

Wyoming Court Security Commission Meeting Minutes August 14, 2019 ~ Riverton, Wyoming

The Wyoming Court Security Commission met on August 14, 2019, at the Fremont County Riverton Justice Center. Court Security Commission members in attendance via personal appearance, video or phone were: Justice Keith Kautz, Deputy Director Leland Christensen, Judge Marv Tyler, Judge Wes Roberts, Representative Jared Olsen, Commissioner Mike Colling, Director Steve Woodson, County Attorney Daniel Erramouspe, and Sheriff Scott Matheny. Supreme Court personnel Lily Sharpe, Ronda Munger, Joe Hartigan and Becky Craig also attended.

Call to Order – Justice Keith Kautz, Chairman

Justice Keith Kautz opened the meeting. He welcomed and thanked the members for attending.

Approve Minutes of May 22, 2019 Meeting

Justice Kautz addressed the next order of business on the agenda: approval of the minutes from the May 22, 2019, meeting. He asked for comments, additions, corrections or changes. There being none, Judge Roberts moved, seconded by Sheriff Matheny, to approve the May 22, 2019, minutes as submitted. The motion passed unanimously.

Tour of Fremont County Riverton Justice Center

Justice Kautz explained that one of the primary goals of the meeting was to tour Riverton's new court facility to familiarize the Court Security Commission members with what's been achieved in Fremont County. This will help the commission provide input to other counties that are planning a similar project. Mr. Travis Becker, Chairman of the Fremont County Commissioners, gave the members of the commission a tour of the new courtroom. The meeting reconvened 30 minutes later.

Fremont County Riverton Court Security Committee – Lessons Learned

Judge Roberts related that after several years of diligence, Fremont County-Riverton was able to achieve their goal of building a facility that is contained within a small footprint and meets all their needs: secure, safe, functional, and properly sized for current use and for future expansion. He thanked the current and past commissioners for their work on the project. Judge Roberts detailed the history of their committee's initial meetings and the progression of the project from beginning to end. He also shared some of the lessons their Local Court Security Management Committee learned during the process of building their state-of-the art facility:

- Remember that it's not a matter of *if* you're going to have an issue arise, it's a matter of *when* and a matter of degree;
- Always have a committee;
- Have your judge be actively involved and be the leader of the committee;
- Make sure your key players are part of the committee;
- Meet regularly;
- Meet with a purpose, stay focused, and have an agenda;
- Set priorities and focus on them;
- Utilize the audit checklist that's used when courts are audited for grant funding and continue to use it;

- Develop a safety and security manual (may be required for SLIB funds); drill on it and practice it;
- Conduct ALICE training;
- Make your efforts well-thought-out;
- Be organized;
- Make reasonable and appropriate requests to your commissioners;
- Be diligent, vigilant and purposeful in what you do;
- Don't let your guard down;
- Follow the standards set out by the Court Security Commission.

Judge Roberts advised that if these steps are followed, the county will be prepared when an incident happens, they'll be ready to respond, and they'll either avoid a disaster or will greatly mitigate the harm that's caused to people and property. He offered his assistance to any local committees that would like to hear how their project was accomplished and how they can get their committees more actively involved. Justice Kautz stressed the importance of helping the local committees stay focused and active. Judge Roberts thanked his local committee members and county commissioners for attending, and he also thanked the Court Security Commission members for traveling to Riverton.

Incident Reports for Fiscal Year 2019 – Summary

Joe Hartigan noted that one of the duties of the Wyoming Court Security Commission, per W.S. 5-11-101, is to establish court security standards; of particular importance is Incident Reporting Standard #2014-1. He explained that on January 1, 2015, courts in Wyoming began submitting incident reports for security issues that occurred in their courthouses. From January 1, 2015 through June 30, 2019, a total of 248 incident reports have been submitted to the state. In 2016 there were 44 reports; 2017: 73; 2018: 51; and 2019: 43. Of the 94 reports that have been submitted over the past two years, 54 of the reports were submitted by Laramie County; i.e., 57% of the total reports received over two years were submitted by one county. While Joe acknowledged that Laramie County is one of the biggest counties and would understandably have a higher percentage of incidents, he believes there are many security incidents that are occurring across the state that are simply not being reported. Joe advised that in the past year, incident reports were received from only 8 out of 25 reporting entities (32%), and that there are four counties that have never submitted an incident report since adoption of the standard in 2014.

Joe reported that the past fiscal year reports include the following types of events:

- 14 Disorderly conduct reports
- 5 Medical emergency reports
- 10 Verbal threat reports
- 3 Emergency fire reports
- 2 Physical assault reports
- 2 Suspicious circumstance reports
- 1 of each of the following reports: Attempt to defraud drug test, suspicious package, interference with peace officer, suicide threat, knife in courtroom, found property, judicial safety intelligence

Joe brought to light an item of interest in Sweetwater County. Their local committee submitted a breakdown of the types of prohibited items that have been intercepted at their screening point. During the past fiscal year, 117 knives were reportedly intercepted. The opinion was voiced by several members of the commission that even if carrying a pocket knife into a courtroom is merely considered

an oversight, it should still be required to be reported—but should perhaps be reported with a notation of “incidental carry,” if it’s such. The importance of proper signage was also discussed. This enables people who are entering the courthouse or courtroom to be aware of the prohibited items and to act accordingly. This topic brought about lengthy discussion on the interpretation of the word “incident.” Justice Kautz, Judge Roberts, Representative Olsen, and Joe Hartigan will work on developing a definition. A suggestion was made that it should perhaps be described as an event that requires any type of response from security personnel, but that it should also include threatening phone calls that are made to the clerks.

