted self mutilations, one with needle other with razorblade.
- Prisoner escaped by jumping through 2nd story window of courthouse.
- Defendant threw a microphone stand at the judge.

Please describe the one current court security problem that is your **MOST SERIOUS CONCERN**.

-Most serious concern is that of being somewhat separated from the deputies stationed at the doors: we are located in what might be considered a separate 'wing' of the building.

-Lack of communication.

-Unsearched and going to and from court. No searching of persons coming into court.

-Lack of full-time bailiffs.

-No security measures other than bailiff.

-Too many prisoners in courtroom!

-The flow of weapons in and out of court facilities during and between court sessions.

-Prisoners left alone or with no deputy in courtroom. Prisoners able to mingle with family, friends, spectators, and victim in the hallways and courtroom, families of defendants and victims not searched or made to go through metal detectors prior to entering courtroom.

-No screening for weapons.

-Courtroom doors not always locked when courtroom not in use; backdoor doesn't always close properly.

-Too numerous to mention.

-Lack of trained personnel. For the most part, our bailiffs are retired and over 65 years of age.

-Lack of magnetometers.

-Concealed weapons.

-No weapons check of public.

-Lack of secure parking.

-No full time trained security persons.

-No bailiffs. I hold court until very late hours and I have to escort the females to their cars.

- That too few people take seriously the need for adequate security all the time.
- That we have no security in XXXXXX County outside sheriff's office.
- Transporting criminal defendants to court.
- No courtroom security officer and no consistent weapons check.
- No consistency in who bailiff is and elderly bailiffs.
- Lack of panic buttons and security checkpoints.
- People coming and going in and out of the courtroom without having to go through a metal detector.
- No metal detector.
- Only one bailiff, who is part time, and he's untrained.
- No full time security staff with bona fide court/courtroom/security training.
- There is no security for the screening of visitors to the courthouse.
- The transportation of criminal defendants and their placement awaiting court appearances, and the ability of the transporting officers to react in the event of an incident.
- Lack of ANY screening of litigants and/or witnesses.
- There is a lack of security at the entry and exit points of the courthouse. Some are secured, but others are not.
- (Need for) Overall plan for courtroom security.
- That a person will get in the building and hide a weapon.
- Lack of sufficient law enforcement personnel available for courtroom security on plea days in Independence County.
- The lack of trained court security personnel. I fear a scene similar to Atlanta but in Domestic Relations cases and with the absence of security measures and staff it is a question of where someone is going to be hurt or killed not if.
- No way to screen for weapons, no courthouse security.

-The law enforcement officers do the best they can in trying to keep the prisoners separate from the general population going to, in and returning from the courtroom but the facilities are very inadequate to meet their needs. All prisoners, courthouse personnel and court officials travel through the same corridors that the prisoners go through. In XXXXXXXX County, the Circuit Judge and Trial Court Assistant have to walk directly in front of the seated prisoners in order to get from his chambers to the bench. The Trial Court Assistant had no other place to sit in the courtroom but in the same vicinity as the prisoners.

-All the local courthouse personnel have for security measures is panic buttons at their desks.

-There is no secure entrance in the XXXXXXXX County Courthouse. This building is 100 years old and had 4 access doors, i.e. north, south, east and west doors.

-If there is a violent offense to occur in the courtroom, there is no secure place for the law enforcement officer, aka bailiff to secure the individual. All he can do is try to remove this person from the courtroom, down a flight of stairs open to all and try to get outside to his vehicle.

-Folks bringing weapons in to courtroom.

-Lack of security in all respects.

-Lack of security staff in volatile domestic relations cases and not enough deputies on criminal docket days.

-Safe parking and courthouse entrance for judges and staff.

-Safety of witnesses and parties.

-There is no plan for any emergency-medical-natural or security.

-It is too easy to get weapons in courthouse.

-The most dangerous problem for our system is not being able to restrain a defendant in a jury trial until he does something to allow us to take preventative action. We may have good reason to believe a defendant is dangerous, but according to the Supreme Court he gets "one bite" before we can restrain.

