

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.

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

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

A Bill

SENATE BILL 89

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

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.

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
36 16-10-1002. Purpose and findings.



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

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

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

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

14
15 16-10-1003. Administrative Office of the Courts – Duties – Director of
16 Security and Emergency Preparedness.

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

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

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

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

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

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

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

36 (B) Assist agencies of this state and local governments of

1 this state with the development and adoption of local security and emergency
2 preparedness plans for circuit and district courts;

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

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

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

14
15 16-10-1004. Court security officers.

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

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

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

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

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

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

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

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

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

35 (c) In order to be eligible to provide services in an appellate court,
36 circuit court, or district court in this state, a court security officer

1 shall:

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

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

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

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

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

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

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

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

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

1 person before any court of competent jurisdiction to be dealt with according
2 to law.

3
4 16-10-1005. Arkansas Commission on Law Enforcement Standards and
5 Training – Duties.

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

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

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

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

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

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

24
25 16-10-1006. Court security grant program.

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

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

35 (2) Beginning July 31, 2008, and on July 31 of every year, the
36 Administrative Office of the Courts shall provide an annual report to the

1 Legislative Council that shall include the number of grant requests received
2 from cities and counties and the number and amount of grants approved.

3
4 SECTION 2. Arkansas Code § 12-9-107 concerning training programs under
5 the Arkansas Commission on Law Enforcement Standards and Training is amended
6 to add an additional subsection to read as follows:

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

10
11 SECTION 3. Recommendations.

12 The General Assembly recommends:

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

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

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

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

27 (C) Legislative representation on the committee should be
28 appointed by the Speaker of the House of Representatives and the President
29 Pro Tempore of the Senate.

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31 */s/ J. Taylor*
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