

Wyoming Court Security Commission
Meeting Minutes
February 24, 2021 ~ Via Teams

The Wyoming Court Security Commission met on February 24, 2021, virtually via Teams. Court Security Commission members in attendance via video or phone were: Justice Keith Kautz, Deputy Director Lynn Budd and Deputy Director George Nykun, Interim Director Forrest Williams, Judge Tori Kricken, Judge Wes Roberts, Representative Art Washut, County Attorney Daniel Erramouspe, Sheriff Scott Matheny, and County Commissioner Mike Colling. Supreme Court personnel Ronda Munger, Joe Hartigan, and Sherry Griffin also attended virtually.

Call to Order – Justice Keith Kautz, Chairman

Welcome & Introductions

Justice Keith Kautz opened the meeting. He welcomed new members and those in attendance.

Approve Minutes of January 21, 2020, Meeting

Justice Kautz addressed the next order of business on the agenda: approval of the minutes from the January 21, 2020, meeting. He asked for questions from new members as well as comments, additions, corrections, and objections. There being none, Scott Matheny moved to approve the January 21, 2020 minutes as submitted, seconded by Mike Colling. The motion passed unanimously.

Summary of Incident Reports

Joe Hartigan, the Court Security Officer at the Wyoming Supreme Court, discussed the incident reports he received since the Commission's January 2020 meeting. Pursuant to Wyoming Statute § 5-11-101 the Commission was created, and this statute defines the Commissions' powers and duties. One of those duties is to establish security standards. Five standards have been created by this Commission, which includes Standard 2014-1 for Incident Reporting. This standard was created based on what other states were doing to track security incidents, and the reporting has been used to request funding grants from the Legislature.

There has been a total of 307 reports submitted since the creation of the reporting standards in 2015. Joe provided a breakdown of the total reports received by year: in 2016 there were 44 reports, 2017: 73 reports; 2018: 51 reports; and 2019: 51 reports. Since the meeting on January 21, 2020 there have been 30 reports submitted, which is about a 40% decrease from past years likely attributed to COVID and the shutdown in the courts. He would like to see reporting improve, but it may take some time for that to occur. The 30 reported incidents were for the following: 8 disorderly conduct, 7 arrest/warrant, 3 verbal threat, 3 written threat, 2, physical assault, 2 suspicious circumstances, 1 self-harm, 1 check fraud, 1 check fraud, 1 trespassing, 1 panic alarm, and 1 emergency mechanical problems. A breakdown of the reports submitted is as follows: Supreme Court (3), Laramie County (10), Uinta County (13), Sweetwater County (1) Sheridan County (1), Teton County (1), and Converse County (1).

Joe broke out all 307 reports by county, including the Supreme Court, since inception of incident reporting:

Albany	8	Big Horn	2	Campbell	14
Carbon	1	Converse	20	Crook	2
Fremont	14	Goshen	3	Hot Springs	0
Laramie	113	Lincoln	5	Johnson	3
Natrona	27	Niobrara	0	Park	5
Platte	8	Sheridan	5	Sublette	9
Sweetwater	13	Teton	4	Uinta	32
Washakie	0	Weston	0	WY Supreme Court	19

Hot Springs, Niobrara, Washakie, and Weston counties have not turned in any reports to date. The reporting standards are recommendations and not mandates, so some counties do not send in reports. The Wyoming Supreme Court is an appellate court, which should have less incidents than courts that hear criminal cases, but Joe has submitted 19 reports. His estimate of the reports received are approximately a third of the actual incidents happening out there.

Joe read a report from the last reporting period to demonstrate what the court deputies deal with regarding court security. An inmate being escorted after a court appearance was asked to put on her mask prior to entering the elevator. The inmate became combative, and she punched the detention officer in the face, which resulted in a bloody nose and red swollen upper lip. Additional deputies were called to assist and ultimately the inmate was issued new criminal charges for her actions.

Judge Kricken asked about when and by whom these reports should be submitted. She has submitted some, but not sure when incidents should be reported. Joe indicated that rarely judges submit the reports as they are usually submitted by the courthouse deputies who provide security and sometimes by court clerks. The report includes a checklist of the types of incidents that should be reported. Judge Kricken noted that the upcoming Albany court security commission meeting would be a good opportunity to educate members for consistent reporting. Judge Kricken's court does not have a court security officer, so the responsibility falls on her or the Clerk's office. Judge Kricken indicated she will be more proactive in getting reports submitted. Joe appreciates that and although they are not mandated, they are useful in sharing this information across the state, so everyone knows what is going on in the courthouses.

Grant Funds Update

Ronda Munger provided a history for new Commission members. The establishment of the Commission began due to an unfortunate incident in Riverton, where a bullet was shot through the outside wall and went into the courtroom. It brought a lot of conversation and attention to court security in Wyoming.

The Legislature appropriated \$6 million dollars in 2014 for court security improvements which began in Fremont County for a new justice center that was dedicated in June 2015. Then a little under \$3.5 million dollars that was appropriated in Sweetwater County, which previously had two circuit courts: one in Rock Springs and one in Green River. Sweetwater County needed security

upgrades, so their county commissioners began a \$20 million dollar project to combine those two circuit courts into one. The building was dedicated in July 2018, which now includes both circuit courts, the public defender's office, and the jail.

In 2014, the Wyoming Supreme Court applied for a \$50,000 grant from the State Justice Institute and embarked on court security assessments through the National Center for State Courts. At that time, eight courthouses were assessed in Albany, Big Horn, Crook, Goshen, Niobrara, Park, Platte, and Weston counties. The assessments were taken to the Legislature to request funding to help the counties with these security upgrades. The Legislature gave just over \$1 million dollars at a 90/10 match to the State Lands and Investment Board (SLIB) to administer.

