



Court Security and Emergency Preparedness Policy and Procedure Manual for the Arkansas Judicial Branch

Best Practice Guidelines

Prepared by the Arkansas Supreme Court Committee on Security and
Emergency Preparedness for the Office of Court Security and Emergency
Preparedness within the Arkansas Administrative Office of the Courts

(Revised 2013)

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<http://courts.arkansas.gov/security>

Appendix A: *In Re: Adoption of Recommendations from the Arkansas Task Force on Court Security* (February 1, 2007)

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Appendix C: Arkansas Court Security Act (Act 576 of 2007)

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INTRODUCTION

The Arkansas Supreme Court has recognized the need to develop comprehensive policies on court security and emergency preparedness for all state court facilities in order to insure that all persons who work in or are present in a court facility are able to conduct their business in a safe and secure environment. In 2007, the Court created the Arkansas Supreme Court Committee on Security and Emergency Preparedness to recommend and evaluate uniform state policies on court security and emergency preparedness and to assist local courts in drafting and implementing local court security and emergency preparedness plans.

The information and guidelines provided in this manual are a synthesis of the best thinking and experience in the areas of court security and emergency preparedness and were developed with reference to the following:

- laws, guidelines, rules, and procedures adopted by the Arkansas Supreme Court and the Arkansas General Assembly;
- guidelines of the United States Marshals Service applicable to federal courts;
- court security guidelines developed by the National Sheriffs' Association;
- emergency preparedness policies and practices adopted in locales that have recent experience in continuity of operations after natural disasters, notably Kansas, Florida, and Harris County, Texas; and
- recommendations from the National Center for State Courts.

The manual is organized in five parts. Part One is dedicated to the creation of leadership, management, and communication networks that are at the heart of effective security and emergency preparedness programs. Part Two contains general policies and procedures for court security at the local court level. Part Three contains guidelines for emergency preparedness. Part Four addresses continuity of operations plans and also contains information about pandemic planning. Part Five deals with the myriad issues involved in protecting and securing court records and information technology systems in the event of an emergency. In the appendices, the specific policies and laws adopted by the Supreme Court and General Assembly have been included, as well as sample plans, reports and forms which will hopefully be helpful to local courts.

Part 1
LEADERSHIP AND ADMINISTRATION

I. Goals and Objectives

- A. The Arkansas Supreme Court is committed to the goals of protecting the health and safety of judicial branch personnel and the public who use court facilities and to keeping the courts open and operational at all times to ensure justice for the people.
1. The Arkansas Supreme Court is committed to being actively engaged in court security and emergency preparedness efforts and stressing to judges, court employees, non-judicial employees, and the public the critical importance of these efforts.
 2. The Arkansas Supreme Court is committed to making court security and emergency preparedness planning a requirement at all levels within the state judicial branch.
 3. All judges, court personnel, and local government officials should be actively engaged in court security and emergency preparedness efforts in their jurisdictions and should make emergency preparedness a priority.

- B. The Arkansas Supreme Court is committed to working with the Arkansas General Assembly, the governor, and state and local agencies to achieve the goals of safety and continuous operations throughout Arkansas' judicial branch.

The Arkansas Supreme Court recognizes and agrees that the issues of court security and emergency preparedness extend beyond the responsibility of the Supreme Court and judicial branch. A successful and comprehensive response will require collaboration with and participation by all three branches of the state government and cooperation between state and local governments.

- C. Safety and operational stability for courts is achieved through effective leadership and collaboration. The Arkansas Supreme Court is committed to common-sense management to achieve safety and operational stability for courts by integrating court security and emergency preparedness into the existing local emergency management process when possible.

II. Leadership and General Designations of Responsibility

A. State Leadership Structure

1. The Arkansas Supreme Court Committee on Security and Emergency Preparedness (the “State Committee”) was established by the Arkansas Supreme Court to recommend and evaluate uniform state policies on court security and emergency preparedness and to assist local courts in drafting and implementing local court security and emergency preparedness plans. The State Committee consists of 17 voting members. The Arkansas Supreme Court shall appoint 15 members of the committee and the Speaker of the Arkansas House of Representatives and the President Pro Tempore of the Arkansas Senate shall each be entitled to appoint one member of their respective chambers to serve as members of the Committee. All subsequent appointments of voting members shall be for a term of three years. A voting member may be appointed to serve no more than two successive three-year terms. Should any vacancy in the term of a voting member occur, the appropriate appointing authority shall appoint a successor voting member who shall serve the remainder of the term. Any member whose term expires shall continue to serve until his or her successor is appointed.
2. The position of Director of Court Security and Emergency Preparedness for the judicial branch of government (the “Director”) was established within the Arkansas Administrative Office of the Courts by the Arkansas Court Security Act (Act 576 of 2007). The Director reports to the Chief Justice of the Arkansas Supreme Court and the Director of the Administrative Office of the Courts. The duties of the Director include:
 - a. Assisting agencies of the state and local governments with the development and adoption of local security and emergency preparedness plans for circuit and district courts;
 - b. Assisting in the development and provision of training and education about court security and emergency preparedness for judges, court employees, and court security officers;
 - c. Conducting periodic assessments of state and local security and emergency preparedness plans for courts and noting deficiencies and areas of improvement;
 - d. Serving as the point of contact on state court security and emergency preparedness issues for the judicial branch of government and acting as the representative of the Chief Justice of the Supreme Court to executive and legislative branch officials

