

Task Force to Ensure the Safety of Judicial Facilities

Meeting Minutes

Wednesday, August 28, 2024

Members/Designees Present:

Hon. Brian Albert
Steve Barlow
Hon. Audrey Carrión
Sec. Atif Chaudhry
Hon. Samuel Cogen
Hon. Paul D. Corderman
Public Defender Natasha Dartigue
Hon. Matthew Fader, Chair
Sloane Franklin
Hon. Marcus Harris
Timothy Haven
Hon. Geoffrey Hengerer
Chief Marcus Jones
Maj. Rebecca Labs
Chief Robert McCullough
Hon. John Morrissey
Raphael Santini
Carl Schinner
Hon. Shaem Spencer
Hon. Greg Wells
Hon. Brett Wilson
Sean Wolcoff
Hon. William Valentine

Members/Designees via Zoom:

Hon. Yolanda Curtin
Hannibal Kemerer
Kelsey Goering
Hon. Marcus Harris
Maj. Andy Johnson
Hon. Dawn Luedtke
Hon. Juliet Fisher
Hon. George Pfeffer
Brian Diggs
Elizabeth Theobolds
Hon. Lisa Yates

Others Present:

Charles Kassir
Lilly Kleppertknoop - Zoom
Pam Malech
Amanda Miller
Andrea Murphy
Kelley O'Connor
Suzanne Pelz
Judy Rupp
Chris Sharpes
Bradley Tanner
Gillian Tonklin
Jamie Walter
Jennifer Young

A meeting of the Task Force to Ensure the Safety of Judicial Facilities was held on Wednesday, August 28, 2024, at the Maryland Judicial Center, beginning at 12:04pm. Chief Justice Fader welcomed attendees and then asked for approval of the minutes from the previous meeting. Judge Brett Wilson made a motion with a second from Raphael Santini. After hearing no objections, the minutes were approved.

Chief Justice Fader reviewed the four workgroups that have been formed to analyze various aspects of best security practices. The four workgroups are: Standards,

Cost and Resources, Solutions, and Review of Judicial Facilities. Judge Brett Wilson, chair of the Standards Workgroup, presented their findings during the meeting.

Standards Workgroup - Judge Brett Wilson

The Standards Workgroup was tasked with determining minimum security standards for court facilities statewide. The four areas studied were: (1) the minimum number of security officers present in each type of judicial proceeding; (2) minimum security qualifications for security officers; (3) minimum standards for secure entry and exit of judicial officers from court facilities; and (4) minimum standards for safe public areas of courthouses. Judge Wilson presented general recommendations in addition to the recommendations for minimum security standards.

General Recommendations

Judge Wilson reviewed the following general security recommendations formulated by the Standards Workgroup:

1. Confidentiality of Court Security Plans
The workgroup recommends security plans and documents be excepted from discovery pursuant to a Public Information Act Request and Title 16, Chapter 900 of the Maryland Rules. Changes to the Rules and proposed legislation should be requested to accomplish the exceptions.
2. Periodic Facility Reviews and Evaluations
The workgroup recommends that an appropriate committee or task force conduct periodic reviews of judiciary facilities, evaluate its findings, and implement recommendations and updates as needed.
3. Universal Training in Behavioral Threat Assessment
The workgroup recommends Judiciary-wide training in behavioral assessment both when service is commenced with the Judiciary and every three years thereafter. The Task Force discussed the benefit of expanding that training to other personnel working in courthouses.
4. Maryland Judiciary Security Training and Standards Commission
The workgroup recommends that the Judiciary establish a commission, that fits in the Judicial Council structure, that would develop and maintain the standards for initial and on-going training for all personnel involved in court security.
5. All Court Security Officers Granted Judicial Protection Authority

The workgroup recommends that court security officers, that are not sworn law enforcement officers, be granted the authority to provide security for judicial officers away from the court facility.

Minimum Security Standards

Judge Wilson continued his presentation with workgroup recommendations addressing the four minimum security standards identified in the Judge Andrew F. Wilkinson Judicial Security Act.

1. Minimum Number of Security Officers

The workgroup studied the minimum number of security officers that should be present in each type of judicial proceeding in an Appellate, Circuit, or District Court courtroom. The workgroup concluded that the minimum standard was at least one Court Security Officer (CSO) be present in every live hearing room. The gold standard is two or more CSOs in every live hearing.

The workgroup recommended: (1) a roving CSO on each floor of a court facility to ensure safety in the public areas and assist as needed; (2) a risk assessment of a proceeding by the presiding judge to determine whether an additional CSO is needed; and (3) pursuant to an emergency plan developed by a court's Security Committee, identify other security assets that may be necessary to respond to a serious and emergent situation at a courthouse.

A general discussion followed among task force members on whether the minimum standard of one CSO was adequate and whether it should be increased to two.

2. CSO Qualifications

At a minimum, the workgroup felt CSOs and other armed personnel must be physically capable and meet the same requirements as a Special Police Officer. CSOs would be required to receive additional court-specific training, training in basic court security responsibilities, emergency response training, and critical incident command and crisis communications training.

For others who serve as courthouse security but are not CSOs, or other armed personnel, are considered Ancillary Security Personnel (ASP). Each should receive training on operation of security devices and critical incident command and crisis communications training.

Task Force members generally discussed other specialized trainings such as mental health training and de-escalation training. There was general agreement that such training should be provided to all CSOs. Members asked

for clarification on the different types of security personnel throughout the courthouses statewide. Specifically, the difference in the authorities of a District Court bailiff, a civilian ceremonial bailiff, or a Sheriff's Deputy being utilized as a CSO. Members also discussed codifying security personnel qualification standards so that requirements are uniform statewide throughout all courthouses.

