

JUDICIAL COUNCIL OF CALIFORNIA
ADMINISTRATIVE OFFICE OF THE COURTS
455 Golden Gate Avenue
San Francisco, California 94102-3688

Report

TO: Members of the Judicial Council

FROM: Working Group on Court Security
Hon. Richard D. Aldrich, Chair
Malcolm Franklin, Working Group Staff, 415-865-8830
Michael I. Giden, Working Group Counsel, 818-558-4802

DATE: August 15, 2008

SUBJECT: Court Security Plans (adopt Cal. Rules of Court, rules 10.172 and 10.173; repeal Cal. Stds. Jud. Admin., std. 10.40) (Action Required)

Issue Statement

New rules of court are required to implement the provisions of Government Code section 69925, which directs the Judicial Council to provide the subject areas to be addressed in a court security plan, establish a process for the review of such plans, and specify the most efficient practices for providing court security.

In addition, although standard 10.40 of the Standards of Judicial Administration addresses court security, its directions conflict with section 69925 and it does not adequately provide a review process. It should therefore be repealed.

Recommendation

The Working Group on Court Security (Working Group) recommends that the Judicial Council, effective January 1, 2009:

1. Adopt rules 10.172 and 10.173 of the California Rules of Court to establish the areas to be addressed in a court security plan, provide a process for the review of such plans, and require each court to form a court security committee to advise the presiding judge, and
2. Repeal standard 10.40 of the Standards of Judicial Administration.

The text of proposed rules 10.172 and 10.173 is attached at pages 7–11. Standard 10.40 is attached at pages 11–13 and, for reference, Government Code section 69925 is attached at page 14. A copy of the proposed *Court Security Plan Guidelines*, which is referenced in proposed rule 10.172, is also attached for reference purposes at pages 29–36.

Rationale for Recommendation

Currently no rules fully implement the provisions of Government Code section 69925, which directs the Judicial Council to provide the subject areas to be addressed in a court security plan and to establish a process for the review of court security plans. The purpose of the court security plan is to ensure that the individuals responsible for court security consider and address all aspects of court security.

Although standard 10.40 addresses court security plans, its directions conflict with section 69925 requirements. Standard 10.40 gives the trial courts sole authority to approve or reject the court security plan prepared by the peace officer designated as the court security officer; in contrast, section 69925 requires a collaborative effort between the court and the sheriff:

. . . the sheriff or marshal, in conjunction with the presiding judge, shall develop an annual or multiyear comprehensive court security plan that includes the mutually agreed upon law enforcement security plan to be utilized by the court. (Emphasis added.)

In addition to requiring the Judicial Council to specify the areas to be addressed in a court security plan and to establish a review process for completed plans, section 69925 requires the Judicial Council to specify practices for providing court security services:

The Judicial Council shall provide for the subject areas to be addressed in the plan and specify the most efficient practices for providing court security services. The Judicial Council shall establish a process for the review of court security plans by the Judicial Council in the California Rules of Court.

Standard 10.40 does not adequately address these requirements. Proposed rules 10.172 and 10.173 address all three requirements imposed on the Judicial Council, as explained below.

Proposed Rule 10.172

Proposed rule 10.172 concerns the scope and review of court security plans. Proposed rule 10.172(b) specifies 39 separate subject matter areas that must be addressed in a court security plan. The diversity of the 39 subject matter areas implements the mandate in Government Code section 69925 that a court security plan be comprehensive. The working group, which is composed of judges, sheriffs, and court executive officers, carefully determined, based on the collective experience of its members and the recommendations of staff with expertise in security matters, the areas that need to be addressed for a court to have a comprehensive court security plan. Subdivisions (d) and (e) of proposed rule 10.172 also provide a process for the submission and review by the Judicial Council of court security plans.¹

Those courts or sheriffs that require additional guidance on preparing a court security plan may obtain from the AOC's Emergency Response and Security Unit (ERS) a copy of the

Court Security Plan Guidelines (Guidelines), which was prepared by the Working Group on Court Security. A copy of the *Guidelines* is attached for informational purposes. The *Guidelines* are intended only to assist those courts that require additional guidance. Also, a court may consult directly with members of the staff of ERS if the court requires further help in preparing a court security plan.

Proposed rule 10.172(c) also requires the court and sheriff or marshal to conduct an assessment of court security at least once every two years. The purpose of this assessment is to assure that the court security plan is based on the most current needs of a court and the most current court security practices.

Proposed Rule 10.173

Proposed rule 10.173 requires each superior court to establish a standing court security committee (proposed rule 10.173(a)) and if appropriate, subcommittees (proposed rule 10.173(e)). The Working Group believes that a committee is the best and most efficient method for the presiding judge and sheriff to gain the information, expertise, and commitment from the relevant stakeholders and participants that is necessary to formulate and implement court security policies. The committee may advise the presiding judge and the sheriff on the preparation of court security plans and on the formulation and implementation of all other policies and procedures related to security for court operations and security for facilities where the court conducts its operations. (Proposed rule 10.173(b).) The committee is chaired by the presiding judge or his or her designee and must include (1) a representative of the sheriff, and (2) a representative from court administration. (Proposed rule 10.173(c).) The chair may appoint additional members, as appropriate, including representatives from facilities management and other relevant governmental agencies. (Proposed rule 10.173(c)(3).) In deference to the diversity among courts, the inner workings and scope of assignment for security committees is left to the discretion of each presiding judge.

Proposed rule 10.173 also requires the chair of the court security committee to designate for each facility a single contact person to coordinate activities in the event of an emergency and to collaborate with the court security committee. If desired, the chair may designate a single individual to coordinate for more than one facility.