involved with the issues of court security and emergency preparedness;

- e. Serving as an information officer for purposes of educating the public about court security and emergency preparedness and communicating with the press and public during an emergency;
- f. Ensuring that Facility Assessments, Court Security Plans, Emergency Response Plans and Continuity of Operations Plans are developed for the Arkansas appellate courts.

B. Local Leadership Structure

1. A Local Court Security and Emergency Preparedness Committee shall be established in each county (the “Local Committee”). The Local Committee shall be co-chaired by a circuit judge, appointed by the administrative judge, and the county judge. The membership may include a district court judge, city and county executive officers, law enforcement officers, local emergency preparedness officials, and a representative the public.
2. Court Security and Emergency Manager (CSEM). The CSEM shall be an ex-officio member of the Local Committee and shall serve as a liaison with local emergency preparedness officials in the event of an emergency.
3. The Local Committee shall adopt a Local Court Security and Emergency Preparedness Plan (the “Local CSEPP”) for every facility in the county in which court proceedings are held or in which court employees are located. In order to put proper security measures in place, threats, risks, and resources must be identified. Once threats are identified, plans or procedures should be developed to mitigate those threats. Counties must work within the constraints facing their individual situations to arrive at solutions that meet their unique needs. The Local CSEPP shall include the following elements:
 - a. Facility Assessment. The Local Committee should identify primary risks to court operations and to people who work in or visit court buildings, including prisoners. An assessment shall be made of each building in the county in which (1) circuit or district court proceedings are held or in which (2) circuit or district court employees are located.
 - b. Court Security Plan (CSP). A Court Security Plan that outlines the policies and procedures to be followed in order to prevent and respond to court security incidents.

- c. Emergency Response Plan (ERP). An Emergency Response Plan that outlines the policies and procedures to be followed in order to prevent and respond to critical incidents (fire, severe weather, major medical emergencies, etc.).
- d. Continuity of Operations Plans (COOP). A Continuity of Operations Plan that outlines the policies and procedures to be followed to ensure continuous performance of essential court functions, either in the court facility or at an alternate site, in the event of an emergency.
- e. Updates. CSEPP plans must be periodically reviewed and updated. The following schedule shall be followed:

Facility Assessment Update: due 5-1-13, 5-1-17, and every four years thereafter;

Court Security Plan update: due 5-1-14, 5-1-18, and every four years thereafter;

Emergency Response Plan update: due 5-1-15, 5-1-17, and every two years thereafter;

Continuity of Operations Plan Update: due 5-1-15, 5-1-17, and every two years thereafter.

- 4. All Assessments, plans and reports prepared in compliance with this policy and procedure manual shall be designated and clearly marked as Confidential, For Official Use Only, Law Enforcement Sensitive, Not Subject to Public Disclosure. All Assessments and Plans prepared in compliance with this policy shall be submitted to the Director of Court Security and Emergency Preparedness.

Supreme Court Administrative Order Number 19, section VII (B) provides that the following information is excluded from public access and is confidential absent a court order to the contrary: “Security and emergency preparedness plans shall not be open to the public under this order or the Arkansas Freedom of Information Act, Ark. Code Ann. §§ 25-19-101 et seq., to the extent they contain information that if disclosed might jeopardize or compromise efforts to secure and protect individuals, the courthouse, or court facility. This exclusion from public access shall include: (A) Risk and vulnerability assessments; (B) Plans and proposals for preventing and mitigating security risks; (C) Emergency response and recovery records; (D) Security plans and procedures; and (E) Any other records containing information that if disclosed might jeopardize or compromise efforts to secure and protect individuals, the courthouse, or court facility.”

