

Task Force to Ensure the Safety of Judicial Facilities

Meeting Minutes

July 11, 2024

Members Present:

Hon. Matthew J. Fader, Chair
Hon. E. Greg Wells
Hon. John P. Morrissey
Timothy Haven
Sean Wolcuff
Major Andy Johnson
Major Rebecca Labs
Hon. Yolanda Curtin
Hon. Brett Wilson
Hon. Shaèm Spencer
Hon. Geoffrey Hengerer
Steve Barlow
Dawn Luedtke
George Leonard Pfeffer
Sheriff Samuel Cogen
Sheriff Brian Albert
Senator Paul D. Corderman
Delegate William Valentine
Natasha M. Dartigue, Esq.
Hon. Athena Malloy Groves
Chief Marcus Jones
Chief Carl Schinner

Members Present via Zoom:

Hon. Audrey J.S. Carrión
Kelsey Goering
Secretary Carolyn J. Scruggs

Wanika Fisher
Sheriff Marcus Harris
Sloane Franklin
Chief Robert Odell McCullough
Lisa Yates
Raphael Santini
Elizabeth Theobalds

Others Present:

Judy Rupp
Olya Jerschkowsky
Charlie Kassir
Michelle Rolens
Pam Malech
Kelley E. O'Connor
Bradley Tanner
Chris Sharpes
Gillian Tonkin
Kendra Jolivet
Hannibal Kemerer
Jacob Pollicove

Amanda Miller – via Zoom
Jamie Walter – via Zoom
Lily Kleppertknoop – via Zoom

Members Absent:

Magistrate Maurice Frazier

1. Introductions and goals

A meeting of the Task Force to Ensure the Safety of Judicial Facilities was held on Thursday, July 11, 2024, at the Maryland Judicial Center, beginning at 4:00 p.m. Chief Justice Matthew J. Fader welcomed and thanked attendees for coming together in person and via Zoom and for their willingness to take part in the Task Force.

Following the 2024 Legislative Session, Governor Moore signed into law Senate Bill 575, Court Personnel – Protection of Personal Information (Judge Andrew F. Wilkinson Judicial Security Act). Senate Bill 575 created the task force to examine courthouse security issues and to explore sources of funding for improvements. On or before January 1, 2025, the Task Force shall report its findings and recommendations to the General Assembly.

The members introduced themselves.

2. Discussion and adoption of code of conduct

Pursuant to Senate Bill 575, the Task Force must adopt a Code of Conduct at its first meeting. A Code of Conduct was emailed to all Members on Wednesday, July 10, 2024. In sum, the Code:

- a. Describes origin and duties of the Task Force.
- b. Requires compliance with applicable laws.
- c. Identifies duties of the Chair.
- d. Establishes procedures for voting and meetings.
- e. Requires confidentiality.
- f. Establishes standards for public communications.

Chief Justice Fader sought approval to adopt the Code of Conduct. A motion was made, seconded, and the Code of Conduct was adopted unanimously at 4:23 p.m.

3. Scope of Task Force assignment

Chief Justice Fader summarized the scope of the Task Force's assignments. Senate Bill 575 requires that the Task Force identify minimum requirements for courthouse safety in the below areas:

- a. the number of security officers who should be present in each type of proceeding.
- b. minimum qualifications of security officers.
- c. minimum standards for secure entry and exit of judicial officers, including secure parking.
- d. minimum standards for safe public areas of courthouses.

The Task Force must also (1) develop a legislative proposal to ensure that the identified requirements are met and (2) identify physical security deficiencies that currently exist in courthouses and develop a plan to address those deficiencies.

On or before January 1, 2025, the Task Force shall report its findings and recommendations to the Chief Justice of the Supreme Court of Maryland and the General Assembly.

4. Responsibility for the provision and funding of security at judicial facilities

Chief Justice Fader summarized the responsibilities for the provision and funding of security at judicial facilities. Appellate courts and administrative facilities are State funded through the Judiciary budget and security is provided by Special Police Officers. The District Court of Maryland is State funded through the Judiciary and security is provided by District Court bailiffs. Circuit Courts are county funded through county budgets and security is provided by Sheriffs of each county.

5. Presentation by the Judiciary’s Internal Judicial Security Task Force (portions will be closed to the public)

a. General overview – Hon. Brett R. Wilson

Hon. Brett Wilson presented on behalf of the Judicial Security Task Force—a separate task force that is internal to the Judiciary—with a short clip showing a defendant attacking a Nevada judge during sentencing. The short clip highlighted security improvements that could be made at low cost to make the courtroom more protective.

Judge Wilson highlighted that the internal Judicial Security Task Force was initiated after Judge Wilkinson’s murder in October 2023. This task force identifies and works with administrative leadership at courthouses around the state to oversee assessments of physical and procedural security and recommend improvements in line with best practices. The task force also (1) reviews how threats against judicial officers and staff are handled and considers improvements; and (2) considers and makes recommendations concerning other issues implicating the security of judicial officers, judiciary staff, and everyone who enters a courthouse or other judiciary facility. Recommendations may include, for example, security outside court facilities and training programs.

b. Best Practices

Judge Wilson also discussed the task force’s three workgroups: Threat Analysis, Best Practices, and Court Security. The Threat Analysis workgroup gathers information on all known threat assessments to date, determines how to effectively address threats,

develops any proposals, and supports legislative initiatives for consideration in future legislative sessions.

The Best Practices workgroup researches best practices throughout the country, finds and investigates existing documents on best practices, seeks out news sources and persons/professionals with specific knowledge, and develops a best practices report. The National Center for State Courts (NCSC) is a helpful resource which identifies current and future trends in development of the law and works to improve court management and delivery of justice.

The Court Security workgroup developed a standardized protocol for assessing security in court locations throughout Maryland, analyzed and compared courthouse needs, determined priorities, and supported implementation of court security review.

Judge Wilson summarized the internal task force's Key Recommendations:

1. Do not conduct court sessions or hearings in the absence of a court security officer.
2. Do not use the main public courthouse entrance, public hallways, or public elevators if you can avoid doing so.
3. Request additional security for a high-risk trial or a high-risk person.
4. Do not allow the courtroom to become overcrowded.

*At 4:51pm, Chief Justice Fader proposed this meeting be moved to a closed session to discuss public and judiciary security, pursuant to Maryland Code, State Government Article, §3-305(b)(10) (ii), on the grounds that public discussion would constitute a risk to public security, including the development and implementation of emergency plans. Topic is potential threats to judicial officers and staff in public courthouses, public areas, and judiciary facilities and recommended preparations.

*At 5:24 p.m. closed session ended

6. Discussion of Priorities, Next Steps, and Future Meetings

Chief Justice Fader highlighted the four committees of the Task Force and requested that members reach out with committee preferences:

- 1) Standards
- 2) Costs/resources
- 3) Proposed Solutions
- 4) Courthouse Security Assessments

Committees will work in the interim between monthly meetings.

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Future discussions, any questions, or thoughts should be directed to the Task Force email – jstfmd@mdcourts.gov

Chief Justice Fader summarized the timeline and tasks of the Task Force: the next meeting will be in early August; the August meeting will focus on standards and information that has been collected thus far; September will highlight further standards and begin the topic of costs/resources; October will focus on standards, costs/resources, and begin proposed solutions; November meeting will continue standards, costs/resources, and proposed solutions, and begin work on report due January 1, 2025.

7. For the Good of the Order

Chief Justice Fader thanked everyone for attending and encouraged those on zoom to make their input known and to not be shy. Floor was opened for anything else to address. There being no further business, the meeting adjourned at 5:33 p.m.