Alternative Actions Considered

Because Government Code section 69925 requires the adoption of a rule of court, no other alternatives were considered.

Comments From Interested Parties

The proposed rules were first circulated for public comment from December 19, 2007, through January 25, 2008. Nine comments were received concerning the rules proposal. Two agreed with the proposal, one agreed only if modified, five did not agree, and one did not take a position. In addition, the proposed rules were reviewed by the Trial Court Presiding Judges Advisory Committee and Court Executives Advisory Committee Joint Rules

Working Group (Joint Rules Working Group). Based upon the comments received, the Working Group revised the proposed rules and re-circulated them for public comment.

The proposed rules, along with a copy of the *Guidelines* for reference purposes, were circulated for public comment a second time from April 22, 2008, through June 20, 2008. Ten comments were received concerning the rules proposal. Four agreed with the revised proposal, five agreed only if modified, and one did not agree. The comments and responses from the Working Group are summarized in the chart attached at pages 15–28. The most significant comments are discussed below.

Two commentators requested that the rules be modified to allow the presiding judge to delegate certain responsibilities for court security. The Working Group agrees that the presiding judge should be able to delegate specific tasks, but the responsibility for court security is vested jointly in the presiding judge and sheriff or marshal under the Superior Court Law Enforcement Act of 2002 (Government Code sections 69921–69927). In response to these comments, subdivision (f) of rule 10.172 has been added to clarify that a presiding judge may delegate specific duties but not responsibility for court security.

One presiding judge and one chair of a court security committee, on behalf of their court, expressed concerns that rule 10.172 would require too many subject areas to be addressed in a court security plan and that the *Guidelines* would require too much detail. They commented that the proposed rule will increase the workload of the courts, without any significant benefit. The Working Group believes that the number of subject areas is consistent with the mandate in Government Code section 69925 that a court security plan be “comprehensive,” and that compliance with the proposed rule will improve the quality of security in the courts. The Working Group notes that the *Guidelines* are not mandatory and are intended only to assist those courts that want more detailed guidance. (Advisory Committee Comment to proposed rule 10.172.)

The same court also expressed concern about whether court security plans would be subject to the California Public Records Act. With respect to the sheriffs’ offices, Government Code section 6254(f) explicitly exempts state and local agencies subject to the Public Records Act from disclosing documents reflecting security procedures. In addition, the sheriffs’ offices likely may withhold court security plans under Government Code section 6255, which authorizes withholding records where the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. With one exception not relevant here, judicial branch entities such as the superior courts and the AOC are not subject to the California Public Records Act. (See Gov. Code, § 6252(f); Cal. Const., art. VI, §§ 4 and 6.) Thus, neither the superior courts nor the AOC would be required to provide access to the court security plans under the Public Records Act. In addition, although the superior courts and the AOC recognize and support the public’s need for information about the judicial branch and strive to ensure public access to available information, they do so only in a manner consistent with applicable law and court and AOC policy, respectively. Maintaining the confidentiality of the court security plans is consistent with the exemptions provided for security procedures in the California Public Records Act.

The same court also commented that proposed rule 10.173(e) should be modified. The court believes that because rule 10.173 would require the court to have a single contact person at each facility, the rule would require the court to set up a secondary security command structure, separate and apart from its existing security command structure. Proposed rule 10.173 does not require the court to set up an additional security command structure. Instead, it specifies that the chair of the security committee must designate a single individual to coordinate activities in the event of an emergency and to collaborate with the court security committee. In courts with multiple facilities, the chair may designate a single individual to represent more than one facility. The Working Group believes that in the absence of such a designation, the court would not be equipped to address day-to-day security concerns or handle emergency situation at each of its facilities. The role of this individual should be integrated into the court's existing security command structure, however, not be part of a secondary or additional security command structure.

The Joint Rules Working Group suggested that proposed rule 10.173 be modified to make the formation of a court security committee optional rather than mandatory. The Working Group on Court Security believes that a court security committee is the best and most efficient method for the presiding judge and sheriff to gain information, expertise, and commitment from the relevant stakeholders and participants. At its meeting on August 19, the Joint Rules Working Group withdrew its comment and agreed that court security committees should be mandatory.

At that same meeting, the Joint Rules Working Group expressed concern about courts meeting the November 1, 2009, deadline to complete a court security plan without the implementation by the AOC of a Web-based template. Staff informed the co-chairs of the Joint Rules Working Group that (1) ERS had already contracted with a vendor for a Web-based template, (2) the template would be available to courts by March 15, 2009, and (3) in the event that the Web-based template is not completed by March 15, the Working Group on Court Security will submit a report to the Judicial Council proposing a rule amendment to extend the November 1 deadline. The co-chairs of the Joint Rules Working Group confirmed that these measures satisfactorily addressed the working group's concerns.

Senate Majority Leader Gloria Romero, chair of the Senate Committee on Public Safety, submitted a comment requesting that proposed rule 10.172 be modified to include a subject matter area regarding public access to court proceedings. The proposed rule has been modified so that each court security plan is required to address how the provision of court security is consistent with existing legal rights to open court proceedings. (Proposed rule 10.172(b)(1)(X).)

Implementation Requirements and Costs

Implementation would require judicial and court staff time to attend meetings, prepare the court security plan, and conduct the court security assessment.

Implementation imposes the following deadlines:

- On or before November 1, 2009, each superior court must submit a court security plan to the AOC.
- On or before February 1, 2011, and each successive February 1, each superior court must report to the AOC whether it has made any changes to its court security plan and if so, identify each change made and provide to the AOC copies of the current court security plan and current assessment report.
- No later than July 1 of each year the Working Group on Court Security must submit to the Judicial Council a summary of the submissions received from the superior courts.