C. Funding

1. Cities and counties shall be responsible generally for the funding of providing and improving security and emergency preparedness in circuit and district courts. The state shall be responsible for funding security and emergency preparedness for the Supreme Court and Court of Appeals and for the operations and activities of the State Committee.
2. In 2007, the General Assembly provided grant funds to the Administrative Office of the Courts to assist Local Committees with the preparation and implementation of local assessments and local security and emergency preparedness plans. Grant funds are available to assist with the development and implementation of Local CSEPPs. The State Committee will oversee the grants.
 - a. *Purpose of grants.* Grant funds are to be used for the purpose of completing and implementing the following:
 1. A list of names and contact information of the members of the Local Committee;
 2. A complete list of every city and/or county building within the county in which circuit or district court proceedings are held or circuit or district court employees are located;
 3. A completed Court Facility Assessment for each of the buildings listed in (b) above;
 4. A completed Court Security Plan for each of the buildings listed in (b) above;
 5. A completed Emergency Response Plan for each of the buildings listed in (b) above; and
 6. A completed Continuity of Operations Plan for each of the buildings listed in (b) above.
 - b. *Authorized expenditures.* Authorized purposes for the expenditure of grant funds include the following:
 1. *Development and distribution of the CSEPP.* For example, eligible expenses include but are not limited to the payment to employees or contractors for the completion of assessments of local buildings or the drafting of the local plan. The costs associated with the creation (typing costs)

and distribution (copying and postage) of the local plans are also eligible expenditures.

2. *Implementation of the Local CSEPP.* The central purpose of the grant program is to improve the capacity of circuit and district courts in the area of security and emergency preparedness. To that end the facility assessments should help the committee to identify items/areas of concern and in need of improvement. The creation of the security plan, emergency response plan, and COOP plan will help to highlight policies and procedures which the court will not be able to implement absent some required changes, such as the purchase and/or installation of equipment, the modification of a room or building, the use of employees or contract personnel for new or additional tasks, or related costs. All such costs which are incurred for the purpose of improving deficiencies noted through the process of assessment and policy implementation are authorized uses of grant funds.
 3. *Local Committee expenses.* Grant funds may be used to support the meetings of the Local Committee. Eligible expenditures include but are not limited to the expenses of calling and notifying the members of the meeting (copy and postage costs) and all actual meeting expenses such as production and/or copying of materials and the costs of food or beverages.
- c. *Administration of grants.* Payment of the grant funds will be made in a lump sum by the Administrative Office of the Courts to the county as soon as the county is certified as eligible to receive funding. Decisions to utilize grant funds should be approved by the Local Committee. Funds may be used to pay for costs directly or to reimburse the city or county for authorized costs which were otherwise incurred. A final report on the use of the grant funds must be provided to the Administrative Office of the Courts on a form to be provided by the Administrative Office of the Courts.

PART 2

COURT SECURITY GUIDELINES

The Arkansas Supreme Court, by a *per curiam* order in 2007, adopted seven guidelines for court facility security in the following subject areas: court facility design, access control, after-hours security, firearms policy, incident reporting, communication, and security personnel and training.

The Local CSEPP should be consistent with the following guidelines.

I. Court Facility Design

A. Supreme Court's guidelines.

1. The design of court facilities and offices should be made with security in mind.
2. Buildings should be designed to protect against attack, limit access to sensitive areas, and avoid inappropriate interaction between the participants in the judicial process.
3. Waiting areas and traffic flow should be designed to allow for the separation of judges, court personnel, and other parties such as jurors, witnesses, and prisoners.
4. To enhance the safety of court facilities, all courtrooms and hearing rooms should be equipped with a duress alarm.
5. Phones should have a caller identification system installed, and when practicable, video surveillance of court facility parking areas and other strategic areas is recommended.
6. Access to environmental and communication controls should be secured and limited to authorized personnel.

B. Additional recommendations for Building Exterior Security. The following measures related to securing the exterior of court facilities should be considered within the constraints of budget and other considerations:

1. Establish secure, controlled parking for judges and other building employees without specific, visible identification as such.
 - a. Electronically controlled vehicle entry points are recommended.
 - b. Signs stating "Judges Only", "Judge (last name)", or "Court Employees Only" etc. are not appropriate.

2. Install automatically activated lighting around the building exterior and parking area and have an emergency power backup.
3. Install closed circuit television (CCTV) cameras with recording capabilities on the outside of buildings. The CCTVs should have internal monitoring capability of entrances, external public gathering points, parking lots, and vendor delivery points (e.g., loading or delivery docks).
4. Build or install secure, controlled, and contained prisoner/detainee building entry/exit points, including vehicle sally ports; entry/exit controlled prisoner/detainee holding area doors (traps); CCTV monitoring; and transport communications interface with holding area officials. Encourage using technology to reduce the number and extent of prisoner/detainee first appearances and transportation.
5. Install building anti-vehicle penetration obstacles around perimeter of courthouses, especially at main entrance.
6. Request security presence in parking lots when judges and court employees arrive and leave work, especially after hours and during hours of darkness.
7. Eliminate or reconfigure landscaping that may provide cover or other benefit to persons seeking unauthorized access to the building or grounds.
8. Lock or secure external fuel ports used to supply fuel for furnaces, water heaters, backup generators, etc.
9. All court facilities should have a backup power supply sufficient to backup information systems and to safely power down critical computer servers and other storage devices.

