

Court Security Advisory Committee

As of September 16, 2015

Hon. Thomas M. Maddock, Chair
Judge of the Superior Court of California,
County of Contra Costa

Mr. Michael M. Roddy
Court Executive Officer
Superior Court of California,
County of San Diego

**Hon. Patricia Bamattre-Manoukian,
Vice-Chair**
Associate Justice of the Court of Appeal
Sixth Appellate District

Hon. Jaime R. Román
Judge of the Superior Court of California,
County of Sacramento

Hon. Jeffrey G. Bennett
Judge of the Superior Court of California,
County of Ventura

TRIAL COURT PRESIDING JUDGES ADVISORY COMMITTEE LIAISON

Ms. Deena Fawcett
Clerk/Administrator
Court of Appeal
Third Appellate District

Hon. Gregory S. Gaul
Presiding Judge of the
Superior Court of California,
County of Shasta

Ms. Melissa Fowler-Bradley
Court Executive Officer
Superior Court of California,
County of Shasta

GOVERNMENTAL AFFAIRS LIAISON

Mr. Cory Jaspersen
Director
Governmental Affairs
Judicial Council of California

Ms. Deborah Norrie
Court Executive Officer
Superior Court of California,
County of Plumas

LEGAL SERVICES LIAISON

Mr. Michael I. Giden
Supervising Attorney
Legal Services
Judicial Council of California

Hon. Charlene F. Olmedo
Judge of the Superior Court of California,
County of Los Angeles

JUDICIAL COUNCIL STAFF TO THE COMMITTEE

Mr. Darrel E. Parker
Court Executive Officer
Superior Court of California,
County of Santa Barbara

Mr. Edward Ellestad
Acting Manager, Security Operations
Real Estate and Facilities Management
Judicial Council of California



JUDICIAL COUNCIL
OF CALIFORNIA

COURT SECURITY
ADVISORY COMMITTEE

www.courts.ca.gov/courtsecurityadvcomm.htm
courtsecurityadvcomm@jud.ca.gov

COURT SECURITY ADVISORY COMMITTEE

MINUTES OF OPEN MEETING WITH CLOSED SESSION

June 24, 2015
10:30 a.m. to 1:30 p.m.
Teleconference

-
- Advisory Body Members Present:** Hon. Thomas M. Maddock, Judge, Superior Court of Contra Costa
Hon. Patricia Bamattre-Manoukian, Associate Justice, Court of Appeal, Sixth Appellate District
Ms. Deena Fawcett, Clerk/Administrator of the Court of Appeal, Third Appellate District
Ms. Melissa Fowler-Bradley, Court Executive Officer, Superior Court of Shasta County
Hon. Frederick Paul Horn, Judge, Superior Court of Orange County
Ms. Deborah W. Norrie, Court Executive Officer, Superior Court of Plumas County
Hon. Charlaine F. Olmedo, Judge, Superior Court of Los Angeles County
- Advisory Body Members Absent:** Hon. Jeffrey G. Bennett, Judge, Superior Court of Ventura County
Mr. Darrel E. Parker, Court Executive Officer, Superior Court of Santa Barbara County
Mr. Michael M. Roddy, Court Executive Officer, Superior Court of San Diego County
- Others Present:** Ms. Donna S. Hershkowitz, Director, Appellate Court Services and Court Operations Services, Operations and Programs Division, Judicial Council of California
Mr. Cory Jaspersen, Director, Governmental Affairs, Judicial Council of California
Hon. James R. Brandlin, Judge, Superior Court of California, County of Los Angeles
Mr. Michael I. Giden, Supervising Attorney—Legal Opinion Unit, Legal Services, Judicial Council of California
Mr. Edward Ellestad, Acting Manager—Office of Security, Court Operations Services, Operations and Programs Division, Judicial Council of California
Ms. Lisa Gotch, Court Services Analyst—Court Operations Services, Operations and Programs Division, Judicial Council of California

OPEN MEETING

Call to Order and Roll Call

The chair called the meeting to order at 10:34 a.m., and staff took roll call.

Approval of Minutes

The advisory body reviewed and approved the minutes of the September 4, 2014, and October 23, 2014, Court Security Advisory Committee meetings.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

Info 1

Member, Liaison, and Staff Update

Judge Maddock provided information on upcoming vacant membership positions and appointments, new committee liaisons, and staff-related updates.

