

Supreme Court of Vermont

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OFFICE OF THE COURT ADMINISTRATOR

To: Rep. Alice Emmons, Chair
House Committee on Corrections and Institutions

From: Teri Corsones, State Court Administrator

Re: H.349

Date: April 17, 2025

Thank you for the opportunity to comment on H. 349, which purports to remove the Vermont Supreme Court's long-standing responsibility for courthouse security. Instead, the bill proposes to vest the responsibility in a Vermont State Building Security Board.

The Judiciary strongly opposes such a proposal on constitutional, statutory and practical grounds. The Supreme Court takes very seriously its responsibility for courthouse security, as evidenced by the numerous security measures detailed in the "Judiciary's S.17 Report to the Legislature". A bill to transfer courthouse security responsibility to a Vermont State Building Security Board was proposed five years ago and should be rejected today for the reasons it was rejected then.

I. Constitutional and Statutory Authority

The Vermont Supreme Court's jurisdiction regarding courthouse security has long been enshrined in Vermont law, beginning with provisions in the Vermont Constitution that provide that the Supreme Court "shall have administrative control of all the courts of the state" and "shall make and promulgate rules governing the administration of all courts". Vermont Constitution Chapter II, Sections 30, 37.

In keeping with that constitutional authority, the Vermont Legislature directed that the Supreme Court is responsible for ensuring the security of "those buildings which function exclusively as courthouses", "the space occupied by the Supreme Court", and "the space occupied by the court" in those buildings that house a court plus one or more other functions. 29 V.S.A. §171(a)(1-3).

The Vermont Legislature further directed that "[t]he Court Administrator shall provide appropriate security services for each court in the State." 4 V.S.A. §30(c). State Court Administrative Directive No. PG-8 provides that "[p]ursuant to 13 V.S.A. §4016(d), the Court Administrator shall certify buildings to be designed to secure the enforcement of 13 V.S.A. §4016, which prohibits firearms and deadly weapons in court." 13 V.S.A. §4016(d) provides: "No

dangerous or deadly weapon shall be allowed in a courthouse that has been certified by the court administrator to be a secured building.”

Lastly, Court Administrative Directive No. PG-8 provides that “any location being used for or during court proceedings” is a secure building. In sum, the Vermont Supreme Court has sole jurisdiction over courthouse security matters based on long-standing constitutional and statutory provisions.

II. Brief History of Security in State Courthouses and the S.17 Report

Vermont sheriffs and sheriff deputies have historically provided courthouse security services to all Vermont state courthouses. Due to unique circumstances in Chittenden County in the 1990’s, state employees who were trained specifically for courthouse security began assuming some responsibility for courthouse security in that county. Due to a reduced sheriff workforce in several counties circa 2016, the Court hired a private security firm to provide courthouse security in those counties. Due to further reductions in sheriff workforce levels during the pandemic circa 2020, additional state employees were hired and trained to provide courthouse security in additional counties.

In December 2023 the Vermont Judiciary submitted its “Judiciary’s S.17 Report to the Legislature” detailing security measures implemented throughout Vermont’s courthouses in furtherance of the Supreme Court’s responsibility to ensure secure courthouses. The measures include:

- * Security screening at the main entrance of every state courthouse.
- * The digitization of all courthouse security camera systems.
- * The installation of security monitors at courthouse screening stations and in clerks’ offices throughout the state.
- * The installation of building wide duress (panic) notification alarms throughout each court building.
- * The implementation of the Judicial Emergency Notification System (JENS) utilizing the state’s VTALERT.GOV system.
- * The installation of new multi-mode x-ray screening and walk-through metal detector systems in every courthouse where space allows.
- * The implementation of a statewide threat and incident reporting and incident mitigation system.
- * Judicial branch training on employee safety, awareness, and emergency evacuation measures.

The S.17 Report recommendations included the creation of a new classified security position entitled “Safety and Security Officer”. An SSO is a Judiciary-employed court officer with expanded enforcement authority and more advanced training in non-lethal use of force and law enforcement functions. This regional model was developed during the COVID period and has provided significant improvement to security and safety within the court system. Regional SSOs

serve as specialists and provide training and support to existing security personnel. Examples of the types of training and support include:

- * X-ray and walkthrough metal detection security systems.
- * De-escalation and management of aggressive behavior.
- * First aid/CPR/AED /Stop-the-Bleed.
- * Security Use of Force (UOF) Protocols.

Other security roles the SSO officers fulfill include:

- * Updating Continuity of Operations Plans (COOP) and Emergency Preparedness Plans (EPP) to include SOV and county courthouses.
- * Conducting Advanced Community Threat Assessment investigations for the JUD Behavioral Threat Assessment Management Team (BTAM).
- * Providing judicial security protection services for judicial officers and staff.
- * Serving as a Liaison to the State of Vermont Interagency Threat Assessment Team (VITAT).
- * Assessing and ensuring occupational and safety measures within the courthouses.

SSO Officers are an example of the Judiciary's on-going review of and continual improvements to courthouse security matters. The Judiciary is grateful to the Legislature for approving SSO positions in the last legislative session. Eight SSO positions have been filled to date.

III. Conclusion

Vermont law provides that courthouse security is "under the jurisdiction of the Supreme Court". Robust and effective courthouse security measures are in place in Vermont courthouses and are continually evaluated and improved-upon to ensure the security of all court users, including judicial officers, judicial staff and members of the public. It's unclear why H.349 is being proposed at this time. A similar bill was introduced five years ago and it was rejected. The Judiciary respectfully submits that H.349, like the bill five years ago, violates the Vermont Supreme Court's constitutional and statutory authority over courthouse security matters and should be similarly rejected.

cc: Rep. James Gregoire, Vice Chair
Rep. Troy Headrick, Ranking Member
Rep. Conor Casey
Rep. Gina Galfetti
Rep. William "Will" Greer
Rep. Joseph "Joe" Luneau
Rep. Brian Minier
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