C. *Additional recommendations for Building Interior Security.* The following measures related to securing the interior of court facilities should be considered within the constraints of budget and other considerations:

1. Secure all office entry points after hours especially courtrooms, judicial areas, records areas, and other sensitive areas.
2. Install a building public address system, which is usually through a fire alarm system that can be manually operated.
3. Establish a staffed building security operations center to separately monitor and respond/react to CCTV or alarm systems.

- a. Best practice is to have one center, away from the public entrance. The location should be convenient with the ability to monitor all CCTV camera images and prisoner/holding areas.
 - b. Entrance security screening officers should have capability to separately monitor CCTV camera images of building entrance points and internal public gathering points including the entrance to elevators, stairs, and stairwells. CCTV monitors should also be able to view mailrooms and all locations where financial transactions are conducted.
4. Secure the courtroom entry and exit points. Electronic access systems are recommended when the courtroom is occupied or in session.
 5. Install automated external defibrillators at key locations in court buildings, including prisoner/detainee holding areas. All building security personnel and key staff members should be certified to use the defibrillators.
 6. Lock front and back of courtrooms when not in use, especially during lunch hours. Maintain a security presence in occupied courtrooms during short recess periods.
 7. Establish separate, controlled, and secure prisoner/detainee movement routes from and to holding areas and courtrooms.
 8. Establish secure judicial and court staff circulation routes to courtrooms.
 9. Provide a secure space for victims and witnesses.
 10. Post maps in public areas, including evacuation maps and building guides, that do not identifying locations of judges chambers, records storage locations and other sensitive areas where the public should not have unrestricted access.

D. *Recommendations for the Movement of Prisoners.* The following measures related to moving prisoners and detainees should be considered within the constraints of budget and other considerations.

1. Prisoners and detainees present the most security risks in court buildings. Therefore it is important for judges and other court personnel to be familiar with the rules that govern their movements to, from, and within courthouses.

2. Judges and other key court leaders should offer input into prisoner handling and the policies governing them. Regularly scheduled coordination meetings with sheriff and his/her personnel should be scheduled for the purpose of, but not limited to, reviewing court dockets to prepare for high risk or high profile cases.
3. Judges and other key court leaders should insist that prisoner release actions be conducted at initial prisoner entry/exit point, and not in courtrooms.
4. Judges, key court leaders, courtroom personnel, and security officers should conduct mock drills of responses to worse case scenarios, e.g., attempted prisoner escapes, assaults; unruly courtroom behavior; use of weapons in threatening way, etc.

II. Access Control

A. Supreme Court's guidelines.

1. Without exception and regardless of the purpose or hour, all individuals entering a courtroom should be subject to a screening process.
2. All entrances to the courtroom should be examined prior to each use and secured after each use.
3. When possible, entrances should be limited to one main entrance and exit.
4. Personnel and screening equipment should be placed at the main entrance.
5. For those entrances without screening, proper locking mechanisms and alarms should be maintained.
6. Proper signage should be posted in high visible traffic areas to notify individuals that both their persons and their belongings will be screened and/or searched.
7. Other ways to control access to the court should be explored and incorporated such as locking mechanisms on all entrances, the use of employee identification, restricting access to offices, and maintaining a policy of restricting weapons in the court facility.

- B. *Additional recommendations for Building Access Controls.* The following measures related to securing access to court facilities should be considered within the constraints of budget and other considerations.
1. Alarm street-level windows and external non-entry doors. These windows and doors should be monitored with responder mechanisms, devices, or policies.
 2. Install security-screening stations consisting of walk-through and hand-held metal detectors, X-ray machine, and CCTV monitoring capability at each public entrance for all entrances and public corridors.
 - a. Two security officers are recommended as minimum security station staffing — one officer patrols building administrative areas during non-peak public entry periods. A minimum of one security officer should attend court at the request of the judge if no other security is available.
 - b. Determine items desired to be detected by magnetometers and establish settings accordingly. Only designated supervisors should be authorized to establish and change settings.
 - c. Test magnetometers routinely using actual items for which detection is required. Conduct unannounced tests using persons not readily identifiable to operators.
 3. Establish written screening policies in cooperation with law enforcement and the county judge.
 - a. Vest arrest powers with all Court Security Officers.
 - b. All persons, including judges and employees, entering court buildings should be screened. Separate or private judicial entry points may be used if they are provided with metal detectors to screen persons and belongings.
 - c. Notify screening officers of building employee termination actions to ensure those terminated receive screening emphasis if and when subsequently entering building.
 - d. Establish a central court building delivery point and mail center for mail and packages.
 - e. Screen mail and packages with an X-ray machine at delivery point and physically examine business mail for suspicious

markings, e.g., unusual postage stamp array and number, soiled envelopes, or suspicious addresses.