Attachments

Rules 10.172 and 10.173 of the California Rules of Court are adopted and standard 10.40 is repealed, effective January 1, 2009, to read:

1 **Rule 10.172. Court security plans**

2
3 **(a) Responsibility**

4
5 The presiding judge and the sheriff or marshal are responsible for developing
6 an annual or multiyear comprehensive, countywide court security plan.

7
8 **(b) Scope of security plan**

9
10 (1) Each court security plan must, at a minimum, address the following
11 general security subject areas:

12
13 (A) Composition and role of court security committees;

14
15 (B) Composition and role of executive team;

16
17 (C) Incident command system;

18
19 (D) Self-assessments and audits of court security;

20
21 (E) Mail handling security;

22
23 (F) Identification cards and access control;

24
25 (G) Courthouse landscaping security plan;

26
27 (H) Parking plan security;

28
29 (I) Interior and exterior lighting plan security;

30
31 (J) Intrusion and panic alarm systems;

32
33 (K) Fire detection and equipment;

34
35 (L) Emergency and auxiliary power;

36
37 (M) Use of private security contractors;

38
39 (N) Use of court attendants and employees;

40

- 1 (O) Administrative/clerk's office security;
- 2
- 3 (P) Jury personnel and jury room security;
- 4
- 5 (Q) Security for public demonstrations;
- 6
- 7 (R) Vital records storage security;
- 8
- 9 (S) Evacuation planning;
- 10
- 11 (T) Security for after-hours operations;
- 12
- 13 (U) Custodial services;
- 14
- 15 (V) Computer and data security;
- 16
- 17 (W) Workplace violence prevention; and
- 18
- 19 (X) Public access to court proceedings.
- 20
- 21 (2) Each court security plan must, at a minimum, address the following law
- 22 enforcement subject areas:
- 23
- 24 (A) Security personnel and staffing;
- 25
- 26 (B) Perimeter and entry screening;
- 27
- 28 (C) Prisoner and inmate transport;
- 29
- 30 (D) Holding cells;
- 31
- 32 (E) Interior and public waiting area security;
- 33
- 34 (F) Courtroom security;
- 35
- 36 (G) Jury trial procedures;
- 37
- 38 (H) High-profile and high-risk trial security;
- 39
- 40 (I) Judicial protection;
- 41
- 42 (J) Incident reporting and recording;
- 43

- 1 (K) Security personnel training;
- 2
- 3 (L) Courthouse security communication;
- 4
- 5 (M) Hostage, escape, lockdown, and active shooter procedures;
- 6
- 7 (N) Firearms policies and procedures; and
- 8
- 9 (O) Restraint of defendants.

10

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

13

14 **(c) Court security assessment and assessment report**

15

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

24

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

27

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

35

36 **(e) Plan review process**

37

38 The AOC will evaluate for completeness submissions identified in (d).
39 Annually, the submissions and evaluations will be provided to the Working
40 Group on Court Security. Any submissions determined by the working group
41 to be incomplete or deficient must be returned to the submitting court for
42 correction and completion. No later than July 1 of each year, the working

1 group must submit to the Judicial Council a summary of the submissions for
2 the Judicial Council’s report to the Legislature.

3
4 **(f) Delegation**

5
6 The presiding judge may delegate any of the specific duties listed in this rule
7 to another judge or, if the duty does not require the exercise of judicial
8 authority, to the court executive officer or other court employee. The
9 presiding judge remains responsible for all duties listed in this rule even if he
10 or she has delegated particular tasks to someone else.

11
12 **Advisory Committee Comment**

13
14 This rule is adopted to comply with the mandate in Government Code section 69925, which
15 requires the Judicial Council to provide for the areas to be addressed in a court security plan and
16 to establish a process for the review of such plans. The Working Group on Court Security is
17 authorized by Government Code section 69927 and established by rule 10.170 for the purpose of
18 studying and making recommendation to the Judicial Council regarding court security matters.
19 For the assistance of the courts and sheriffs in preparing and submitting their court security plans,
20 the Working Group on Court Security has prepared “Court Security Plan Guidelines” with
21 respect to each of the subject areas identified in subsections (b)(1) and (b)(2). The courts and
22 sheriffs may obtain copies of the Court Security Plan Guidelines from the Administrative Office
23 of the Courts’ Emergency Response and Security Unit.

24
25 **Rule 10.173. Court security committees**

26
27 **(a) Establishment**

28
29 Each superior court must establish a standing court security committee.

30
31 **(b) Role of the court security committee**

32
33 The court security committee and any subcommittees advise the presiding
34 judge and sheriff or marshal on the preparation of court security plans and on
35 the formulation and implementation of all other policies and procedures
36 related to security for court operations and security for facilities where the
37 court conducts its operations. The presiding judge and sheriff or marshal may
38 delegate to a court security committee or subcommittee the responsibility for
39 conducting the court security assessment and preparing the assessment
40 report.

41
42 **(c) Members**

43
44 (1) The court security committee must be chaired by the presiding judge or
45 a judge designated by the presiding judge.

1
2 (2) In addition to the chair, each court security committee must include at
3 least one representative designated by the sheriff or marshal and either
4 the court executive officer or other court administrator as designated by
5 the presiding judge.

6
7 (3) The chair may appoint additional members as appropriate. Additional
8 members may include representatives from other government agencies,
9 including:

10
11 (A) The facilities management office of the government entity, or
12 entities, that hold title to or are responsible for the facilities where
13 the court conducts its operations;

14
15 (B) Local fire protection agencies;

16
17 (C) Agencies that occupy portions of a court facility; and

18
19 (D) Agencies other than the sheriff that manage local corrections or
20 state prison facilities.

