

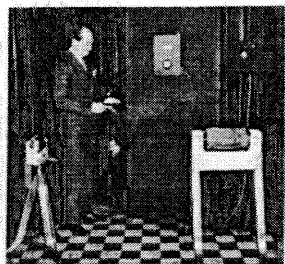
MUNICIPAL COURT

BUILDING SECURITY & TECHNOLOGY FUNDS

Katie Tefft, Program Attorney, TMCEC

Magnets Detect Smuggled Weapons

SMUGGLING of weapons into prisons is eliminated by the new secret weapon detector. As soon as a person with a gun passes between two electric magnets mounted on stands, a light and buzzer issue warnings.

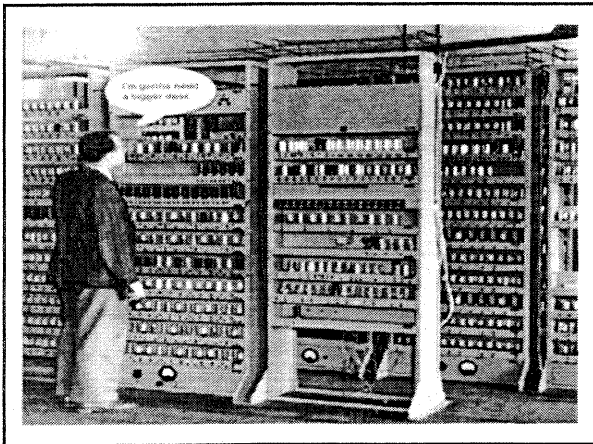


In a series of electronic detector units between magnets at top (left), a light and buzzer give warning signal to keeper.

Looks like a science fair project



Remember when?



COURSE OBJECTIVES

- × Cite the authority for municipal courts to collect the security and technology fees as a cost of court;
- × List uses for the Municipal Court Technology Fund that can increase court efficiency; and
- × List uses for the Municipal Court Building Security Fund that can ensure safety of the court personnel and the public.

MUNICIPAL COURT BUILDING SECURITY FUND

Art. 102.017, Code of Criminal Procedure

(b) ...The governing body of a municipality **by ordinance** may create a municipal court building security fund and may require a defendant convicted of a misdemeanor offense in a municipal court to pay a **\$3** security fee as a cost of court.

(c) In this article, a person is considered convicted if:

- (1) a sentence is imposed on the person;
- ...; or
- (3) the court defers final disposition of the person's case.

MUNICIPAL COURT BUILDING SECURITY FUND

(d) ...the clerks of the respective courts shall collect the costs and pay them to the county or municipal treasurer, as appropriate...for deposit in a fund to be known as the municipal court building security fund.... Money deposited in a municipal court building security fund **may be used only for security personnel, services, and items related to buildings that house the operations of municipal courts.**

(d-1) see next slide

(e) The municipal court building security fund shall be administered **by or under the direction of the governing body** of the municipality.

MUNICIPAL COURT BUILDING SECURITY FUND

- (d-1) For purposes of this article, the term "security personnel, services, and items" **includes:**
- (1) the purchase or repair of X-ray machines and conveying systems;
 - (2) handheld metal detectors;
 - (3) walkthrough metal detectors;
 - (4) identification cards and systems;
 - (5) electronic locking and surveillance equipment;
 - (6) bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services;
 - (7) signage;
 - (8) confiscated weapon inventory and tracking systems;
 - (9) locks, chains, alarms, or similar security devices;
 - (10) the purchase or repair of bullet-proof glass; and
 - (11) continuing education on security issues for court personnel and security personnel.

MUNICIPAL COURT TECHNOLOGY FUND

Art. 102.0172, Code of Criminal Procedure

(a) The governing body of a municipality **by ordinance** may create a municipal court technology fund and may require a defendant convicted of a misdemeanor offense in a municipal court or municipal court of record to pay a technology fee **not to exceed \$4** as a cost of court.

(b) In this article, a person is considered convicted if:

- (1) a sentence is imposed on the person;
- ...; or

- (3) the court defers final disposition of the person's case.

MUNICIPAL COURT TECHNOLOGY FUND

(c) The municipal court clerk shall collect the costs and pay the funds to the municipal treasurer, or to any other official who discharges the duties commonly delegated to the municipal treasurer, for deposit in a fund to be known as the municipal court technology fund.

(d) see next slide

(e) The municipal court technology fund shall be administered **by or under the direction of the governing body** of the municipality.

MUNICIPAL COURT TECHNOLOGY FUND

(d) A fund designated by this article may be used only to finance the purchase of or to maintain technological enhancements for a municipal court or municipal court of record, **including:**

- (1) computer systems;
- (2) computer networks;
- (3) computer hardware;
- (4) computer software;
- (5) imaging systems;
- (6) electronic kiosks;
- (7) electronic ticket writers; and
- (8) docket management systems.