- f. Develop protocols to notify local law enforcement entities when suspicious packages or mail is noted and do not move or otherwise touch items identified as suspicious.
4. Maintain statistical data on items temporarily or permanently detained at security screening stations.
5. Establish separate, secure, controlled judicial building entry points. These points may also be used for other building employees.
6. Conduct background/criminal record checks on all building and contract employees; or, at minimum, all new hires. Employees and contract personnel are also subject to annual rechecks and “as needed” criminal history record checks. Guidelines should include a policy for disqualifying a person being hired, e.g., felony conviction, patterns of criminal convictions.
7. Security screening personnel who are not part of the building security organization should be integrated and incorporated into building security organization’s, structure and communications.
8. Establish a building key control system that limits and logs key access on an absolute need to have basis. Use a difficult to duplicate key system en route to an electronically programmed system.
9. Establish court operational hours and limit access before and after building opens and closes. Develop before and after-hour access control policies.
 - a. Set the building closure time at the time all persons are required to leave. Provide a security presence and limited access until that time or 24/7 presence and limited access if continuous access is required by some building entities.
 - b. Require security in the building during times when custodial, maintenance or other contracted personnel are present.
10. Establish a policy for the use of cameras, electronic recording devices, cellular phones or other wireless devices in the courtroom consistent with Supreme Court Administrative Order Number 6.
 - a. Use in courtroom.
 - b. Prohibit taking pictures or making audio recordings of proceedings.

III. After-Hours Security

A. Supreme Court's guidelines.

1. Each court facility should adopt procedures to ensure security outside of normal working hours.
2. Additionally, procedures should be implemented for detection of unauthorized entry of a court facility after-hours.

IV. Firearms Policy

A. Supreme Court's guidelines.

1. Each court facility shall adopt a firearms policy, and it shall be distributed to all law enforcement agencies in the county and posted at entrances to all courtrooms and court facilities.

B. Additional recommendations regarding Firearms Policy.

1. Firearms should only be carried by those officially on duty providing security in the courthouse. They must be certified in the use of firearms.
2. Prohibit law enforcement officers who are litigants, especially in family courts, from carrying firearms into courthouses, unless specifically authorized by the court.
3. Provide temporary storage lockers for firearms not allowed in buildings and a system for temporary or permanent retention of other weapons or dangerous items not allowed into a building.

V. Communication

A. Supreme Court's guidelines.

1. Good communication is essential in an emergency.
2. A clear line of authority must be established for each agency and court.
3. A clear definition of who will activate an emergency plan and implement security responses, such as an evacuation, should be established.

4. All names and contact information of key court personnel should be provided to the Local Committee and other appropriate agencies. This information should be kept up to date.

VI. Incident Reporting

A. Supreme Court's guidelines.

1. All security and emergency preparedness incidents should be documented in writing and a report of the incident made to the Director of Court Security and Emergency Preparedness on the Court Incident Report [Appendix].

B. Additional recommendations related to Incident Reporting.

1. Incidents should be reviewed to determine trends, security points of emphasis, resource priorities, and managerial/supervisory concerns.
2. Procedures and policies should be developed to identify which personnel are permitted to submit reports and which personnel are authorized to receive incident reports or information contained in them.
3. Provide outcome and other feedback to court personnel reporting incidents or providing intelligence.

VII. Security Personnel and Training

A. Supreme Court's guidelines.

1. Uniformed and qualified court security officers should be assigned specifically and in sufficient numbers to ensure the security of every court and its facilities.
2. At a minimum, one court security officer shall be present whenever court is in session and has been requested by the judge.
3. Court security officers shall meet applicable minimum certification standards for court security officers consistent with current law enforcement personnel standards as discussed in (VII) (C) below.
4. In addition to certification, additional training should be required on issues that are specific to a court setting as discussed in (VII) (C) below.

B. Recommendations regarding Security Personnel.

Court Security Officers perform the following duties:

1. Conduct regular walk-throughs to patrol building administrative areas, i.e., public gathering points, transactional spaces, elevators/escalators or secured building entry points.
2. Conduct security sweeps of courtrooms and public areas, including restrooms before and after court operational hours.
3. Equip all security officers, including officers responsible for prisoner holding areas, with portable radios programmed to meet the individual building needs.
4. Establish emergency and incident response protocols, including recessing courtroom proceedings to allow security officers to respond to medical emergencies, bomb threats, confrontations, etc. External backup response procedures should be included within these protocols.