21
22 **(d) Facility contact person**

23
24 In those courts having more than one court facility, the chair of the court
25 security committee must designate for each facility a single contact person to
26 coordinate activities in the event of an emergency and to collaborate with the
27 court security committee, at its request.

28
29 **(e) Subcommittees**

30
31 The chair of the court security committee may form subcommittees if
32 appropriate, including a subcommittee for each court facility. The chair must
33 determine the composition of each subcommittee based on the individual
34 court's circumstances.

35
36 **~~Standard 10.40. Court security~~**

37
38 **~~(a) Court security officer~~**

39
40 ~~Each trial court should designate a specified peace officer as Court Security~~
41 ~~Officer to be responsible to the court for all matters relating to its security,~~
42 ~~including security of courtrooms, buildings, and grounds. The peace officer~~
43 ~~designated as Court Security Officer should be the sheriff or the sheriff's~~

1 designee, except that where local conditions dictate otherwise another peace
2 officer may be designated. The Court Security Officer should be in
3 operational command of all peace officers and others charged with a court
4 security function while acting in that capacity and should be responsible for
5 the adequacy of security equipment, the competence training and assignment
6 of security forces, and the effective execution of the Court Security Plan
7 described in (b).

8
9 *(Subd (a) amended effective January 1, 2007.)*

10
11 **(b) — Preparation of court security plan**

12
13 Each court should require the Court Security Officer to prepare a Court
14 Security Plan for its review and consideration. The Court Security Plan
15 should:

- 16
17 (1) — Be the operational plan for achieving the desired level of security for
18 courtrooms, buildings, and grounds, including the planned allocation of
19 security forces and equipment;
20
21 (2) — Describe the place and functional assignment and the dress and arming
22 of all security forces (e.g., bailiffs), and propose plans for maintaining
23 courtroom decorum and safety within courthouses and grounds in high-
24 risk situations; and
25
26 (3) — Include an evaluation of the court's security needs, and an assessment
27 of the adequacy and effectiveness of the equipment and forces available
28 to meet those needs.

29
30 *(Subd (b) amended effective January 1, 2007.)*

31
32 **(c) — Adoption and review of Court Security Plan**

33
34 Each trial court should adopt, reject, or request modification of the proposed
35 Court Security Plan after giving due consideration to all local conditions
36 affecting its security and to the effect of the plan on the conduct of trials and
37 other proceedings. Each trial court should provide for a periodic review of its
38 security plan and for a periodic assessment of the effectiveness of its
39 execution.

40
41 *(Subd (c) lettered effective January 1, 2007; adopted as part of subd (b) effective July 1,*
42 *1971.)*

1 ~~(d) Wearing of firearms in court~~

2
3 ~~No trial court should approve a Court Security Plan that does not limit the~~
4 ~~wearing of firearms in the courthouse or courtrooms to peace officers and~~
5 ~~proscribe the wearing of firearms in such places by all other persons.~~

6
7 ~~(Subd (d) relettered effective January 1, 2007; adopted as subd (c) effective July 1, 1971.)~~

8
9 ~~(e) Security of Courts of Appeal~~

10
11 ~~Each Court of Appeal should review its security needs and, if necessary,~~
12 ~~should request personnel and equipment deemed necessary to maintain the~~
13 ~~desired level of security.~~

14
15 ~~(Subd (e) relettered effective January 1, 2007; adopted as subd (d) effective July 1, 1971.)~~

16
17 ~~Standard 10.40 amended and renumbered effective January 1, 2007; adopted as sec. 7 effective~~
18 ~~July 1, 1971.~~

CALIFORNIA CODES
GOVERNMENT CODE
SECTION 69925 as of August 15, 2008

69925. On and after July 1, 2003, the sheriff or marshal, in conjunction with the presiding judge, shall develop an annual or multiyear comprehensive court security plan that includes the mutually agreed upon law enforcement security plan to be utilized by the court. The Judicial Council shall provide for the subject areas to be addressed in the plan and specify the most efficient practices for providing court security services. The Judicial Council shall establish a process for the review of court security plans by the Judicial Council in the California Rules of Court. The Judicial Council shall annually submit to the Senate Judiciary Committee and Assembly Judiciary Committee a report summarizing the court security plans reviewed by the Judicial Council, including, but not limited to, a description of each plan, the cost involved, and whether each plan complies with the rules for the most efficient practices for providing court security services.

Court Security Plans (adopt Cal. Rules of Court, rules 10.172 and 10.173; repeal Cal. Stds. Jud. Admin., standard 10.40)

All comments are verbatim unless indicated by an asterisk (*).

List of All Commentators, Overall Positions on the Proposal, and General Comments				
	Commentator	Position	Comment	Working Group Response
1.	Georgia Ku San Jose, California	A	No specific comment.	No response required.
2.	Orange County Bar Association Cathrine Castaldi President	A	No specific comment.	No response required.
3.	Superior Court of Los Angeles County	AM	Each Court should be required to have a facilities representative on the committee. In the absence of such full or part-time person, Court should designate an executive team member to fill this role. See rule 10.173(d).	The working group agrees with the commentator’s proposal that a facilities manager be included on every court security committee. However, the working group received strong objections to the last draft of the proposed rule, which did require that a facilities manager be a member of the security committee. Accordingly, the working group believes that the choice should be left to the discretion of the individual court.
4.	Court Security Committee Superior Court of Orange County Hon. Nancy Wieben Stock Presiding Judge Hon. John D. Conley Chair, Court Security Committee	N	The Orange County Superior Court’s Security Committee wishes to respond to your latest revision of proposed California Rules of Court, 10.172 and 10.173 on court security plans and court security committees. Orange County Sheriff’s Captain Brian Cossairt, who heads the O.C. Sheriff’s Court Operations Division, sits on our committee and this letter expresses his views as well. <u>Rule 10.172, Scope of Court Security Plans.</u> There are countless aspects of security in our courts. Proposed rule 10.172(b) sets out the	Government Code section 69925 requires the sheriff or marshal, in conjunction with the presiding judge, to prepare a “comprehensive”

