

WHEN COURT SECURITY IS NOT ENOUGH: AFTERMATH

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The response to an emergency and an assessment of the need for recovery activity should not be determined by whether the event is described as an incident, emergency or disaster.

The key to providing an effective response relies on the event being defined in terms of its impact on people.

PLANNING TO MANAGE RISKS

▶ Planning responsibility

Courts should ~~are required to~~ maintain a current emergency management plan which describes actions to be taken during and following an emergency to ensure the safety of court staff, court users and visitors.

▶ Emergency management planning

Emergency management at the workplace level refers to a comprehensive risk management process comprising four components - **preparedness, prevention, response, and recovery.**

▶ Preparedness

The process culminates in the development of a workplace emergency management plan.

▶ Prevention

The focus of the plan is directed towards the prevention and mitigation of emergencies including trauma.

▶ Response

Not all emergencies are preventable and, therefore, planning is also directed towards minimizing the effects of emergencies which occur.

▶ Recovery

Courts have a major responsibility, including during emergencies, in supporting individuals who may be traumatized as a result of their exposure to the emergency.

The effectiveness of the emergency plan will be determined by how people respond during an emergency when normal routines and procedures may be disrupted and individuals may be confused or disoriented.

To ensure an effective response, court staff, court users and visitors need to know what the plan contains and what they are required to do in an emergency.

▶ Paradigm for Continuing Operations for the Court

An emergency does not end once the physical safety of individuals has been assured or when the emergency services have gone home.

The psychological and emotional wellbeing of court staff and users becomes the focus of activity when coordinating recovery activity during an emergency.

TRY AS YOU MIGHT,
YOU CAN'T PREVENT EVERY INCIDENT

Incidents may happen in the court during hearings, in the court building not during hearings, to others in nearby offices, or to staff outside of court

Prevention cannot address what to do or what to expect when something violent has happened

Some of the expected things are: funerals, medical treatment, interrupted hearings

What is NOT expected is everything else that might come up

We hope to give you food for thought, ideas to consider for planning, tools to use

CHARACTERISTICS OF TRAUMATIC EVENTS

- ▶ Court personnel are required to respond effectively and efficiently to emergencies that affect their court community.
- ▶ Emergencies which court personnel may be expected to deal with include:
 - ▶ the murder or serious injury of a court staff member
 - ▶ suicide of a colleague
 - ▶ sexual or physical assault
 - ▶ acts of violence or threats of violence
 - ▶ death of a colleague from a terminal illness
- ▶ Emergencies which court personnel may be expected to deal with include (cont.):
 - ▶ siege, hostage, abduction, missing colleague
 - ▶ diagnosis of a life threatening illness of a court staff member
 - ▶ physically destructive events such as fire, flood, lightning, windstorm
 - ▶ the cumulative effect of a series of small scale incidents
 - ▶ media coverage of a sensitive issue
 - ▶ serious injury or death resulting from a motor vehicle collision

WHAT HAPPENS WHEN COURT SECURITY IS NOT ENOUGH ?

- ▶ Our stories:
Cedarville Rancheria shooting

Las Vegas reactions and aftermath

- ▶ Murder of court staff family member
- ▶ Unexpected human-caused death of staff or family members
- ▶ Staff as victims of crimes – DV, stalking, assault
- ▶ Building damage

HOW DOES THIS AFFECT YOUR COURT?

- ▶ More than just physical injuries, loss of staff due to death or injury
- ▶ More than just structural and other building issues
- ▶ Consider planning for aftermath
- ▶ Many unexpected situations will arise
- ▶ There are

- ▶ immediate effects
- ▶ interim effects
- ▶ long term effects
- ▶ There are
 - ▶ Internal court impact
 - ▶ External impact on court operations
- ▶ There are
 - ▶ Personnel impacts
 - ▶ Court user impacts
 - ▶ Outside impacts to others not using or working at the court
 - ▶ People and the building are affected

THE PROBLEMS YOU MAY FACE

- ▶ Knowing what they may be, or what we faced, may help you plan for events you hope to never deal with

SHORT TERM EFFECTS

- ▶ Physical injuries and death of staff / other key personnel / family of staff
- ▶ Is your hearing audio / video recorded?
- ▶ How is this recording backed up? What if the hearing becomes EVIDENCE?
- ▶ Can you hear cases telephonically?
- ▶ Do you have back up personnel to hold the hearing? (Judge, clerk, advocate, attorney)
- ▶ Do you have a body of law to have court rules in place to continue hearings, reconvene hearings if interrupted, address conflicts of interest that arise because of the incident(s)?
- ▶ Do you have policies and procedures in place to ensure you have a spokesperson?
- ▶ Do you have a governmental procedure if officials are impacted by the incident, or interim governmental plan to ensure smooth handoff of governmental control?
- ▶ Who is your government and who takes their place in an emergency situation?

