



COLEMAN COUNTY COURT SECURITY COMMITTEE

Hon. Robert J. Nash Presiding
100 West Liveoak Street, Suite 103
Coleman, Texas 76834
(325) 625-4223



APRIL 4, 2019

MEMORANDUM FOR PUBLIC RECORD

Establishment of The Coleman County Court Security Committee

1. **Authority.** Government Code Chapter 74, Section 74.092 (a) (13)
2. **Duration.** The newly established security committee remains effective until rescinded by proper authority.
3. **References.**
 - a. 42nd District Judge Appointment of Presiding Officer, ENCLOSED
 - b. Presiding Officer Appointment of Members, ENCLOSED
 - c. Texas Senate Bill 42, 2017, AVAILABLE ONLINE
 - d. Government Code, Chapter 74, AVAILABLE ONLINE
 - e. Open Meetings Act, 2017, AVAILABLE ONLINE
4. **Purpose.** This Coleman County Courthouse Security Committee (CCCSC) shall adopt security policies and procedures for the courts served by the local administrative district judge (per GC Ch 74, Sec 74.092 (a) (13)); to recommend and implement the necessary requirements that support the establishment, improvement and sustainment of the overall security posture of the Coleman County Courthouse. This committee strives to mitigate risks for the security of Citizens who utilize the courthouse and the departments within its four walls; and, the security of the Elected Officials and their Employees who work and operate out of the courthouse. Court security is directly related to courthouse security.
5. **Composition of Committee** (GC Ch 74, Sec 74.092 (a) (13) (A-F))
 - a. The local administrative district judge, or the judge's designee, who serves as presiding officer of the committee
 - b. A representative of the sheriff's office
 - c. A representative of the county commissioners court
 - d. One judge of each type of court in the county, except for a municipal court. Municipal court security is governed by CG Ch 29.
 - e. A representative of any county attorney's office; district attorney's office, or criminal attorney's office that serves in the applicable courts
 - f. Any other person the committee determines necessary to assist the committee







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6. Membership Roles.

- a. Presiding officer. The presiding officer is a non-voting member, unless in the case of a tie vote. The 42nd District Judge may appoint the presiding officer (GC Ch 74, Sec 74.092 (a) (13) (A)).
 - b. Committee members shall be a true representation of all departments or offices who operate or serve in the Coleman County Courthouse.
 - i. Each member is a voting member.
 - ii. Stand-in representatives may attend and cast votes for each department or office, except for the judges  who serve in the courthouse and must be present at each meeting.
 - iii. All departments or offices of the Coleman County Courthouse shall be represented within the committee. Membership shall derive from each of the following Coleman County Departments or Offices:
 1. County Judge , also representing the Commissioners' Court
 2. Judge  of the Justice of the Peace Court
 3. District Attorney and/or County Attorney
 4. County Sherriff (Outside Agency)
 5. County Constable
 6. District Clerk
 7. County Clerk
 8. County Treasurer
 9. County Tax Assessor Collector
 10. County Extension Agent
7. **Voting.** The committee shall consist of voting members, except for the presiding officer who does not vote unless a tie-vote must be broken. Stand-in representatives, who are instructed to attend by an appointed member, are entitled to cast the vote for the appointed member who is unable to attend.
 8. **Quorum Required.**
 - a. A minimum of five (5) voting members, or their representatives, must be present for any agenda item to be decided by vote; thereby, a minimum of five (5) voting members and the presiding officer, *except as provided below in Para 8. c.*, can continue to conduct necessary business as shown on any agenda.
 - b. Decisions are made by majority vote in open session. Unanimity is not required.
 - c.  In no case shall a meeting be conducted unless two judges, who serve in the Coleman County Courthouse, are present. The County Judge and Justice of the Peace must both be present in order to conduct a CCCSC meeting.