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

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List of All Commentators, Overall Positions on the Proposal, and General Comments			
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		<p>scope of the mandatory security plans each court must develop and submit to the AOC. Subsection (b) lists fully <u>38 separate areas that each security plan must cover</u>. This is not a listing of key subjects a security plan should cover. It seems to require a discussion in one document of <u>all</u> aspects of security. To adequately describe these 38 areas would be a tremendous undertaking, requiring <u>weeks</u>, maybe months of staff effort.</p> <p>This problem is illustrated by the AOC’s “Court Security Plan Guidelines” dated March 28, 2008, which are referenced in the rules, as a “Working Group Comment” at the end of proposed rule 10.173. [The referenced comment is now titled “Advisory Committee Comment” to make it consistent with Rule of Court style.] These Guidelines combined with the proposed rule require that court security plans provide enormous detail on all aspects of security operations. For example, the guideline on “Parking Plan” (p. 2) provides:</p> <p style="padding-left: 40px;">Detail each facilities parking program including areas dedicated to judges’ parking, signage, type of controlled entry system, staff security program for winter hours, etc. Include identified deficiencies in annual self assessment/audit.</p>	<p>court security plan. Based on this statutory language, the working group concluded that the court security plan <i>should</i> cover “<u>all</u> aspects” of court security. The number of areas provided by proposed rule 10.172 is, therefore, consistent with this statutory mandate. The working group, which is composed of judges, sheriffs, and court executive officers, carefully determined, based on the collective experience of its members, the areas that need to be addressed for a court to have a comprehensive court security plan.</p> <p>After considering the commentator’s remarks, the working group disagrees that proposed rule 10.172 requires an unreasonable or impractical level of detail. Proposed rule 10.172 does not require any level of specificity; it simply identifies those areas that must be addressed in a court security plan.</p> <p>The commentator’s concerns about specificity appear to be based on a misunderstanding of the role and purpose of the <i>Court Security Plan Guidelines</i>. As noted in the Advisory Committee Comment, the purpose of the <i>Court Security Plan Guidelines</i> is to assist courts and sheriffs in preparing their court security plans.</p> <p>The <i>Guidelines</i> are intended only as guidance. During the circulation of the previous version of these rules, some commentators, including the Superior Court of Orange County, stated that the</p>

Positions: A = Agree; AM = Agree if modified; N = Do not agree.

Court Security Plans (adopt Cal. Rules of Court, rules 10.172 and 10.173; repeal Cal. Stds. Jud. Admin., standard 10.40)

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List of All Commentators, Overall Positions on the Proposal, and General Comments			
Commentator	Position	Comment	Working Group Response
		<p>In Orange County we have 7 separate court facilities and several additional facilities not containing courtrooms. The court facilities have separate parking for judges, senior staff, regular staff and the public. There are signs on each. Access to each is different (key card in most, gate guard in Central). Simply summarizing what we are doing in Orange County in <u>parking</u> alone might run 20 pages.</p> <p>Other examples. The guideline “Interior and Exterior Lighting Plan” (p. 2) requires similar exhaustive detail on all exterior lighting for <u>each</u> justice center. The guideline “Court Security Landscaping Security Plan” (p. 2) requires detail on all courthouse landscaping, procedures for inspection of it, monitoring and removal of plants, particularly against facility walls.</p> <p>The guideline on “Holding Cells” on p. 5 requires a description of <u>all</u> the “holding areas where inmates including juveniles can be detained.” We have a minimum of two holding cells on each floor of the 11 story Central Justice Center, and the sub-basement is honeycombed with holding cells. A description of all holding cells in courthouses in Orange County would take about 50 pages, I would think. I hope you can visualize the amount of effort that this would require. However, I have</p>	<p>rule required too much detail; others stated that more detail was necessary. The <i>Guidelines</i> are intended to provide assistance to those courts that want it. In addition, as noted in the <i>Guidelines</i>, staff from the AOC’s Emergency Response and Security unit are available to assist on an individual basis.</p> <p>The <i>Guidelines</i>, however, do not recommend the level of specificity that the commentator suggests. To address one example cited by the commentator, the <i>Court Security Plan Template</i> does not require “exhaustive details” regarding lighting, rather, it recommends that a court “[d]ocument procedures for inspecting and maintaining interior and exterior lighting, including emergency lighting and exit signage.”</p> <p>As a second example, the <i>Guidelines</i> do not require a detailed description of each holding cell. Rather, the <i>Guidelines</i> recommend that a court describe the relevant holding <i>areas</i> and the relevant procedures for the use of such areas.</p>

