WYOMING COURT SECURITY COMMISSION MINUTES
Cheyenne, WY – July 14, 2009

Call to Order
Chairman Moore called the fourth meeting of the Wyoming Court Security Commission to order at 11:05 p.m., July 14, 2009 in the second floor conference room of the Supreme Courthouse in Cheyenne, Wyoming.

Roll Call/Introductions
Roll was taken with the following commission members in attendance: Wyoming Office of Homeland Security Director Joe Moore, Justice William Hill, Sheriff Skip Hornecker, Judge Jeffrey Donnell, Representative Kermit Brown and Campbell County Attorney Jeanie Stone. Senator Drew Perkins joined the meeting via teleconference. Also attending this meeting were Kevin White, Supreme Court Security Officer; Joann Odendahl, Deputy State Court Administrator, John Heller and Pam Nelson of Wyoming Office of Homeland Security. Absent members were: Chief Lori Emmert, Judge Denise Nau and Commissioner Bill Brewer.

Approval of Minutes
Motion was made by Judge Donnell and seconded by Justice Hill to approve minutes from the April 13, 2009, Wyoming Court Security Commission meeting. The motion carried.

Sub-Committee Reports

A. **Equipment, Facilities and Architecture Committee**
Sheriff Hornecker was pleased with receipt of equipment surveys by all 23 county sheriffs. Chairman Moore questioned counties having equipment available but not being used. Sheriff Hornecker and Judge Donnell both indicated it may be due to manpower issues.

B. **Training Committee**
Chief Emmert was absent from this meeting, therefore information about training was tabled.

C. **Protocol and Procedures Committee**
Judge Donnell stated this committee will begin looking at the standard to cover protocol and procedures.

D. **Local Management Committee**
Commissioner Brewer was absent from this meeting. Chairman Moore stated the need to look at a management list of Court Security Committees within each county. Although very few counties have official Court Security Committees, there may be more counties with informal committees.

Approval of Commission Standard (2009-1) for Court Security

Chairman Moore stated, if approved, Court Security Standard (2009-1) will have no guidance or authority. This may need a legal opinion. It is critical for each county to establish county court management security committees. The Commission has heard back from several counties. Mr. Heller will follow up with remaining counties to determine whether they have established court security management committees.

Judge Donnell, with reference to item #1 of Wyoming Court Security Standard 2009-1, recommended to add the purpose of what Court Security Management Committee does. Representative Brown stated there

is a constitutional tangle with the commission and committees. This is a two step process; one is with protocol and one is with who has the authority to implement the standard. Sheriff Hornecker agreed with Judge Donnell's opinion and stated there may be the need to insert language "commission's aid in protocol for security committee". Chairman Moore expressed the opinion it should be decided within the county structure not the commission's. Sheriff Hornecker stated when he made the previous comment, he was thinking in the realm of sheriff's authority rather than the county commissioner's and, therefore, concurred with Chairman Moore. Chairman Moore suggested crafting a paragraph for the purpose of Court Security Management Committee. He then said he and Mr. Heller would prepare a short paragraph to be distributed to commission members for them to comment on and approve as a revision to 2009-1. He indicated he would ask legal counsel what to do with this when 2009.1 is approved. Chairman Moore directed a change in item #1, last word in sentence, change (Committee) to (Committees). Regarding item 6, Chairman Moore expressed concern about how many times the committees should meet throughout year. The consensus was at least twice per year. The revised change in item #1 of this Standard will be included in the Annual Report to the Legislature in September 2009.

Annual Report to Legislature due September 1, 2009

Representative Brown stated it was a great journey through the legislative process in 2009 with Chairman Moore, Ms. Holly Hansen and Mr. John Heller trying to attain funding for the commission. He said they accomplished a lot and hope the commission can persevere in 2010 to see the same line item included in the budget. He also said more education and explanation would help to overcome resistance in funding support.

Senator Perkins said he agrees with Representative Brown funding should be provided in high profile cases from sources other than the respective county. Ms. Stone suggested there may be need for baseline funding in each county to provide for broadening costs other than just high profile cases, i.e. equipment, training, etc. Representative Brown disagreed with this idea in light of recent problems with the economy and feels the contingency fund should be narrowed down. Judge Donnell was also in support of Representative Brown's opinion. Much discussion followed about which agency would be responsible for management of the contingency fund. One suggestion was the budget item for $100,000 be created with a footnote for high profile cases to be included in Supreme Court's budget. Justice Hill indicated the Supreme Court would be fine with this as long as the budget is presented in a way as not to build an empire. Representative Brown indicated the footnote could be worded with reference back to the constitution. Senator Perkins suggested Attorney General possibly having responsibility for funds for all counties. Ms. Odendahl asked how high profile cases would be defined. Chairman Moore stated things could take place in a regular case leading into a high profile case requiring more funding necessary to support security. Senator Perkins referred to fire suppression funding as a guide. Chairman Moore asked whether we put funding in the Supreme Court's budget or Governor's budget. Judge Donnell stated he did not think judges should be involved in determining funding for increased costs in court case. There was discussion about the possibility of the Office of Homeland Security handling the funding for the Wyoming Court Security program much like they currently do for the Wyoming Search and Rescue program. Motion was made by Judge Donnell to recommend funding of reimbursement for high profile cases or other cases which require extra security be deferred to the legislative members of the commission. Sheriff Horneker gave a second and motion carried.

Representative Brown stated the commission needs to advocate to judicial or executive branch in legislative wars and Chairman Moore may just be the one to take on the challenge. Chairman Moore indicated the paragraph on funding support needs to be reworked. Mr. White asked who would decide on how money would be divided if the fund was approved.

Judge Donnell brought up whether the commission needs to recommend legislation concerning possession of firearms in public buildings in lieu of the two recent Attorney General's opinions.

Justice Hill made the motion for the commission's two legislative members to meet with the Legislative Services Office to discuss concerns about the two opinions from the Attorney General in order to put them on the books for statutory authority. Judge Donnell gave a second. Motion passed. Senator Perkins stated this change in legislation may not work since the legislature will be a budget session.

Chairman Moore adjourned the meeting at 12:10 for lunch and the meeting reconvened at 12:35.

Chairman Moore directed Mr. Heller to add *#14 Attorney General's Response to Sweetwater County and Prosecuting Attorney* to list of attachments for Annual Report.

The annual report with the two recommendations will be sent to commission members by August 15, 2009.

Term for Chairperson
Chairman Moore was recommended by Justice Hill to continue as Chairman for the following year. Chairman Moore accepted this recommendation but stated chairmanship should change periodically.

Goals
Judge Donnell would like to see adoption of additional standards. Chairman Moore stated the commission needs to highlight more emphasis on training, especially looking at where the commission is going with training at the Wyoming Law Enforcement Academy and P.O.S.T. certification.

Schedule of Next Meeting
Natrona County Sheriff, Mark Benton, suggested to Mr. Heller, the next Court Security Commission meeting be held in Casper, Wyoming in January 2010, with the purpose of touring the new Natrona County Courthouse. The specific date, time and location for the meeting will be announced at a later date.

Comments
Ms. JoAnn Odendahl announced her appointment as Supreme Court Administrator and was congratulated by members of the commission. Chairman Moore thanked those present for attending this meeting and also thanked Mr. White and Ms. Odendahl for providing the nice lunch for commission members.

Adjournment
Chairman Moore adjourned the meeting at 12:52 p.m.