

District 4 News

Submitted by Hon. Bobbie McCartney

On April 24, 2024, as Director for District 4 (DC,MD,VA) I was honored to host a very timely and significant webinar event entitled: Order in the Court & the Home: Judicial Safety Considerations. For members who could not attend, the full video recording of the webinar can be accessed at <https://www.nawj.org/past-webinars/webinar-order-in-the-court-and-the-home-judicial-safety-considerations> .

This virtual program, presented by program experts from the National Council of Juvenile and Family Court Judges (NCJFCJ) and co-sponsored by NAWJ, and the ABA Commission on Domestic & Sexual Violence (CDSV), was designed specifically for judges, in direct response to their increased vulnerability to violence and with sensitivity to their specific roles and risks. Following this session attendees reported that they were better able to identify strategies to enhance safety through awareness and practices outlined in the NCJFCJ DV AWARE training program and analyze their readiness to identify and develop policies and practices to better respond to judicial safety concerns and dangerous incidents that may occur within the court system (including domestic violence-related incidents).

The virtual event drew approximately 238 registrants, underscoring the importance of addressing these issues – especially among our District 4 members who were shocked and saddened by the recent murder of our friend and colleague, Maryland Circuit Court Judge Andrew Wilkinson, only 52 years old, who was shot and killed outside of his home. <https://abcnews.go.com/US/maryland-circuit-court-judge-andrew-wilkinson-shot-killed/story?id=104166105>

Featured speakers included Hon. Berryl A. Anderson | Chief Judge, DeKalb County Magistrate Court; John Muffler, MS, CTM, Strategic Consultant, Aequitas Global Security, LLC; Joey Orduna Hastings, JD, Chief Executive Officer, National Council of Juvenile and Family Court Judges; and Hon. Janice M. Rosa, J.S.C., Justice (Ret.), New York State Judiciary.



**Hon. Berryl A. Anderson**  
Chief Judge,  
DeKalb County Magistrate Court



**John Muffler, MS, CTM**  
Strategic Consultant,  
Aequitas Global Security, LLC



**Joey Orduña Hastings, JD**  
Chief Executive Officer,  
National Council of Juvenile and  
Family Court Judges (NCJFCJ)



**Hon. Janice M. Rosa, J.S.C.**  
Justice (Ret.),  
New York State Judiciary

**Judge Berryl A. Anderson**, Chief Judge DeKalb County Magistrate Court, was sworn in as Chief Judge of DeKalb County Magistrate Court in 2010 and has served the court for more than 23 years. As Chief Judge, she manages Criminal, Civil, and Ordinance Divisions of Magistrate Court and the Pretrial Services Office. The Court presides over Emergency Family Violence, Dating Violence and Stalking Protective Orders, several diversion calendars, including the state's oldest Misdemeanor Mental Health Court, a calendar for Victims of Sex Trafficking and Exploitation, Youthful Offenders and Domestic Violence. DeKalb Magistrate Court served as a U.S. Department of Justice Office on Violence Against Women Mentor Court from 2014 through 2021, enabling Judge Anderson to provide mentorship to judges across the country on best practices in handling intimate partner violence, sexual assault and stalking cases. Judge Anderson is the recipient of the 2022 Lifetime Achievement Award by the Council of Magistrate Court Judges. The award honors the significant contributions and distinguished career of consistent excellence and commitment to Magistrate Court. She recently participated on the curriculum development team for the #WeToo Advisory Committee created to combat workplace harassment and improve fairness, dignity and respect in the courts. She has also trained hundreds of judges, attorneys and advocates while serving as faculty for the National Council of Juvenile and Family Court Judges, the Center for Court Innovation, the National Network to End Domestic Violence, and the Georgia Institute of Continuing Judicial Education. Judge Anderson received her Bachelor of Arts degree from Hampton University in Hampton, Virginia and her Juris Doctorate degree from the C. Blake McDowell College of Law at the University of Akron in Akron, Ohio. [Read Hon. Berryl A. Anderson Bio](#)