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		<p>just noted a few of the <u>38 areas</u> that the security plan must address.</p> <p>Nor is this kind of detail required by statute. Section 69925 of the Government code simply states “The Judicial Council shall provide for the subject areas to be addressed in the plan . . .” The Council can be as general or detailed in its requirements as it chooses. It could ask for information on items A, B and C one year and on items D, E and F in another, for example.</p> <p>Let’s be practical. What is the actual, practical goal of a court security plan? Is it to be a massive binder of materials on <u>all</u> aspects of security in each county to serve as a reference for staff at the AOC? I doubt that the Legislature was interested in that goal. What goal is achieved by having such a laboriously composed compendium on a shelf in San Francisco? Even if it <u>were</u> occasionally a handy reference for AOC staff, look at its cost in time and effort the 58 Superior Courts? Can we afford to produce 58 “Rolls Royces” of security plans while facing definite budget cutbacks and possibly staff cutbacks as well? Is this the time for so massive a project?</p> <p>Why should busy courts in 58 counties be laboriously listing all their parking places, exterior lighting, courthouse landscaping, and</p>	<p>The purpose of the court security plan is to ensure that the individuals responsible for court security consider and address all aspects of court security. The purpose of the report to the Legislature on the security plans is to assure the Legislature that public funds allocated for court security are being used efficiently and appropriately. As the judicial branch and sheriffs continue their efforts to obtain adequate funding for court security, it is important that they demonstrate that they are accountable for the funds already appropriated for that purpose.</p>

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Court Security Plans (adopt Cal. Rules of Court, rules 10.172 and 10.173; repeal Cal. Stds. Jud. Admin., standard 10.40)

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		<p>holding cells? How does that really advance the cause of security in the various 58 courts. What is the benefit to them?</p> <p>Also, has anyone considered that these security plans may be subject to Public Records Act requests on the part of the media or interested citizens? Do we want that kind of detail potentially subject to public disclosure? Our Sheriff's Department is very concerned about this kind of disclosure.</p>	<p>The working group considered the relevance of the California Public Records Act to the submission and review of court security plans. With respect to the sheriffs' offices, Government Code section 6254(f) explicitly exempts state and local agencies subject to the Public Records Act from disclosing documents reflecting security procedures. In addition, the sheriffs' offices likely may withhold court security plans under Government Code section 6255, which authorizes withholding records where the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record. With one exception not relevant here, judicial branch entities such as the superior courts and the AOC are not subject to the California Public Records Act. (See Gov. Code, § 6252(f); Cal. Const., art. VI, §§ 4 and 6.) Thus, neither the superior courts nor the AOC would be required to provide access to the court security plans under the Public Records Act. In addition, although the superior courts and the AOC recognize and support the public's need for information about the judicial branch and strive to ensure public access to available information, they do so only in a manner consistent with applicable law and court and</p>

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		<p>B. <u>Rule 10.173 Court Security Committees.</u> The revision of this rule satisfied a number of the concerns we expressed with its prior version. We still have a problem with subsection (e), which requires the security committee to designate a single contact person in each facility “to coordinate activities in the event of an emergency.”</p> <p>As we stated in our response on the prior rule, we strongly believe that there should be no second “security command structure” apart from the already existing command structure of the Presiding Judge, Supervising Judge, and Court Executive Officer. Unity of command is essential in emergencies. Please see my comments in our letter of 1/24/08. [For reference, a copy of the relevant portion of that letter is attached as an exhibit at the end of this chart.]</p> <p>C. <u>Conclusion.</u> The Orange County Superior Court’s Security Committee still does not agree with the two proposed rules.</p>	<p>AOC policy, respectively. Maintaining the confidentiality of the court security plans is consistent with the exemptions provided for security procedures in the California Public Records Act.</p> <p>The working group has considered the commentator’s statement and disagrees with the commentator’s conclusion. Rule 10.173 would require the chair of the security committee to appoint a single contact person at each facility to coordinate activities in the event of an emergency and to collaborate with the court security committee. Rule 10.173 would not require the court to set up a secondary command structure “apart from the already existing command structure.” If the court’s current command structure does not include at least one individual at each facility, then the court will not be able to address day-to-day security concerns at each of its facilities or an emergency situation at one of its facilities.</p>

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	Commentator	Position	Comment	Working Group Response
5.	Superior Court of San Diego County Michael M. Roddy Executive Officer	A	No specific comment.	No response required.
6.	Superior Court of Santa Clara County Susan Garcia Director of Security/Facilities	A	No specific comment.	No response required.
7.	Superior Court of Tulare County Deanna Jasso Court Operations Analyst	AM	<p>Page 5, section (a) Responsibility – after the presiding judge add the words:</p> <p>“and/or designee.”</p> <p>Page 5, section (b) Scope of Security Plan – subsection (1) general security subject areas, add:</p> <p>“(X) Prompt reporting of security equipment issues (i.e. magnetometers, x-ray machines) to facility contacts that impact security levels in court facilities.”</p>	<p>The working group agrees with the commentator that the presiding judge should be able to delegate the work necessary to develop a court security plan. Under Government Code section 69925, however, the presiding judge, in conjunction with the sheriff, is specifically vested with responsibility for the development of such plans. The working group modified the rule to make explicit the ability of the presiding judge to delegate work. (See subdivision (f) of proposed rule 10.172.)</p> <p>The working group agrees that prompt reporting of security equipment issues is important but believes that an additional area does not need to be added to the court security plan. Policies regarding security equipment may be addressed in existing areas. Specifically, issues related to magnetometers and x-ray machines may be addressed under proposed rule 10.172(b)(2)(B), “Perimeter and entry screening.”</p>