C. Certification of Court Security Officers.

1. The Arkansas Court Security Act (Act 576 of 2007) directs the Director of Court Security and Emergency Preparedness to work with the Arkansas Commission on Law Enforcement Standards and Training in the development and provision of training and certification for court security officers, including the establishment of minimum curriculum requirements for training court security officers. The Arkansas Court Security Act directs the Arkansas Commission on Law Enforcement Standards and Training to administer the training and certification program for court security officers.
2. "Court Security Officer" ("CSO") means an individual who is assigned the duty of providing security or security-related services at the request of an appellate court, circuit court, or district court in this state. A court security officer may be employed directly by an appellate court, circuit court, or district court or by a law enforcement agency of this state or a city or county in this state. A court security officer may provide services to a court on either a full-time or part-time basis. The duties of a court security officer may include:
 - a. The attendance in court when court is in session;
 - b. The supervision and maintenance of order in a courtroom or courthouse;
 - c. Providing security for individuals involved in court proceedings; and
 - d. Other incidental and related duties at the direction of a court.

3. **Minimum Requirements.** The Arkansas Court Security Act establishes minimum requirements for any person who is employed as a court security officer. A person shall satisfy two components:
 - a. Be certified as a law enforcement officer by the Arkansas Commission on Law Enforcement Standards and Training under the laws and regulations of this state; and
 - b. Complete an additional court security training program of not less than twelve (12) hours designed by the Administrative Office of the Courts and approved by the Arkansas Commission on Law Enforcement Standards and Training.
4. **Curriculum for the Court Security Training Program.** A certified law enforcement officer seeking to complete requirement (3)(b) above and be qualified as a court security officer, must complete a training program of not less than twelve (12) hours which is approved by the Arkansas Commission on Law Enforcement Standards and Training and shall include, at a minimum, coverage of the following six topics:

a. Overview of Arkansas Court System and Procedures

Topics under this section may include but are not limited to:

1. The structure of the Arkansas court system and the functions of courts
2. The role of the judge and other participants in the court system and process
3. The components and process of a trial and the differences between civil and criminal proceedings and jury and non-jury trials

b. Overview of Relevant Constitutional, Statutory, and Case Law for Court Security

Topics under this section may include but are not limited to:

1. Legal authority of court security officers
2. Legal aspects of current topics and policies relevant to court security officers
3. Individual constitutional rights that may impact court security in such areas as the search and seizure of persons and the custody and restraint of an accused

c. Best Practices for Providing Courthouse and Courtroom Security

Topics under this section may include but are not limited to:

1. Basic principles of courthouse security and equipment, including physical protection systems, closed circuit TV, duress alarms, lighting systems, reinforced judges benches, and window security systems
2. Performing a basic physical security site survey of a courtroom and courthouse
3. Basic principles and types of metal detectors and their circumvention and how weapons are disguised
4. Basic principles of X-ray machines and their circumvention and identifying suspected bombs and suspicious mail and packages
5. Identifying non-verbal threats, such as body movement, facial expressions, and personal space
6. Policies for effective communication, communication equipment, ability to handle threats, and other public and private entities that need to be included in the communication chain
7. Common errors and pitfalls in courthouse and courtroom security
8. Firearms and weapons policies
9. The need to protect evidence and chain of custody should a disturbance disrupt court proceedings

d. Procedures for Jury Trials

Topics under this section may include but are not limited to:

1. Procedures for jury orientation, escorting jurors, jury deliberations, jury evacuation, and securing jury room
2. Special problems related to sequestering juries
3. Limitations on interaction with juries

e. Prisoners in the Courtroom and their Transport

Topics under this section may include but are not limited to:

1. Guidelines for transporting and controlling prisoners, both to and within the court facility
2. Special policies in multi-defendant trials and proceedings
3. Searching prisoners
4. Restraining prisoners
5. Firearms and weapons policies

f. Protection of Individuals and Targeted Threats

Topics under this section may include but are not limited to:

1. Best practices and general procedures to protect a judge, witness, attorney, juror, party, or others
 2. Responding to targeted threats to a judge, witness, attorney, juror, party, or others
 3. Different types of threats and appropriate responses
 4. Dealing with high threat trials
 5. Dealing with courtroom disturbances
 6. Exercises in identifying threats and appropriate protection tactics including threats which occur in the community or at the home of a judge or non-judicial employee
5. Providers of Court Security Officer Training. Any public or private agency may provide the required training, so long as the training is at least twelve (12) hours in length, includes the prescribed content, and the course and its faculty have been approved by the Arkansas Commission on Law Enforcement Standards and Training. Faculty who provide training for a Court Security Training Program must be approved by the Arkansas Commission on Law Enforcement Standards and Training.