DISCUSSION AND ACTION ITEMS (ITEMS 1-1)

Item 1

Review and Approval of Report

Recommendations on the necessary emergency response and security functions for the branch, in accordance with Judicial Council Directive 125, described at www.courts.ca.gov/19567.htm. Justice Manoukian provided comments on the report that were recorded in track changes.

Action: Ms. Fowler-Bradley made a motion to approve the report as amended, and Justice Manoukian seconded. The motion was passed by unanimous voice vote.

ADJOURNMENT

There being no further open meeting business, the meeting was adjourned at 10:59 a.m.

Approved by the advisory body on enter date.



JUDICIAL COUNCIL OF CALIFORNIA

455 Golden Gate Avenue · San Francisco, California 94102-3688

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REPORT TO THE JUDICIAL COUNCIL

For business meeting on October 27, 2015

Title

Court Security: Report on Trial Court
Screening Equipment Replacement for Fiscal
Year 2014–2015

Agenda Item Type

Information Only

Date of Report

September 15, 2015

Submitted by

Judicial Council staff
Martin Hoshino, Administrative Director
Edward Ellestad, Acting Manager, Security
Operations, Real Estate and Facilities
Management

Contact

Vickie Akers, Court Services Analyst
415-865-4591
vickie.akers@jud.ca.gov

Executive Summary

The Screening Equipment Replacement Program has been in operation since fiscal year 2006–2007 and provides \$2.286 million in funding from the Trial Court Trust Fund to replace outdated or malfunctioning screening equipment in the trial courts. Each year the Administrative Director approves the list of entrance screening equipment to be funded that year through this program. This report updates the council on the entrance screening equipment that was replaced in fiscal year 2014–2015 using that funding.

Previous Council Action

On July 25, 2013, the Judicial Council approved the allocation of \$2.286 million from the Trial Court Trust Fund for the Screening Equipment Replacement Program managed by the Judicial Council Office of Security.¹ This amount has been allocated to the program each year since fiscal year (FY) 2006–2007. In December 2007, the Judicial Council delegated to the Administrative Director the authority to approve the expenditures of these funds.

¹ In 2015 the Office of Security was renamed the Security Operations unit, which remains responsible for managing the Screening Equipment Replacement Program.

On October 25, 2013, in its review of appropriate delegations to the Administrative Director, the Judicial Council maintained this delegation but required an annual report to the council on the screening equipment replaced in that year.

Policy and Cost Implications

Since FY 2006–2007, the Security Operations unit has managed the Screening Equipment Replacement Program to replace aged and malfunctioning entrance screening equipment in trial courts. As a result of limited funding and improvements in the life cycle of the equipment, in recent years, program funding has also been used to support extensions of service agreements that accompanied the initial purchase. Such agreements provide a cost-effective means to maintain the equipment for a longer life span and reduce costs for replacement equipment.

Equipment is generally replaced on an eight-year cycle. Replacement could happen sooner if the equipment gets very heavy use or breaks down and cannot be repaired or later if it gets little use and remains in working condition. The program spends approximately \$36,000 for each x-ray unit and \$5,600 for each magnetometer, including the delivery, installation, and training, as well as five years of on-site service coverage and estimated sales tax. After the expiration of the five-year service agreement, service agreements are renewed annually at a cost \$4,200 per year for an x-ray machine and \$900 per year for a magnetometer. The cost of some service agreements may vary based on model type.

In FY 2014–2015 the option to receive an advance against the total reimbursement amount was implemented and was utilized by 17 courts. This reduced the burden on their cash flow and allowed them to make the recommended purchases earlier in the fiscal year. Also, instead of allocating equipment purchase amounts using an estimated amount, the costs were calculated using the tax rates for each location, resulting in fewer funds left unspent at the end of the cycle.

The program budget has not changed since the program began, but costs and the amount of equipment have increased. To address the resulting budget shortfall, some equipment was replaced ahead of schedule in prior years, and some was delayed for replacement in FY 2014–2015. In order to more evenly spread the number of units due for replacement in any given cycle, the replacement period is being extended from 8 to 10 years. This change will take place over an estimated three-year period, starting in FY 2015–2016.

Table 1 details the expenditures from the Screening Equipment Replacement Program for fiscal year 2014–2015, including the name of each court that received equipment, the type(s) of equipment, and the actual expenditures. Total expenditures for the fiscal year were \$2,275,488. The balance that went unspent, \$10,512, will not be retained in the Security Equipment Replacement Program but will revert to the Trial Court Trust Fund.