INCLUDES & INCLUDING

- × A term of enlargement and not of limitation or exclusive enumeration
 - No presumption that components not expressed are excluded
 - Sec. 311.005(13), Government Code
- × Consider the object sought to be attained
 - Sec. 311.023(1), Government Code
- × No longer rely on 1998 AG Op JC-0014: clip-on microphones for county deputy sheriffs' portable radios do not constitute "security hardware"
Under prior statute, fund could only be used for the following items...

SECURITY & TECHNOLOGY – THE NEXUS

× The **security of a courthouse** is based on a balance between four essential components: involvement of all stakeholders, security personnel, **technological devices**, and the configuration of the facility itself. Absence of any one of these components affects the security of the facility.

× From the National Sheriffs' Association website on Court Security Assessments

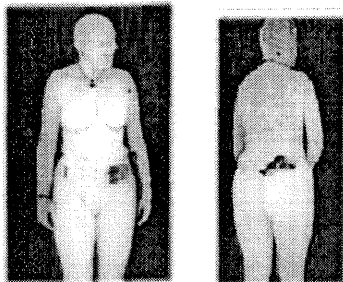
SALARIES & CONTINUING EDUCATION

× See AG LO-98-026: County attorney could not use security fund to pay investigator position that provided security for courthouse

× See 2002 AG Op JC-0476: Commissioners Court could not use security fund to establish and finance a courthouse security force



X-RAY MACHINES



METAL DETECTORS



ID CARDS / KEY PAD OR CARD ACCESS



FourBux

WHEN FRIENDS COME TO YOUR OFFICE, JUST FOR FUN LEAVE YOUR SECURITY KEYCARD IN YOUR PANTS POCKET.

WHAT THE HELL ARE THEY SCANNING???

YOU DO NOT WANT TO KNOW.

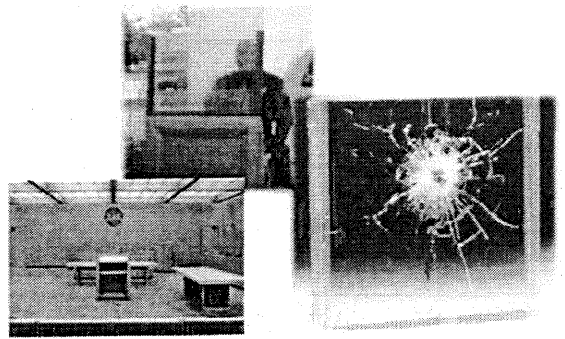


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PANIC BUTTONS / ALARMS / BELLS

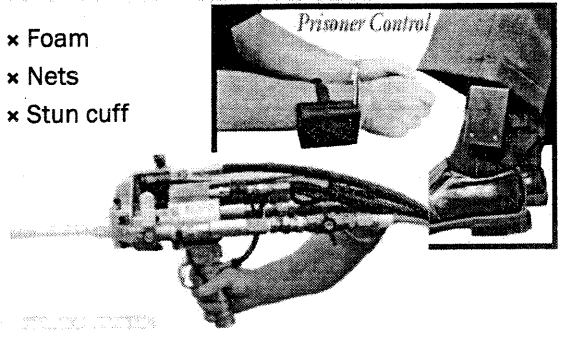


BULLET PROOF GLASS / KEVLAR BENCHES



LESS-LETHAL FORCE OPTIONS

- × Foam
- × Nets
- × Stun cuff

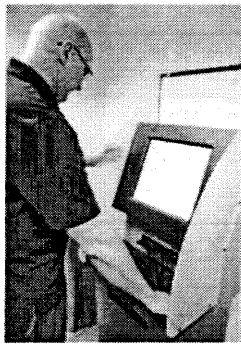


OTHER IDEAS?

- × Gun safes
- × Armored car services
- ×
- ×
- ×

TECHNOLOGY FUND USES

- × Warrant Round-Up?
 - 266 participating agencies
 - 191,512 warrants cleared
 - \$23,649,846 gross collected
 - *193 reporting agencies
- × Electronic kiosks
- × Lobby management system



ELECTRONIC TICKET WRITERS

- × Software
- × Interface
- × Actual units
- × Spanish translation?

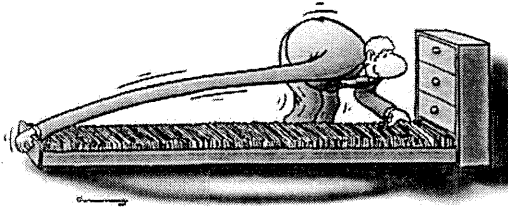


COMPUTERS! COMPUTERS! COMPUTERS!

- × PCs
- × Laptops
- × Clerk stations
- × In the courtroom
- × Case management software
- × Online payments
- × Internet fees
- × And don't forget to back up the data!