-Physical altercations in courtroom-with possible weapons.

-Bailiff is elderly and not at all trained.

-I personally have had no serious security incidents, other judges in this courthouse have. The most serious security problem we have is that there is no deterrent to keep someone who intends to harm a judge or other courthouse employee from entering the courthouse and doing so. There is no security at the five courthouse entrances and none for the judges' chambers. We do have bailiffs in the courtroom during trials but this doesn't help when the judge is off the bench. We also have a single guard who "patrols" the halls, but for the most part this is useless since there are four floors in the building and he can only be in one hall. Further, most of the guards are in their 70's and incapable physically of handling a security incident.

-Openness of courthouse. Courtrooms remain open and unlocked all the time.

How many full-time court security staff do you currently have? How many part-time? Do you feel your current security staff is adequate?

-There is one bailiff in Division X, which to date has been adequate; however, it would be helpful to have constant security in the lobby.

-Four bailiffs, two security guards.

-One bailiff.

-Two part-time; not adequate.

-One part-time; adequate.

-None. Appear only for court. No security on duty in courthouse unless court being conducted-and then only in that courtroom.

-Three part-time, adequate, not really.

-1 full-time; 2 part-time, not adequate.

-One bailiff on court days only; well trained.

-Sheriff provides security on court days for criminal cases only.

-One full-time, one part-time, yes.

-No full or part-time. Not adequate security.

-Yes in XXXXXXXX County but when we know we have a problem in a case, we call for back up & we get it. We do need written policies and plans for the emergencies that can and often do happen in family court cases-very volatile cases!

-One part-time, adequate, no.

-One, yes.

-Barely adequate.

-Provided by the Sheriff of the respective county.

-Not adequate!

- I do not think the situation is safe or adequate.
- Several probation officers sit as bailiffs when necessary and also assist bailiff when necessary. Not adequate.
- One full-time, it is not adequate.
- Two part-time, not adequate.
- Not adequate.
- One part-time, not adequate.
- None. Sheriff's office provides deputies during court sessions.
- One bailiff, one part-time deputy. Not adequate.
- One bailiff for each judge-one for courthouse.
- One bailiff. No where near adequate security.
- One part-time armed bailiff (retired policeman) available on trial and hearing dates only. He is most capable, but one part-time is woefully inadequate security.
- Three door security guards and a bailiff for each courtroom full-time. The numbers are adequate-training & coordination is not.
- Two full-time, four part-time, adequate, yes.
- Bailiffs are assigned to courtrooms in each county by Sheriff of that county.
- I have a bailiff and an assistant bailiff. They work with our probation officers and therefore, I believe it is adequate.
- Not adequate.
- Four full-time.
- One part-time, not adequate.
- Four full-time, two part-time, not adequate.
- I have one full-time, others work on floor.
- Not at all adequate.

-We do not have a full-time security staff. We have to utilize the local law enforcement agencies to send an officer to be the court bailiff for each judge. If the law enforcement agency is short-handed or if there is more than one judge in that county, there are not enough law enforcement personnel to go around and we have to do without. The law enforcement officers from the XXXXXX County Sheriff's Office have no office in the XXXXXX County Courthouse.

-One full-time and he needs help on occasion.

-Four with no training.

-Two part-time in six courthouses. Not adequate.

-Answers will vary by county.

-One full-time. We need a bailiff to cover vacations and other absences.

-Not adequate. I think each judge should be provided with a state employed bailiff/security staff person.

-One bailiff-not adequate but is sufficient.

-Two, yes.

-One full-time bailiff; Deputies to escort criminal defendants; our staff is adequate.

-Adequate...not quite.

-I have a bailiff when in court; one guard is in the public.

-One part-time, not at all adequate for all court sessions.

Appendix D: Map of Arkansas Judicial Circuits

STATE OF ARKANSAS' JUDICIAL CIRCUITS