INTERIM EFFECTS

- ▶ Remodel of court room; staff areas; crime scene cleanup
- ▶ Blood, bullet damage,
- ▶ Lost files: taken as evidence? Electronic back up of files
- ▶ Requesting files and evidence from outside LE agencies
- ▶ Staff needs time off for physical recovery; being with family in hospital or funerals
- ▶ Staff needs time off to attend court hearings / testify
- ▶ Address conflicts that now exist in ongoing cases – other judges and staff needed

LONG TERM EFFECTS

- ▶ Counseling needs
- ▶ Future training – “active shooter training”
- ▶ Building remodels for security needs; personal security
- ▶ Other cases that arise as a result of the incident
- ▶ Security planning for the future

SOME OF THE MORE UNUSUAL CONSIDERATIONS

- ▶ Adoptions / Social Services Cases
- ▶ Counseling needs for staff

- ▶ Weapons policies
- ▶ Ongoing court security training
- ▶ Support for staff – emotional and physical needs
- ▶ PTSD
- ▶ Rebels Project
- ▶ Anniversaries
- ▶ Enrollment issues
- ▶ Codes to adopt: probate; weapons codes; other codes
- ▶ Care for minor children left behind – foster care or adoption or both
- ▶ Bomb threats; poison; contamination mitigation plans
- ▶ Triggers – dealing with them with your staff or yourself
- ▶ Dealing with the Criminal Justice System as a Tribal Court Employee
- ▶ What if they treat your staff poorly?
- ▶ What does Victim Witness support do?
- ▶ What rights do victims have? In tribal / state/ federal courts
- ▶ Marsy’s law
- ▶ Has your Tribe’s culture been damaged?
- ▶ How do you “fix” or “reinstate” or “replace” that?
- ▶ What counseling is available locally?
- ▶ Conflict of interests with counselors?
- ▶ ???

EMERGENCY MANAGEMENT PLANNING: PLANNING TO MANAGE RISKS

- ▶ The plan should include:
 - ▶ The range of emergencies covered
 - ▶ A site plan and general description of the court workplace
 - ▶ Assessment of risks and the hazards to which the court workplace may be exposed
 - ▶ An identified risk treatment program with funding to reduce risks
 - ▶ Roles and responsibilities of key personnel during an emergency
 - ▶ Procedures for reporting emergencies
 - ▶ Safety procedures to be followed by court staff, court users and visitors
 - ▶ Alternative evacuation assembly areas
 - ▶ Emergency services contact numbers
 - ▶ Measures to prevent or mitigate the effects of emergencies
 - ▶ Means by which recovery programs will be implemented
 - ▶ Endorsement by the law enforcement (police, sheriff, court security), fire and other relevant agencies

REPORTING EMERGENCIES: PLANNING TO MANAGE RISKS

- ▶ Clear procedures should be developed for reporting emergencies within the court.
- ▶ The court must notify the agency responsible for emergency services and the Court Security Management Branch.
- ▶ Emergency contact numbers should be prominently displayed at strategic points throughout the court and in the emergency plan.
- ▶ It is important to check with the agency responsible for emergency services to obtain the telephone number which will ensure the fastest response during an emergency.

ROLE OF THE EMERGENCY SERVICES AND RECOVERY AGENCIES: PLANNING TO MANAGE RISKS

- ▶ The appropriate emergency services (police, fire, ambulance, Area Emergency Service) should be contacted immediately when an emergency occurs.
- ▶ One of the emergency services will assume legal responsibility for control and coordination of response activity on arrival and will retain control until their services are no longer required.
- ▶ Drill and practice!
- ▶ The Chief Judge and/or designee are responsible for the safety of court staff and users prior to and during any emergency, and staff should take reasonable steps to reduce the impact of the emergency prior to the arrival of the emergency services.
- ▶ Once the emergency services have taken responsibility for managing the emergency, the Chief Judge and/or designee efforts should continue to be directed towards the immediate welfare of affected individuals and groups, and to providing resources or information requested by the emergency services.
- ▶ The court plan should describe how this will be achieved.
- ▶ Psychologists and social workers have a major role in working with court staff and users during emergencies and will liaise with other agencies which may be involved in providing specialist recovery services to courts.
- ▶ Court plans should recognize the role which other agencies play during emergencies and describe arrangements for working with appropriate support staff.
- ▶ The role of the Chief Judge as the coordinator of the court's response, of senior staff, other office staff, other agencies that use the court building and court users and visitors should be described in the plan along with specific responsibilities which might be required.
- ▶ While responsibilities may be similar for most staff, some may have specific tasks to perform such as searching court rooms, different rooms within the court or toilets during an evacuation.
- ▶ General and specific responsibilities should be described in the plan.

RESOURCES

- ▶ NATIONAL CENTER FOR STATE COURTS SECURITY RESOURCES
- ▶ <http://www.ncsc.org/topics/courthouse-facilities/court-security/resource-guide.aspx>
- ▶ Best Practices for Court Security
- ▶ [http://www.ncsc.org/~media/Files/PDF/Services%20and%20Experts/Areas%20of%20expertise/Emergency%20Preparedness/Security Best%20Practices %20Steps to Best Practices.ashx](http://www.ncsc.org/~media/Files/PDF/Services%20and%20Experts/Areas%20of%20expertise/Emergency%20Preparedness/Security%20Best%20Practices%20Steps%20to%20Best%20Practices.ashx)
- ▶ Colorado Security Resources Guide
- ▶ [https://www.courts.state.co.us/userfiles/File/Administration/Financial Services/Court Security Resource Guide.pdf](https://www.courts.state.co.us/userfiles/File/Administration/Financial%20Services/Court%20Security%20Resource%20Guide.pdf)
- ▶ Conference of Chief Justices Security Handbook
- ▶ <http://ccj.ncsc.org/~media/Microsites/Files/CCJ/Web%20Documents/Court%20Security%20Handbook.ashx>
- ▶ Taking Care of Yourself After a Traumatic Event
- ▶ <http://ucc.nd.edu/self-help/disaster-trauma/taking-care-of-yourself/>

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