PART 3

EMERGENCY PREPAREDNESS

An Emergency Response Plan establishes policies and procedures to be followed by city, county, and court personnel in order to report and respond to critical incidents (fire, severe weather, medical emergencies, etc.).

I. Emergency Management and Disaster Recovery

- A. The Local Court Security and Emergency Manager (CSEM) will coordinate emergency preparedness, mitigation, response, and recovery efforts related to the courts in the county.
- B. The Local Committee will develop and implement emergency response plans and procedures in the Local CSEPP. During an emergency, the local Committee will, to the fullest extent possible, assist the CSEM as requested and in accordance with the plans and procedures agreed upon in the Local CSEPP.
- C. The Local Committee should work to integrate the courts into the existing state and local emergency management network. The Local CSEPP should address coordination of preparedness efforts including: tracking statewide emergency response and recovery efforts and reporting to leaders and decision makers within the county. The CSEM shall serve as a liaison with the local emergency preparedness officials in the event of an emergency.

II. Specific Planning Responsibilities

- A. The process for responding to emergencies should be developed with input from emergency management, law enforcement, fire, rescue, hazardous materials experts, and others.
- B. The Director shall develop and distribute a sample Emergency Response Plan for Local Committees to use for emergency preparedness and management [see Appendix].

PART 4

CONTINUITY OF OPERATIONS PLANNING GUIDELINES

A Continuity of Operations Plan (COOP) outlines the policies and procedures to be followed to ensure continuous performance of essential court functions, either in the court facility or at an alternate site, in the event of an emergency.

I. Continuity of Operations

- A. The Local Committee will coordinate the creation and implementation of the COOP in the Local CSEPP to deal with the closure of a primary court facility for an extended and unacceptable period of time.
- B. The purpose of the COOP is to ensure the continuous performance of essential court functions in the county.
- C. The COOP should include all information necessary to prepare for, respond to, and recover from emergencies requiring the use of alternate facilities.
- D. The COOP should, at a minimum, include the establishment of a list of mission-essential functions, the establishment of temporary and predetermined alternate facilities, and the designation of key members of a recovery team.
- E. All aspects of the COOP should be reviewed and updated annually by the Local Committee. A complete revised COOP shall be submitted to the Director.

II. Specific Planning Responsibilities

- A. The Director shall develop and distribute a sample COOP to Local Committees to assist them in creating a local COOP [see Appendix].

III. Pandemic Preparedness

- A. Emergency preparedness planning and response to a pandemic or related event must be considered separately because of the unique nature of a pandemic.
- B. The State Committee and the Director of Court Security and Emergency Preparedness will initiate the development of strategies designed to respond to and recover from the unique emergency situation brought about by an influenza pandemic or related event.
- C. The strategy for pandemic influenza will be designed to build upon the national, state and local efforts on pandemic influenza.

D. The strategy will build upon and perhaps modify elements of the COOP to deal with this unique emergency situation.

1. While 30 days is generally the accepted length of time for operations to be scaled back to mission essential functions, in a pandemic, 90 days or more may be a more realistic timeframe. Plans should allow flexibility to adjust timeframes as more information regarding a possible pandemic becomes available.
2. Planning tasks should be established to modify the COOP to allow for 90 days of COOP activation and the performance of mission essential functions with no, or limited, face-to-face contact. These tasks may include:
 - a. Engaging state and local health officials in advance to assist in preventing or slowing the spread of pandemic disease and to prepare the courts for the impact of the pandemic.
 - b. Preparing for the legal considerations including the complete or partial transfer of operations brought about in a pandemic, especially those associated with issues of quarantine and/or isolation. These considerations should include scenarios that transfer significant workload from urban to rural courts.
 - c. Creating an active inventory of judicial branch personnel and a method of tracking daily attendance beginning at the onset of a pandemic. This inventory of personnel should include, for each person listed, individuals qualified to perform their duties in their absence.
 - d. Ensuring court information technology resources are available to perform all appropriate mission essential functions with no, or limited, face-to-face contact.
 - e. Facilitating the review of operations manuals to assure that all procedures and practices are well documented.
 - f. Creating a library of on-line, electronic, and hard copy paper documents used by the courts.
 - g. Preparing courts to track documents for the purpose of data entry on a delayed schedule.
 - h. Creating an active list of individuals (e.g. retired personnel) who could serve in the absence of existing court personnel during a prolonged pandemic.

- i. Providing education to all judges and non-judicial employees regarding the threat posed by an influenza pandemic.
- j. Ensuring all means of emergency communication are designed to function under conditions where there is no, or limited, face-to-face contact.
- k. Strengthening the recovery team to ensure each member is prepared to perform their assigned mission essential function under conditions where no, or limited, face-to-face contact is available.
- l. Developing recommendations for restoring jury trials under conditions where no, or limited, face-to-face contact is available.