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List of All Commentators, Overall Positions on the Proposal, and General Comments				
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			<p>Page 6 – Court Security Plan Guidelines – need to add in the Security Personnel Training section these other training topics:</p> <p>“ADA/Access Training and First Responder (First Aid/CPR/AED if applicable) training for security personnel.”</p>	<p>The working group agrees that the training described by the commentator is important. Rule 10.172 provides only the minimum of what areas must be addressed in a court security plan; under rule 10.172(b)(3), courts are encouraged to include additional information as appropriate. The working group will consider adding these items of training to the <i>Court Security Plan Guidelines</i> the next time the <i>Guidelines</i> are amended.</p>
8.	Bruce Doenges Court Facilities Director Superior Court of Ventura County	AM	<p>Page 5, Rule 10.172. Court Security Plans, (b) Scope of security plan:</p> <p>Change Section (1) Each court security plan must should, at minimum, . . .</p> <p>Page 6, Rule 10.172. Court Security Plans, (b) Scope of security plan:</p> <p>Change Section (2) Each court security plan must should, at minimum, . . .</p> <p>Page 7, Add to Section (c) Court security assessment and assessment report:</p> <p>First line: At least once every two years, the presiding judge or his/her designee and sheriff . . .</p>	<p>Government Code section 69925 requires the Judicial Council to provide “the subject areas <i>to be addressed</i> in a court security plan.” (Emphasis added.) This language does not make the areas optional, but mandatory. Accordingly, the working group cannot recommend adopting the commentator’s proposal that the subject areas to be addressed in a court security plan be recommended rather than optional. Where a particular subject area is not relevant to a particular court, the court should state that.</p> <p>The working group agrees with the commentator that the presiding judge should be able to delegate the work necessary to conduct a security assessment. The working group therefore modified the rule to make explicit the ability of the presiding judge to delegate work. (See subdivision (f) of rule 10.172.) In addition, rule 10.173(b) specifically authorizes a presiding judge to delegate to a court security committee</p>

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		<p>Page 7, Section (c) Plan review process:</p> <p>You should define the “Working Group on Court Security.”</p> <p>Page 8, Rule 10.173. Court security committees. Section (c) Members:</p> <p>Change as follows: . . . and either the court executive officer or other court administrator as designated by the presiding judge his/her designee.</p> <p>Page 9, (d) Facility contact person:</p> <p>Change as follows: In those courts having more than one court facility, the chair of the court security committee Court Executive Officer must designate for each facility a single contact person the local court facility management office or</p>	<p>the task of conducting a court security assessment and preparing the assessment report. The presiding judge and sheriff should, however, remain ultimately responsible for the preparation of the assessment, as they are for all other areas of court security.</p> <p>In response to this comment, the Advisory Committee Comment has been revised to include references to Government Code section 69927(a) and rule 10.170, which describe the “Working Group on Court Security.”</p> <p>The working group disagrees with the commentator’s proposal. The working group anticipates that the presiding judge and court executive officer will work together to guarantee that the presiding judge appoints the appropriate individual. Nonetheless, as the court official vested with responsibility for court security, it is the presiding judge that should make the final decision on which court administrators should be members of the court security committee.</p> <p>The working group agrees only with parts of the commentator’s proposal.</p> <p>With respect to the proposal that the court executive officer designate the contact person, the working group disagrees for the same reasons stated in response to the comment above.</p>	

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			<p><u>other contact person</u> to coordinate activities in the event of an emergency and to collaborate with the court security committee, at its request. <u>This procedure should be in keeping with the local court’s Continuity of Operations Plan.</u></p>	<p>With respect to the proposal that the rule specify that the local court facility management officer be specifically identified, the working group disagrees. The working group agrees that the local court facility management officer may be an ideal contact person but believes that the choice should be left to the discretion of the individual court.</p> <p>With respect to the comment that procedures should be consistent with a court’s continuity of operations plan, the working group agrees but believes that it is unnecessary to modify proposed rule 10.173. It is implicit that the various plans and policies adopted by a court should be consistent with each other.</p>
9.	<p>The Trial Court Presiding Judges Advisory Committee (TCPJAC)/Court Executives Advisory Committee (CEAC) Joint Rules Working Group Patrick Danna Court Services Analyst/Lead AOC Staff</p>	AM	<p>The Trial Court Presiding Judges Advisory Committee (TCPJAC)/Court Executives Advisory Committee (CEAC) Joint Rules Working Group originally commented on this proposal in January 2008 and is very satisfied with the updated proposal that incorporated their January 2008 feedback.</p> <p>An additional comment is raised by the TCPJAC/CEAC Joint Rules Working Group that the rule requiring the courts to create a security committee should not be mandated within the rule, but recommended as a best practice.</p>	<p>It is the consensus of the working group that a court security committee is the best and most efficient method for the presiding judge and sheriff to gain the information, expertise, and commitment from the relevant stakeholders and participants. Although the presiding judge and sheriff are ultimately jointly responsible for security in a court, many other stakeholders and participants may offer additional knowledge and expertise necessary to successfully formulate and implement security in the courts.</p> <p>The purpose of the court security committee is to advise the presiding judge and sheriff or marshal on the preparation of court security</p>

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				<p>plans and on the formulation and implementation of all other policies and procedures related to security for court operations and facilities. The presiding judge and sheriff may also delegate to a court security committee or subcommittee the responsibility for conducting the court security assessment and preparing the assessment report.</p> <p>The working group recognizes that the diversity among courts requires that they have significant discretion in determining the membership, management, and responsibilities of a court security committee. Thus, the working group has identified only minimal requirements for a court security committee. The required members include only the presiding judge or his or her designee, a representative from the sheriff, and a court administrator. The chair may appoint other members as appropriate. The inner workings and scope of assignment for security committees are left to the discretion of each presiding judge. But, the necessity of bringing the relevant stakeholders and participants into the planning and implementation of court security is clear.</p>
10.	Senator Gloria Romero Chair, Senate Public Safety Committee	AM	<p><u>Suggested changes to proposed rules:</u></p> <p>On page 7, line 9, insert a new (3) as follows and change “(3)” to “(4)”</p>	The working group agrees that a court security plan should address how the delivery of court security is implemented in a manner consistent with existing law on public access to open court proceedings. The working group has added

