

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 576 of the Regular Session

As Engrossed: S2/13/07 H3/16/07

A Bill

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

SENATE BILL 89

5 By: Senator J. Taylor
6 By: Representative Harrelson
7
8

For An Act To Be Entitled

10 AN ACT TO REQUIRE THE ADMINISTRATIVE OFFICE OF
11 THE COURTS TO PROVIDE ASSISTANCE AND SUPPORT TO
12 CITIES AND COUNTIES IN THE ADOPTION OF LOCAL
13 COURT SECURITY PLANS AND THE PROVISION OF COURT
14 SECURITY FOR CIRCUIT AND DISTRICT COURTS; TO
15 PROVIDE FOR THE CERTIFICATION AND TRAINING OF
16 COURT SECURITY OFFICERS; TO ESTABLISH A STATE
17 COURT SECURITY GRANT PROGRAM; AND FOR OTHER
18 PURPOSES.
19

Subtitle

21 TO REQUIRE THE ADMINISTRATIVE OFFICE OF
22 THE COURTS TO PROVIDE ASSISTANCE AND
23 SUPPORT TO CITIES AND COUNTIES IN THE
24 ADOPTION OF LOCAL COURT SECURITY PLANS
25 AND THE PROVISION OF COURT SECURITY FOR
26 CIRCUIT AND DISTRICT COURTS.
27
28

29 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
30

31 SECTION 1. Arkansas Code Title 16, Chapter 10 is amended to add an
32 additional subchapter to read as follows:

33 16-10-1001. Title.

34 This subchapter shall be known as the "Arkansas Court Security Act".
35



1 16-10-1002. Purpose and findings.

2 (a) Recent incidents involving serious court security failures
3 resulting in death or injury to judges and others in court facilities across
4 the United States indicate that court security is an issue requiring an
5 immediate response from this state.

6 (b) It is a valid expectation that every person who attends or is
7 present in a court proceeding in a district, circuit, or appellate court in
8 this state is entitled to a reasonably safe and secure environment.

9 (c) It is a goal of this state to provide citizens, litigants, jurors,
10 attorneys, court employees, and judges with a safe and secure venue in which
11 to work and conduct business.

12 (d) It is the purpose of this subchapter to establish a general
13 program for security and emergency preparedness for the judicial branch of
14 government.

15
16 16-10-1003. Administrative Office of the Courts – Duties – Director of
17 Security and Emergency Preparedness.

18 (a) The Administrative Office of the Courts shall:

19 (1) Assist the Supreme Court with the creation and management of
20 a state security and emergency preparedness plan for the judicial branch of
21 government; and

22 (2) Provide assistance and support to city and county
23 governments of this state for the adoption and implementation of local
24 security and emergency preparedness plans for circuit and district courts.

25 (b)(1) There is created within the Administrative Office of the Courts
26 a Director of Security and Emergency Preparedness for the judicial branch of
27 government. The Administrative Office of the Courts shall provide space and
28 administrative assistance to support the work of the Director of Security and
29 Emergency Preparedness.

30 (2) The Director of Security and Emergency Preparedness shall
31 report to the Chief Justice of the Supreme Court and the Director of the
32 Administrative Office of the Courts.

33 (3) The Director of Security and Emergency Preparedness shall:

34 (A) Assist with the development and adoption of a state
35 security and emergency preparedness plan for the judicial branch of
36 government;

1 (B) Assist agencies of this state and local governments of
2 this state with the development and adoption of local security and emergency
3 preparedness plans for circuit and district courts;

4 (C) Assist in the development and provision of training
5 and education on court security and emergency preparedness to judges, court
6 employees, and court security officers;

7 (D) Conduct periodic assessments of state and local
8 security and emergency preparedness plans for courts and note deficiencies
9 and areas of improvement; and

10 (E) Serve as the point of contact on state court security
11 and emergency preparedness issues for the judicial branch of government and
12 act as the representative of the Chief Justice of the Supreme Court to
13 executive and legislative branch officials involved with the issues of court
14 security and emergency preparedness.

15
16 16-10-1004. Court security officers.

17 (a)(1) There is established a training and certification program for
18 court security officers.

19 (2) As used in this section, "court security officer" means an
20 individual who is assigned the duty of providing security or security-related
21 services at the request of an appellate court, circuit court, or district
22 court in this state.

23 (3)(A) A court security officer may be employed directly by an
24 appellate court, circuit court, or district court or by a law enforcement
25 agency of this state or a city or county in this state.

26 (B) A court security officer may provide services to a
27 court on either a full-time or part-time basis.

28 (b) The duties of a court security officer may include:

29 (1) The attendance in court when court is in session;

30 (2) The supervision and maintenance of order in a courtroom or
31 courthouse;

32 (3) Providing security for individuals involved in court
33 proceedings; and

34 (4) Other incidental and related duties at the direction of a
35 court.