In 2016, another \$50,000 grant was requested and approved, from the State Justice Institute. Assessments were done on another seven courthouses. Those assessments were done in Converse, Carbon, Uinta, Lincoln, Washakie, Hot Springs, and Sheridan Counties. The state revenue in 2016 and 2017 had declined, but the Supreme Court again requested the Legislature fund security improvements in the amount of just over \$1 million dollars. The Legislature declined to fund the full amount but did approve \$400,000 for the seven counties. Instead of appropriating the funds for SLIB to administer, the funds were appropriated through the Supreme Court's budget, and this Commission was asked to make recommendations on how the funds should be distributed. The commission worked on a prorated scheme. Converse, Lincoln, Sheridan, Uinta, and Washakie counties have completed the expenditure of their grant funds. Monies are still outstanding for Carbon and Hot Springs Counties.

Carbon County Commissioners are doing an extensive remodel of the county courthouse that started with the county attorney's offices and then will move onto the court facility. The Carbon County Commissioners were given an extension to expend those funds through an amendment to their grant agreement. Hot Springs County was also given an extension to expend grant funds through an amendment because cameras and security monitors necessary to complete the project were delayed due to COVID. Approximately \$215,000 has been reimbursed with approximately \$185,000 left to be expended out of the \$400,000. Representative Washut asked about the timeline of the funds left to be expended. Ronda stated that Carbon County project should be concluded by May of 2022. Judge Luhm in Hot Springs County recently confirmed that the equipment is still on backorder, so another amendment extending those funds may be needed. It is likely, that all the funds will be expended or reverted by June 2022.

Director Williams asked about the possibility of obtaining federal grant funds through the Department of Justice. Ronda noted that most of those grants are earmarked for specific things such as data transfer. Additionally, it is the county commissioners who typically apply for grant funds because the improvements are required in courthouses that are county buildings. The county commissioners lead the charge in doing these improvements. In the past, funding possibilities through Homeland Security were explored but those funds had limitations such that they could be used for specific equipment like magnetometers, but not for the personnel to man that equipment. Funding sources through Homeland Security will be explored by Justice Kautz, Ronda Munger and Director Budd for presentation to this Commission at the next meeting.

Commission Focus for 2021

Justice Kautz discussed the Commission's role across the state. Last year this Commission pivoted away from new or improved construction projects due to lack of building funds, which is a similar circumstance this year. The Commission discussed ways to better support the local security committees. The Commission thought it would be beneficial to broaden communications with the members and to continue visiting their courthouses. The desire is to include legislators in those visits so they can report back to the Legislature the security needs of each courthouse. This is the primary objective for this year.

Another objective is to provide specific training for judges on personal security awareness when away from the courthouse; this may include cyber security. Justice Kautz will contact the US Marshalls' Office to request help in putting the training together.

Judge Roberts liked the idea of training on personal security and discussed federal legislation being pursued by a federal judge who experienced violence against her family in her home. Cyber security is a big deal also and goes hand-in-glove with personal security. These two items alone could occupy the Commission's time in pursuing legislation. It is important that all local committees are functional and conducting meetings with a function and a purpose.

Representative Washut asked about courthouse security models. Justice Kautz stated the security models in Wyoming include sheriffs' offices and some counties have cooperative agreements between the police department and the sheriff's office. In addition to police and sheriffs' departments, specific threats sometimes include DCI and the Wyoming Highway Patrol in providing security to judges. Judge Roberts noted that his county includes police officers on the local court security committee, as they are first responders to security threats. Ronda notes that the Supreme Court security is provided by Wyoming Highway Patrol Division O and Sec Ops, a private security vendor, who oversee the Capitol Complex. Judge Kautz further notes, that the US Marshall's Office has a division devoted to courthouse security and one of their missions is to help states provide courthouse security through training. They may also do local security assessments with county sheriffs' offices.

Judge Roberts added that another function of this Commission could be to review the standards for amendments or additions. Judge Kautz agrees that it is a good idea to review the standards and go through them with the local committees. He states that Ronda has gone through them in the last couple years. Justice Kautz asked that the electronic form of the annual report from this year be sent to the Commission.

Justice Kautz will send out a letter in the next several weeks for members to reach out to him with any ideas for the Commission's functions and especially for ways to keep the local committees active, as they are the heart and key to courthouse security.

Joe Hartigan will be reaching out to all the local committees to remind them about the July 1 submission deadline for their annual reports. The Commission will then submit its report to the Legislature, the Joint Appropriations Committee, the Joint Judiciary Committee, and the Chief Justice, and that report is due September 1st.

Next Meeting

The Commission discussed whether the next meeting will be in-person or just remotely, a possible location and a date range. The next meeting will be set in the next three months. Ronda will set a date for late May.

Meeting Adjourned at 3:50 p.m.**Actions Taken:**

1. The Commission approved the minutes from the January 21, 2020, meeting.

Action Items:

1. Justice Kautz will send a letter to the Commission in the next couple weeks asking for ideas and ways to keep local committees active.
2. Ronda Munger will send out electronic copies of the 2020 Annual Report.
3. Justice Kautz, Ronda Munger and Director Budd will discuss possible funding sources through Homeland Security for presentation at the next Commission meeting.
4. Justice Kautz will work with the U.S. Marshalls' Office to develop security training opportunities.
5. Joe Hartigan will remind local committees of the July 1st annual reporting deadline. The Commission will then submit its Annual Report September 1st.