Table 1. Screening Equipment Replacement Program Expenditures for FY 2014–2015*

County Name	Purchase Type	No. of Items Purchased	Cost Per Item (\$)	Amount Expended (\$)
Alameda	Magnetometer Service Agreement Extension	7	900	6,300
	X-ray Service Agreement Extension	8	4,200	33,600
Alpine	Magnetometer Service Agreement Extension	1	1,200	1,200
Butte	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	3	4,200	12,600
	X-ray Service Agreement Extension	2	6,500	13,000
	Equipment Transfer	1	1,853	1,853
Colusa	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	1	4,200	4,200
Contra Costa	X-ray Service Agreement Extension	1	4,200	4,200
Del Norte	Magnetometer Service Agreement Extension	2	900	1,800
	X-ray Service Agreement Extension	1	4,200	4,200
El Dorado	Magnetometer	4	5,527	22,107
	X-ray	4	34,674	138,697
Fresno	Magnetometer Service Agreement Extension	9	900	8,100
	X-ray Service Agreement Extension	7	4,200	29,400
	X-ray	1	35,062	35,062

County Name	Purchase Type	No. of Items Purchased	Cost Per Item (\$)	Amount Expended (\$)
Humboldt	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	1	4,200	4,200
	Magnetometer	1	5,569	5,569
	X-ray	1	35,068	35,068
Imperial	Magnetometer Service Agreement Extension	1	900	900
Inyo	Magnetometer Service Agreement Extension	2	900	1,800
	X-ray Service Agreement Extension	3	4,200	12,600
Kern	Magnetometer Service Agreement Extension	10	900	9,000
	X-ray Service Agreement Extension	4	4,200	16,800
Kings	Magnetometer Service Agreement Extension	3	900	2,700
	X-ray Service Agreement Extension	3	4,200	12,600
Lake	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	1	4,200	4,200
	Magnetometer	2	5,533	11,066
	X-ray	1	32,675	32,675
Los Angeles	Magnetometer Service Agreement Extension	6	900	5,400
	X-ray Service Agreement Extension	25	4,200	105,000
Madera	Magnetometer	3	5,583	16,748
	X-ray	3	35,808	107,423

County Name	Purchase Type	No. of Items Purchased	Cost Per Item (\$)	Amount Expended (\$)
Mendocino	X-ray	1	34,997	34,997
Merced	Magnetometer	6	5,533	33,196
	X-ray	3	34,799	104,398
Modoc	X-ray Service Agreement Extension	1	4,200	4,200
Mono	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	2	4,200	8,400
	Magnetometer	1	5,543	5,543
Monterey	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	1	4,200	4,200
	Magnetometer	6	5,574	33,447
	X-ray	3	34,920	104,760
Napa	Magnetometer Service Agreement Extension	2	900	1,800
Nevada	Magnetometer Service Agreement Extension	2	900	1,800
	X-ray Service Agreement Extension	2	4,200	8,400
Orange	Magnetometer Service Agreement Extension	2	900	1,800
	X-ray Service Agreement Extension	5	4,200	21,000
	Magnetometer	1	5,533	5,533
Placer	Magnetometer Service Agreement Extension	1	900	900
	Magnetometer	2	5,509	11,018

County Name	Purchase Type	No. of Items Purchased	Cost Per Item (\$)	Amount Expended (\$)
Riverside	Magnetometer Service Agreement Extension	32	900	28,800
	X-ray Service Agreement Extension	10	4,200	42,000
	X-ray	3	34,653	103,958
	Equipment Transfer	1	2,911	2,911
Sacramento	Magnetometer Service Agreement Extension	3	900	2,700
	X-ray Service Agreement Extension	2	4,200	8,400
	X-ray	1	33,772	33,772
San Diego	Magnetometer Service Agreement Extension	15	900	13,500
	X-ray Service Agreement Extension	11	4,200	46,200
San Francisco	Magnetometer	3	5,567	16,705
	X-ray	1	35,183	35,183
San Joaquin	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	3	4,200	12,600
	Magnetometer	5	5,545	27,725
	X-ray	4	35,303	141,212
	Equipment Transfer	1	4,500	4,500
San Luis Obispo	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	4	4,200	16,800
	Magnetometer	3	5,533	16,598
San Mateo	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	1	4,200	4,200