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- d. If the County Sheriff is unable to attend a scheduled meeting, and no representative of the County Sheriff is available, then the CCCSC presiding officer shall contact the County Sheriff by telephone to gain his/her input and opinion for any agenda item pertaining to security personnel, security equipment, security devices and/or security plans. This information should be collected prior to the scheduled meeting, then disseminated and taken under advisement by the quorum present.
9. **Attendance and Scheduling.**
- a. Voting Members should strive to immediately, but no less than 72 hours prior to a meeting, make the presiding officer aware of any scheduling conflicts or inability to attend a scheduled meeting.
 - b. This courtesy allows the presiding officer to determine whether to reschedule or continue with the planned meeting.
10. **Funding and Resources.** The CCCSC may recommend to the Coleman County Commissioners' Court the uses of resources and expenditures of money for courthouse security but may not direct the assignment of those resources or the expenditure of those funds (GC Ch 74, Sec 74.092 (b)).
11. **County Commissioners' Court.** This committee is not a sub-committee of the Commissioners' Court, nor is it required to be authorized by the Commissioner's Court according to the references stated (Para 2. above). The CCCSC is established under Texas Law, at the hand of the 42nd District Judge, within the Seventh Administrative Judicial Region of Texas (GC Ch 74.042 Sec (h)).
- a. The Coleman County Judge, as a dual member of the CCCSC and the Coleman County Commissioners Court, is charged with providing regular updates on CCCSC progress reports to the commissioners.
 - b. The CCCSC Presiding Officer may attend commissioners court meetings as required to present requests for funding or resources on behalf of the CCCSC.
 - c. The CCCSC makes determinations to mitigate risks and improve the security posture of the Coleman County Courthouse, then presents requests to the Commissioner's Court for the approval to expend funds designated as court security funds.
 - i. Court Security Funds may only be expended on personnel, equipment, construction, and technology specifically for the purpose of improving courthouse security.
 - ii. The Commissioner's Court may determine it necessary to expend other types of funds to aide in the improvement of courthouse security.
 - iii. The Commissioner's Court role is to approve, deny or table said requests for funding authorizations made by the CCCSC, not to act as the CCCSC which develops the courthouse security plan.



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- d. Paragraph 12. c., below, provides for **privacy restrictions** on CCCSC meetings and pending actions or decisions. The Coleman County Commissioners Court shall discuss CCCSC matters concerning: **security personnel, devices or security audits**; in closed, executive session (per OMA, 2017). Other CCCSC items may be discussed in open forum. All CCCSC items voted upon by the Coleman County Commissioners Court shall be in open session.

12. Meetings and Agendas.

- a. **Frequency.** This committee shall conduct as many meetings, as often as deemed necessary by the committee in order to establish, improve or sustain security for the Coleman County Courthouse, the Citizens who utilize the courthouse and the Elected Officials and the employees who work in the courthouse.
- i. The CCCSC will conduct more, and frequent, meetings during initial establishment.
 - ii. The CCCSC must meet at least semi-annually to maintain oversight and direction of courthouse security. The CCCSC shall consider current, situational, and dependent risk mitigation measures deemed necessary in order to reduce security perils for all those who would enter the Coleman County Courthouse.
- b. **Agenda Construction.** The presiding officer of the committee, or designee, shall prepare, post and publish agendas for each meeting.
- i. Each agenda shall, at a minimum, contain the following:
 1. Commencement
 2. Recapitulation of the previous meeting minutes
 3. Old business items still pending or previously tabled
 4. Public Comment
 5. New business items to be considered, discussed, and/or actioned
 6. Enter executive session for discussion amongst committee members, as required, and return to open session
 7. Committee member motions and voting on agenda items
 8. Setting of the following meeting date and time
 9. Adjournment
 - ii. CCCSC agendas shall be posted similarly to Commissioners Court Agendas, with at least 72 hours prior to a meeting and in the same locations.
- c. **Privacy and Closed Meetings.** The CCCSC shall hold open meetings, in accordance with OMA 2017, whereas the CCCSC may enter executive session to discuss and/or take action on the following matters: **security personnel, devices or security audits**. CCCSC meetings shall convene and adjourn in open session.



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- d. **Location.** This committee shall utilize the County Courtroom for all meetings. Executive sessions may be conducted in the County’s Jury deliberation room. The presiding officer shall properly notify committee members of any change to this set location.
 - e. **Records.** The presiding officer of the committee shall designate a recorder to keep record of each meeting, agenda, decisions of the committee, and documents reflecting the use of funds and resources available to the committee. CCCSC records shall be in written or typed form.
 - f. **Public Information Requests.** The presiding officer of the committee shall timely review and respond to public information requests in accordance with Texas Government Code, Chapter 552.
 - i. Records may be inspected during business hours at the Coleman County Justice Court.
 - ii. Copies of records may be provided at 10 cents per page copied.
 - iii. Documents copied and/or provided in response shall be redacted wherein information is found pertaining to **security personnel, devices or security audits.**
13. **Effective Date.** The Coleman County Courthouse Security Committee (CCCSC) is effective immediately on the date of this memorandum.

Signed and entered this 4 day of APRIL, 2019.

JUDGE ROBER J. NASH
Presiding Officer
Coleman County Courthouse
Security Committee

Cc:

- 1. 42nd District Judge (1)
- 2. Each Appointed, Voting Member CCCSC (10)
- 3. Coleman County Commissioners, Each (4)

Encls:
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