PART 5
INFORMATION TECHNOLOGY AND
DOCUMENT/EVIDENCE PROTECTION

Each Arkansas court should address Information Technology Disaster Recovery/Business Continuity.

I. Scope

- A. The primary goal must be to ensure the efficient and effective resumption of the most critical functions of court operations in the event of a disaster.
- B. In addition to the essential functions identified by the State Committee, each Local Committee should identify and prioritize local essential functions of the court operations.
 - 1. IT operations supporting these functions should be identified in order to assure that in a recovery operation they are restored in order of criticality to court operations.
 - 2. Applications identified and deemed as “Critical” (Level-1) should be restored at the pre-determined alternate facility within 72 hours after disaster declaration.
 - 3. Applications identified and deemed as “Essential” (Level 2) should be restored beyond 72 hours but within 14 days of disaster declaration.
 - 4. Applications identified and deemed as “Delayed” (Level 3) should be restored beyond 14 days after disaster declaration.
- C. The plan should identify possible likely disasters that may affect the court operations and supply responses specific to those situations, including:
 - 1. Extended Power Outage
 - 2. Fire/Smoke Damage
 - 3. Water or Structural Damage
 - 4. Acts of Nature
 - 5. Sabotage
 - 6. Loss of Access or Use of Information Services
- D. The following assumptions should be taken into account:

1. The plan is designed to recover from a worst-case interruption; that is all equipment, electronic files, procedures and documentation at the facility are unusable.
2. Recovery from anything less than complete destruction will be achievable using all or portions of the plan.
3. Normally available staff members may be rendered unavailable by the disaster or its aftermath.
4. Insufficient staff resources may be available to support and sustain the recovery.
5. Off-site backup items are in a secure environmentally protected facility sufficiently remote to the court operations as not to be affected by the same interrupting event.
6. Recovery procedures are regularly tested.
7. The Recovery Plan and all supporting documentation are kept current with periodic reviews and updates.

E. The plan should provide for the Local Committee to:

1. Identify and respond to the potential disaster through appropriate channels.
2. Make a management decision whether the situation warrants a disaster declaration.
3. Establish recovery procedures and operations for IT at a pre-determined site.
4. Restore critical applications and data at a pre-determined alternate facility within 72 hours of the declaration of a disaster.
5. Perform its critical business functions if court staff were to lose access to their workspace.
6. Safeguard vital records.

F. The plan should minimize:

1. The number of decisions that must be made following an outage.
2. The dependence on the participation of any specific person or group of people in the recovery process.

3. The need to develop, test, and debug new procedures, programs or systems during recovery.
4. The risk of backed up data not being usable on computers used in the recovery.

II. Recovery Guidelines.

The following measures should be considered within the constraints of budget and other considerations:

- A. Recovery procedures must be identified to restore or recover all necessary items to court business including electronic documents/records, paper document/records, and evidence in the court's possession.
- B. Courts may want to partner with another court in an adjoining county by entering into a reciprocal agreement to provide for file backup, remote recovery, and other functions discussed below in the event of a catastrophic event.
- C. Recovery Organization Structure
 1. The Local CSEPP should provide for Recovery Teams which may be composed of court personnel from multiple jurisdictions as well as private contract personnel normally responsible for maintaining computer systems.
 - a. Recovery Teams should be formed with Primary Team Leaders and Alternate Leaders.
 - b. Team Leaders should:
 - (1) Implement management directives.
 - (2) Alert members of the situation in the initial assessment phase.
 - (3) Assemble members of their team after the plan has been activated.
 - (4) Direct team members in specific procedures.
 - (5) Report status to court management.
 - (6) Ensure detailed assessment and recovery procedures are current.

(7) Designate back-up individuals capable of functioning as alternate Team Leaders.

c. Team Members should:

(1) Report to the command center or the temporary work location as instructed.

(2) Execute assessment and recovery procedures.

(3) Provide support to other team members.

(4) Function as Team Leader when required.

D. Recovery should be to an alternate site that meets the accepted risks of the plan.

1. Recovery could be to an alternate “hot” site.

A hot site is a facility completely ready to accept the court operations and begin functions immediately.

2. Recovery could be to an alternate “warm” site.

A warm site is a facility that is ready to accept court operations, but requires some preparation to begin functions.

3. Recovery could be to a “cold” site.

A cold site is a bare facility that requires a great deal of preparation to begin functions.

E. The Local CSEPP should make arrangements for recovery site(s).

1. Courts should have agreements with necessary facilities to ensure the availability of the facility when needed.

2. Courts should have agreements in place to have necessary equipment and supplies at the facility.