3. Standards for secure entry and exit of judicial officers

The workgroup examined secure entry and exit from court facilities, including secure parking, and if such parking is not connected to the courthouse, secure transit between the parking and the courthouse.

The workgroup's general standards for parking include: (1) video surveillance and lighting; (2) a secured area; (3) restricted access; (4) restricted line of sight; (5) digital access devices; (6) empowering signage; and (7) call box/alarm. The workgroup recognized that courthouse facilities throughout the state vary in their ability to provide secure parking. As a result, the workgroup divided secure parking options into four subgroups with general recommendations for each:

- A. Attached Parking: The ideal standard would be a secure interior parking area for judicial officers, preferably underground, with a license plate reader or keycard entry and sturdy access gates or overhead doors. Judicial officers should be able to proceed directly from their vehicles to their chambers without traversing through public areas of the main courthouse building.
- B. Detached Parking: For detached parking, adequate lighting, security cameras, and emergency call boxes should be installed throughout the parking area and the walking route. CSOs should be available for judicial officers to notify them of their arrival and departure and provide an escort to and from the detached parking area to the courthouse. In high-risk areas, courts should consider installing a security booth checkpoint, staffed by a CSO.
- C. Detached Parking – Separate Lot: The judicial officer parking area should be fenced in using opaque materials such as brick, stone, or a chain-link fence with privacy slats. The parking area should utilize a keycard system for entry with a video intercom connected to the court's command center. In high-risk areas, courts should consider installing a security booth checkpoint, staffed by a CSO.

- D. Detached Parking – Individual Spaces: Remove all signs that identify parking spaces as judicial parking spots. Any signs should simply note “reserved” with a number if appropriate. All efforts should be made to minimize the line of sight between the public and the judicial officers entering and exiting their vehicles.

Furthermore, the workgroup recommended for all detached parking, a separate and secure entrance to the building that is not utilized by the public. Alternatively, a CSO should have the ability to fast track the arrival of a judicial officer’s entry of a courthouse by means of bypassing any lines or create a designated line for judicial officers and courthouse staff. A CSO should be stationed at the courthouse entrance and exit used by judicial officers after being notified that they are either arriving or departing.

For each of the parking recommendations, signage outside entry points should indicate the enforcement of towing of unauthorized vehicles and the prohibition of stopping or loitering. In the case of gated parking lots, access doors and gates should calibrate so that they close in a timely manner and limit opportunities for tailgating.

4. Safe Public Areas

The workgroup reviewed public areas in courthouses, including the protection of judicial officers who are required to enter public areas of the courthouse to perform their public duties. Overall, each courthouse should practice universal screening for everyone entering the facility. If possible, judicial officers and court employees should gain access via a separate entrance with its own security protocols.

The workgroup outlined three public areas of a courthouse with specific security recommendations for each area: (1) entrances and screening; (2) public areas and hallways; and (3) courtrooms.

A. Entrances and Screening

The public main entrance should be staffed with at least one CSO and other personnel necessary to operate security screening devices. Entrances should be equipped with video surveillance that can be monitored by the command center. Additional entry ways for the public can be established provided at least one form of a screening device is used. To the extent possible, a separate secure employee entrance should be maintained. If a separate entrance is not possible, employees should have a separate entry line.

Each entrance should be equipped with a magnetometer, X-Ray conveyor, handheld scanning wands, video surveillance, and doors that can be remotely locked in an emergency. Personnel conducting the entryway screenings should be trained on all screening devices. Deliveries and mail should also receive visual and electronic inspections.

All glass panels used in the entrance areas should be minimally reinforced with ballistic film. Level 4 bullet proof glass should be used in areas considered highly vulnerable.

B. Public Areas and Hallways

Judicial officers should notify security when entering a public area.

There should always be a clear line of sight in public areas and hallways and those areas should be monitored at all times while the courthouse is open. Furniture, garbage bins, and the like should all be secured. Extraneous and large decorations in the public areas should be avoided. Cleaning and maintenance staff should only perform their duties when security is in the courthouse.

C. Courtrooms

Courtrooms should be used for official purposes only and only those authorized by court officials should be allowed access when official business is not being conducted in the courtroom. All doors should be securely locked when the courtroom is not in use. Additionally, courtroom furniture, to the extent possible, should be secured to the floor and the judicial bench should be reinforced with bullet proof materials, raised, and a safe distance from the trial tables and witness stand.

Panic buttons should be installed at the bench, the clerk's seat, and the jury room. The judicial officer should have a direct path to evacuate from the bench that can be secured following escape.

All windows should use privacy materials to restrict views of the courtroom from the outside. First and vulnerable upper floors should be reinforced with Level 4 bullet proof glass.

Civilian ceremonial bailiffs assigned to a judicial officer should not be considered a security asset and should be tasked with responsibilities regarding the jury and judge that would not put them in harm's way.

At the conclusion of the fourth recommendation, there was a discussion as to whether an emergency alert system requirement should be included. Secretary Chaudhry offered to follow-up with the Governor's Office of Homeland Security regarding the alert system being used at the State House.

No final vote was taken on the standards because they will not be finalized until they are incorporated into the final report. However, the members of the Task Force indicated unanimous agreement to proceed on the basis of the standards reported out by the Standards Workgroup with additions discussed in the meeting.

Chief Justice Fader thanked the Standards Workgroup for their presentation and work on the proposed recommendations. Chief Judge Morrissey, Chair of the Costs and Resources Workgroup, and Chief Judge Wells, Chair of the Solutions Workgroup, then introduced their members and provided a brief overview of their planned work and timelines.

The Costs and Resources Workgroup will be presenting their recommendations at the next scheduled Task Force meeting.

The meeting was adjourned at 1:48pm.