Review of Materials and Resources

Justice Kautz encouraged the members to review the materials Joe Hartigan provided for the meeting.

Annual Reports – Review of Local Committee Annual Reports

Joe Hartigan reviewed the Annual Reports that were submitted per Standard 2009-1. Each local committee is to provide a report to the Court Security Commission by July 1st of each year on the status of court security in their county. He noted that there are 24 reporting committees in all. In the previous and current reporting periods, 23 out of 24 reports were submitted, with the missing report for both periods being from the same reporting entity. Joe expressed his concern that many of the reports are not being submitted in a timely manner (25% are submitted late), and that the quality of some of the reports is inadequate. He commented that there is a great variance from one county to another. Joe identified the local committees that are submitting well-thought-out reports, from which it’s obvious they’re holding meetings and staying active. He also pointed out several annual reports as examples of committees that are not as active as they should be. Lengthy discussion was held regarding ways to encourage the local committees to provide timely, quality annual reports. Justice Kautz mentioned that the Supreme Court should also be submitting an annual report. He and Joe Hartigan will prepare the Supreme Court’s annual report for the next reporting period.

Annual Reports – Strategies for Improvement

Lengthy discussion was held by the commission members regarding how to improve the contents of the Local Court Security Committees’ annual reports and the frequency they are submitted. Discussion was also held regarding who should serve as the chairmen of the committees and who should be required to sign the annual reports. Justice Kautz and Ronda Munger will assemble the various documents that were discussed by the commission, which they’ll circulate to the members by email prior to the next meeting.

Grant Funds Update – Summary of Grant Funding Reimbursements

Ronda Munger reviewed an accounting of the \$400,000 in appropriated funds the Supreme Court received from the Legislature in 2018 for court security grant awards. She explained that \$115,000 of the \$400,000 in grant funds have been paid out to date. Ronda also advised the commission that the Sheridan County Commissioners, who had indicated they were going to relinquish their remaining unspent grant monies, subsequently requested they be allowed to spend the remaining funds on additional AEDs (automated external defibrillators). This would enable them to have an AED on each floor of their courthouse as recommended in their Court Security Assessment. Ronda advised the commission that the Sheridan County Commissioners’ request was approved.

Ronda also commented that one of the big successes derived from funds having been granted to Carbon County is the 1% Specific Purpose Tax (a/k/a 6th Penny Tax) that the county and each of its municipalities overwhelmingly passed during a special election. Approximately 18 million dollars

from the tax will be used for renovations to the Carbon County Courthouse and the Carbon Building. Although Carbon County only received \$226,000 of the grant monies provided by the Legislature, the county is going to expend their grant funds in tandem with its 6th Penny Tax monies to “enhance staff and public safety.” This illustrates that it’s not only state grant funds that are being expended—the counties are doing their part as well.

Next Meeting

Discussion was held about the frequency the Wyoming Court Security Commission’s meetings are being held and who attends the meetings. It was suggested that the sheriffs and local committee chairmen be invited to the commission meetings. A suggestion was also made that the commission meet quarterly. Ronda pointed out that she provides quarterly reports concerning the Court Security Commission to the Board of Judicial Policy and Administration (BJPA), and it would be helpful for the commission to meet prior to the BJPA meetings. Deputy Director Christensen moved, seconded by Sheriff Matheny, to meet quarterly and to hold the meetings approximately a month in advance of each BJPA meeting. The motion passed unanimously. Ronda will send an email to the members to gather available dates for the November meeting that will be held in Pinedale, Wyoming. Justice Kautz will send an invitation to the local committees prior to each meeting to ask if there are topics they would like to add to the agenda, information they would like to receive from the commission, and actions the commission could take that would help their efforts.

Meeting Adjourned

Actions Taken:

1. The commission approved the minutes from its May 22, 2019, meeting.
2. The commission voted to hold quarterly meetings that are scheduled approximately a month in advance of each BJPA meeting.

Action Items:

1. Justice Kautz, Judge Roberts, Representative Olsen and Joe Hartigan will develop a definition of the word “incident” to enable the Court Security Incident Report form to be a more useful tool.
2. Justice Kautz and Joe Hartigan will prepare and submit annual reports for the Wyoming Supreme Court for future reporting periods.
3. Justice Kautz and Ronda Munger will assemble the various documents that were discussed by the commission relative to improving submission of annual reports. They will circulate the materials to the commission members prior to the November meeting.
4. Ronda will email the commission members to gather available dates for the November meeting.
5. Justice Kautz will send an invitation to the local committees prior to each meeting to ask for topics for the agenda, information the committees would like to receive from the commission, and ideas for actions the commission could take that would help the committees.