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		<p>(3) Each court security plan must address how the presiding judge and sheriff will ensure that security services are provided in a manner that protects the Sixth Amendment right of criminal defendants to a public trial and the right of public access to court proceedings under the First Amendment and Section 124 of the Code of Civil Procedures.</p> <p>On page 8, line 5, delete “(b)(1) and (b)(2)” and insert:</p> <p>(b)(1), (b)(2), and (b)(3)</p> <p>On page 8, line 36, after “include” insert:</p> <p>a representative from a state or local Bench-Bar-Media Committee or</p> <p><u>Suggested changes to proposed Court Security Plan Guidelines:</u></p> <p>On page 7, after the last line, insert:</p> <p>Constitutional Rights</p> <p>Describe policies and procedures for ensuring that security services are provided in a manner</p>	<p>subdivision (b)(1)(X) of rule 10.172 to address this subject area.</p> <p>The Working Group agrees that communications between the court and the local community are important to formulate and implement court security. But there are ways of facilitating such communication without including members of the public or the media on an internal court committee. In addition, some aspects of court security are confidential and should not be shared with the public to be effective.</p> <p>The working group agrees that the <i>Court Security Plan Guidelines</i> should address issues of public access and communications with media and other local groups. Language similar to that proposed by the commentator has been added to the <i>Guidelines</i>.</p>

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Court Security Plans (adopt Cal. Rules of Court, rules 10.172 and 10.173; repeal Cal. Stds. Jud. Admin., standard 10.40)

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		that protects the Sixth Amendment right of criminal defendants to a public trial and the right of public access to court proceedings under the First Amendment and Section 124 of the Code of Civil Procedure. Describe the training to be provided to ensure that courtrooms remain open to the public unless a lawful court order authorizes closure. Describe outreach efforts to local media and any Bench-Bar-Media Committee to facilitate discussion of concerns about fair trials, the free press, and other key issues affecting the courts, the media, and the public.	

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Excerpt From Comment Received in Response to First Invitation to Comment

From Hon. John D. Conley, Superior Court of Orange County, on January 24, 2008

The Orange County Superior Court’s Security Committee wishes to respond to the proposed California Rules of Court, rules 10.172 and 10.173 on court security plans. Orange County Sheriff’s Cpt. Brian Cossairt, who heads the Sheriff’s Court Operations Division, sits on the committee, and this response expresses his views as well. [¶]

. . . We feel that the rule’s proposal to set up a security command structure—apart from the already existing one of the presiding judge, supervising judges, and court’s executive officer—would be a mistake. In an emergency situation (and we have experienced several in the past two years) you need a unified approach. The chair of the Court Security Committee and its members or delegates should not be an “on the shelf” command structure, just used in emergencies. First, The PJ has the responsibility of running the court. This cannot be delegated to other judges. Second, Security Committee members are usually trial judges, who are not immediately available to deal with crisis situations. In Orange County we have experienced enough difficulties with coordination between the sheriff and the court in handling crisis situations, e.g., in one instance deputy sheriffs were told by their command staff to evacuate a justice center, but court staff were not told to evacuate by our chain of command, thus potentially leaving court staff unprotected in the building. Speaking personally, I know that as chairperson of the Security Committee during several crisis situations, I had jury trials in progress each time. It was comforting to know that the PJ, APJ, and senior court staff could devote full time if necessary to the crisis. I could not.

Unity of command is a bedrock principle of management. We need not and should not set up a mandatory, separate command structure for security in emergencies.



Court Security Plan Guidelines

AUGUST 15, 2008



ADMINISTRATIVE OFFICE
OF THE COURTS

EMERGENCY RESPONSE AND SECURITY

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

GENERAL SECURITY ELEMENTS

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

Court Security Committee

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

Executive Team

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

Incident Command System

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

Self-Assessments and Audits

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

Mail Handling

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

Identification Cards and Access Control

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

Courthouse Landscaping Security Plan

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

Parking Plan

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

Interior and Exterior Lighting Plan

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

Intrusion and Panic Alarm Systems

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

Fire Detection and Equipment

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

Emergency and Auxiliary Power

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

Private Security Contractors

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

Court Attendants and Employees

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

Administrative/Clerk's Office Security

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

Jury Personnel and Jury Rooms

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

Public Demonstrations

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

Vital Records Storage Security

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

Evacuation Planning

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

After-Hours Operations

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

Custodial Services

Detail supervision of custodial personnel, including hours of operation, after-hours work, controls on trash removal, etc. Describe the contract or human resource policy on employee

screening and background checks. Include contact information for business hours and after hours.

Computer and Data Security

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

Workplace Violence Prevention

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

Public Access to Court Proceedings

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

LAW ENFORCEMENT SECURITY ELEMENTS

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

Security Personnel and Staffing

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

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

Perimeter and Entry Screening

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

the type of signage used to notify individuals of the court's screening policies and prohibited items. Include any exceptions to weapons screening for peace officers, employees, etc.

Prisoner and Inmate Transport

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

Holding Cells

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

Interior and Public Waiting Areas

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

Courtroom Security

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

Jury Trial Procedures

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

High-Profile and High-Risk Trials

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

Judicial Protection

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

Incident Reporting and Recording

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

Security Personnel Training

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

Courthouse Security Communication

Describe each type of security communication used.

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

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

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

Describe duress/panic alarm response procedures.

Hostage, Escape, Lockdown, and Active Shooter Procedures

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

Firearms Policies and Procedures

Describe procedures and policies for the following areas:

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

Restraint of Defendants

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