County Name	Purchase Type	No. of Items Purchased	Cost Per Item (\$)	Amount Expended (\$)
	X-ray	3	34,944	104,831
Santa Barbara	Magnetometer Service Agreement Extension	11	900	9,900
	X-ray Service Agreement Extension	6	4,200	25,200
Santa Clara	X-ray Service Agreement Extension	11	4,200	46,200
Shasta	Magnetometer Service Agreement Extension	3	900	2,700
	X-ray Service Agreement Extension	3	4,200	12,600
	Magnetometer	1	5,509	5,509
Siskiyou	Magnetometer Service Agreement Extension	1	900	900
	Magnetometer	1	5,509	5,509
Solano	Magnetometer Service Agreement Extension	2	900	1,800
	X-ray Service Agreement Extension	4	4,200	16,800
	Magnetometer	2	5,563	11,125
	X-ray	1	34,838	34,838
Sonoma	Magnetometer Service Agreement Extension	2	900	1,800
	Magnetometer	1	5,569	5,569
	X-ray	3	35,026	105,077
Stanislaus	Magnetometer Service Agreement Extension	4	900	3,600
	X-ray Service Agreement Extension	5	4,200	21,000
Sutter	Magnetometer	2	5,509	11,018
	X-ray	2	34,893	69,786

County Name	Purchase Type	No. of Items Purchased	Cost Per Item (\$)	Amount Expended (\$)
Tehama	Magnetometer Service Agreement Extension	1	900	900
	X-ray Service Agreement Extension	1	4,200	4,200
Trinity	X-ray Service Agreement Extension	1	4,200	4,200
Tulare	Magnetometer Service Agreement Extension	3	900	2,700
	X-ray Service Agreement Extension	1	4,200	4,200
Tuolumne	X-ray Service Agreement Extension	3	4,200	12,600
	Magnetometer	3	5,533	16,598
Ventura	Magnetometer Service Agreement Extension	6	900	5,400
Yolo	X-ray Service Agreement Extension	1	2,100	2,100
	X-ray	2	34,752	69,504
Yuba	Magnetometer Service Agreement Extension	2	900	1,800
	X-ray Service Agreement Extension	1	4,200	4,200
			Total Expended	\$2,275,488
			Total Budget	\$2,286,000
			Unspent Funds	\$10,512

* Costs and expenditure amounts are rounded.

1 **Rule 10.172. Court security plans**

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3 **(a) Responsibility**

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

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

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

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

13 (B) Composition and role of executive team;

14 (C) Incident command system;

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

16 (E) Mail handling security;

17 (F) Identification cards and access control;

18 (G) Courthouse landscaping security plan;

19 (H) Parking plan security;

20 (I) Interior and exterior lighting plan security;

21 (J) Intrusion and panic alarm systems;

22 (K) Fire detection and equipment;

23 (L) Emergency and auxiliary power;

24 (M) Use of private security contractors;

25 (N) Use of court attendants and employees;

26 (O) Administrative/clerk's office security;

27 (P) Jury personnel and jury room security;

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

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2 (M) Hostage, escape, lockdown, and active shooter procedures;

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4 (N) Firearms policies and procedures; and

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6 (O) Restraint of defendants.

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

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

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

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20 **(d) Submission of court security plan to the ~~Administrative Office of the Courts~~**
21 **Judicial Council**

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23 On or before November 1, 2009, each superior court must submit a court security
24 plan to the ~~Administrative Office of the Courts (AOC)~~ Judicial Council. On or
25 before February 1, 2011, and each succeeding February 1, each superior court must
26 ~~report~~ give notice to the ~~AOC~~ Judicial Council whether it has made any changes to
27 the court security plan and, if so, identify each change made and provide copies of
28 the current court security plan and current assessment report. In preparing any
29 submission, a court may request technical assistance from ~~the AOC~~ Judicial
30 Council staff.

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32 **(e) Plan review process**

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

1 (f) **Delegation**

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3 The presiding judge may delegate any of the specific duties listed in this rule to
4 another judge or, if the duty does not require the exercise of judicial authority, to
5 the court executive officer or other court employee. The presiding judge remains
6 responsible for all duties listed in this rule even if he or she has delegated particular
7 tasks to someone else.
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9 *Rule 10.172 adopted effective January 1, 2009.*

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11 **Advisory Committee Comment**

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