36 (c) In order to be eligible to provide services in an appellate court,

1 circuit court, or district court in this state, a court security officer
2 shall:

3 (1)(A) Be certified as a law enforcement officer by the Arkansas
4 Commission on Law Enforcement Standards and Training under the laws and
5 regulations of this state.

6 (B) A court security officer shall complete the law
7 enforcement certification requirement within one (1) year of beginning his or
8 her term of service as a court security officer.

9 (C) A court security officer shall maintain the law
10 enforcement certification during the term of his or her service as a court
11 security officer; and

12 (2) Complete an additional training program for court security
13 officers approved by the Arkansas Commission on Law Enforcement Standards and
14 Training.

15 (d) A court or law enforcement agency employing a court security
16 officer shall:

17 (1) Ensure that a court security officer attains the
18 certification required under subdivision (c)(1) of this section within one
19 (1) year of beginning his or her term of service as a court security officer;
20 and

21 (2) Require submission of and maintain records for the
22 documentation of the court security officer's certification as a law
23 enforcement officer.

24 (e)(1) Subject to the certification requirements of the Arkansas
25 Commission on Law Enforcement Standards and Training, the officers of the
26 Supreme Court Police may offer and provide training for court security
27 officers as required by this section.

28 (2) In addition to the general powers of a specialized law
29 enforcement officer, Supreme Court Police officers may, in the course of
30 their official duties, provide security for members of the Supreme Court or
31 the Court of Appeals when either court shall convene for the purpose of
32 considering oral arguments or conferencing in any location within the State
33 of Arkansas, including the authority to act as a peace officer to arrest,
34 with or without warrant, any person within the boundaries of the State of
35 Arkansas who is or is reasonably believed to be committing an offense against
36 any laws of the State of Arkansas or against the ordinances of the city in

1 which the Supreme Court or Court of Appeals is convened, and to deliver the
2 person before any court of competent jurisdiction to be dealt with according
3 to law.

4
5 16-10-1005. Arkansas Commission on Law Enforcement Standards and
6 Training – Duties.

7 The Arkansas Commission on Law Enforcement Standards and Training
8 shall:

9 (1) Establish the standards and requirements for the training
10 and certification program for court security officers;

11 (2) Work with the Administrative Office of the Courts to develop
12 curriculum specific to the needs and requirements of a court security
13 officer;

14 (3) Maintain an official roster of individuals who have
15 successfully completed the training of a court security officer;

16 (4) Establish minimum curriculum requirements and approve
17 courses and programs offered and operated by or for this state or its
18 political subdivisions for the specific purpose of offering training to a
19 court security officer; and

20 (5) Consult and cooperate with counties, municipalities,
21 agencies of this state, other governmental agencies, universities, colleges,
22 junior colleges, community colleges, and other institutions or organizations
23 concerning the development of court security officer programs or courses of
24 instruction.

25
26 16-10-1006. Court security grant program.

27 (a) The Administrative Office of the Courts shall administer a court
28 security grant program for the purpose of providing financial assistance,
29 from funds specifically appropriated for that purpose, to city and county
30 governments to assist in the implementation of local security and emergency
31 preparedness plans for circuit courts and district courts.

32 (b)(1) Guidelines for the court security grant program shall be
33 developed by the Administrative Office of the Courts by December 31, 2007,
34 and shall be approved by the Legislative Council prior to the disbursement of
35 any grant funds.

36 (2) Beginning July 31, 2008, and on July 31 of every year, the

1 Administrative Office of the Courts shall provide an annual report to the
2 Legislative Council that shall include the number of grant requests received
3 from cities and counties and the number and amount of grants approved.
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5 SECTION 2. Arkansas Code § 12-9-107 concerning training programs under
6 the Arkansas Commission on Law Enforcement Standards and Training is amended
7 to add an additional subsection to read as follows:

8 (f) The Arkansas Commission on Law Enforcement Standards and Training
9 shall administer the training and certification program for court security
10 officers under the Arkansas Court Security Act, § 16-10-1001 et seq.
11

12 SECTION 3. Recommendations.

13 The General Assembly recommends:

14 (1) That the Supreme Court develop a comprehensive policy on
15 security and emergency preparedness for the judicial branch of the
16 government;

17 (2) That the Supreme Court establish standards for every county
18 for the development of a local security and emergency preparedness plan for
19 circuit courts in the county and establish standards for every city in which
20 a district court is located for the development of a local security and
21 emergency preparedness plan for district courts in the city; and

22 (3)(A) That the Supreme Court create a Security and Emergency
23 Preparedness Advisory Committee.

24 (B) The committee should be inclusive of judges, law
25 enforcement officers, sheriffs, city and county executive officers, emergency
26 preparedness officials, legislators, and others involved in providing
27 security to the courts.

28 (C) Legislative representation on the committee should be
29 appointed by the Speaker of the House of Representatives and the President
30 Pro Tempore of the Senate.
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32 /s/ J. Taylor
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34 APPROVED: 3/28/2007
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