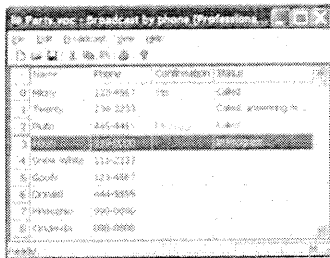


PAPERLESS COURTS



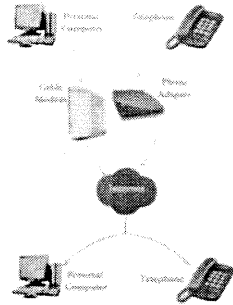
HUMANLESS COURTS?

- × Automatic Dialers
- × Reminders to appear
- × Reminders to pay
- × Delinquencies / collections



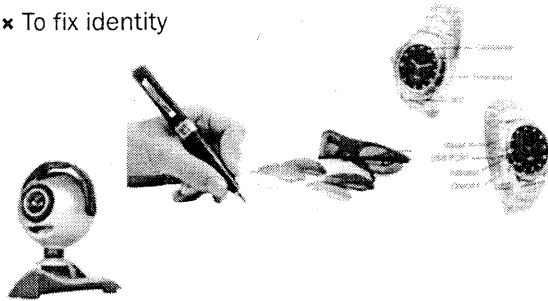
VOICE-OVER INTERNET PROTOCOL

- ✗ VoIP: a procedure for transmitting phone calls over the internet
- ✗ Pros - cost savings, portability, ability to transmit video w/ audio
- ✗ Cons - sound quality, requires external power, must have computer on and VoIP software running to place or receive calls, 911 service does not work properly



CAMERAS - SMILE DEFENDANTS!

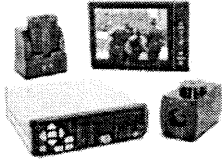
- ✗ To help with warrant service
- ✗ To fix identity



FOR SECURITY OR ACCOUNTABILITY



EVENT DATA RECORDERS



- × Event-based or shift-based
- × Video and audio
- × GPS
- × Speed tracking and recording
- × Flash card, hard drive, or wireless transmission

“BUT THAT WASN’T ME”

AUTOMATIC LICENSE PLATE RECOGNITION

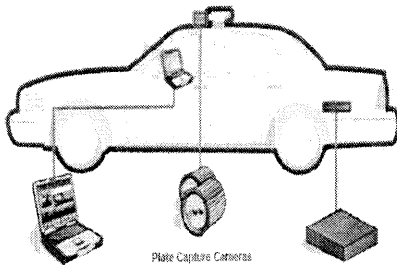


ALPR cameras and software

- × Stolen vehicles
- × Wanted felons
- × BOLOs
- × Amber / Silver alerts
- × Sexual predators
- × Surveillance
- × Investigation
- × Parking enforcement

PROBABLE CAUSE?

How exactly does it work?



Application
Alerts the driver to slow down and check mirrors to the back.

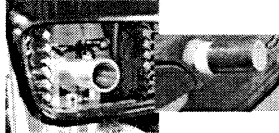
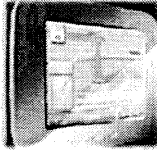
Plate Capture Camera
One or more cameras provide still or video images of license plates to the ALPR processor for recognition.

ALPR Processor
Recognizes the license plate number and compares it to a database.

GLOBAL POSITIONING SYSTEMS (GPS)

× Multiple uses

- Personal (for directions)
- Law Enforcement Chases
- Locating defendants
- Truancy
- MOEPs

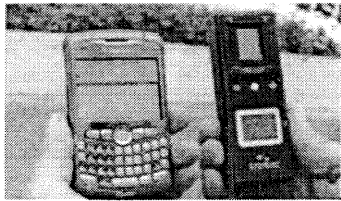


× Small in size

FINGERPRINT READERS

× Many uses

- Computer security
- Identifying suspects who refuse to identify themselves
- Identifying defendants in court
- Verifying identity



AND DON'T FORGET THE SMALL STUFF!

- × Copy machines
- × Printers
- × Scanners
- × Fax machines
- × Telephones
- × Hands-free devices

OTHER IDEAS?

- x
- x
- x
- x
- x

THE TEST

- x How would this look in the local newspaper or on the local news?



JUDICIAL SUPPORT FEE

Sec. 133.105, Local Government Code

- (a) A person convicted of any offense, other than an offense relating to a pedestrian or the parking of a motor vehicle, shall pay as a court cost...a fee of **\$6** to be used for court-related purposes for the support of the judiciary.
- (b) \$0.60 stays with the city "to promote the efficient operation of the municipal or county courts and the investigation, prosecution, and enforcement of offenses that are within the jurisdiction of the courts."