**John Muffler**, MS, CTM, Principal of Aequitas Global Security, LLC, is a strategic consultant for judicial officers, high-visibility clients in government, business, education, entertainment, and private sectors, developing strategic initiatives and crisis management processes. A retired

United States Marshals Service Chief Inspector, he developed and led the National Center for Judicial Security. Holding a top-secret clearance and key leadership positions throughout his decorated career, he led programs in judicial and witness protection, emergency management, physical security, fugitive investigations, and threat assessment and management. John serves as adjunct faculty for the National Judicial College, the National Council of Juvenile and Family Court Judges, the American Bar Association's Judicial Division, and as faculty/consultant for the National Center for State Courts, developing safety and security programs for court facilities and personnel, judges and their families, ranging from immersive learning to in-person consultations and assessments. As a public service, John has given his time for local and national media interviews and has written over thirty articles published in legal and law enforcement magazines/websites on pursuer behavior, targeted violence, situational awareness, and protecting personally identifiable information. John was an executive producer for the award-winning workplace safety video series, Project 365: Security Starts with You, for the United States Courts, developed as an educational tool for federal, state, local, and tribal judges. He is certified in threat management through the Association of Threat Assessment Professionals; serves on the Executive Board of the International Association of Chiefs of Police IMPACT Section; and served as faculty to St. Joseph's University graduate program and the Virginia Center for Policing Innovation. He has developed and delivered nationally recognized programs on violent extremism, domestic violence awareness, active shooter preparedness, and judicial protection. He was the 2022 recipient of American Security Today's 'ASTORS' Award for Excellence in Public Safety. Accepted into the United States Department of State's Fulbright Specialist Program, John has taught globally on judicial security and threat assessment. As a consultant, he is a senior advisor for Gavin de Becker and Associates' clients on anti-assassination strategies and the assessment and management of situations that might pose a hazard to their safety or well-being. John is an alum of Naval Postgraduate School's Executive Leaders Program and holds a master's degree from St. Joseph's University. [Read John Muffler Bio](#)

**Joey Orduña Hastings**, JD, joined the National Council of Juvenile and Family Court Judges (NCJFCJ) as chief executive officer in July 2016. Ms. Orduña Hastings returned to the NCJFCJ, having started her career in 2001 at the NCJFCJ as a Model Court liaison and manager. As CEO, Ms. Orduña Hastings oversees a team of 75 in Reno, NV, and Pittsburgh, PA, and is responsible for a budget of more than \$14 million. Under her leadership, the NCJFCJ has developed and is implementing a strategic plan that is focused on increasing the diversity of NCJFCJ members, staff, and partners; amplifying messaging to expand the reach of NCJFCJ services and brand; increasing membership; diversifying funding streams; engaging state decisionmakers; and aligning NCJFCJ structure and processes to better accomplish these things. As a result of strategic measures, the NCJFCJ now has members in every state in the country. During her tenure, the NCJFCJ and the National Association for Court Management (NACM) announced a partnership to offer a dual membership for judicial officers and court management professionals. Both membership organizations align to improve the judicial system by empowering and exercising judicial and court manager leadership skills through continuing education. She has also played a key leadership role in the creation of a Judicial Education Epicenter in partnership with the Judicial Studies program with the University of Nevada, Reno

and the National Judicial College. Ms. Orduña Hastings continues to work with her team and board of directors to expand and identify collaborative opportunities for programming, policy, and research. [Read Joey Orduña Hastings Bio](#)

**HON. JANICE M. ROSA**, J.S.C. (New York, Ret.) served for nearly 20 years in the New York State Judiciary, on both the Family Court and the Supreme Court trial benches. She was Supervising Judge for the 8<sup>th</sup> Judicial District's 8-county Family Courts, and Supervising Judge for Matrimonial Matters as well. Judge Rosa was the first recipient of the New York Judiciary's Judicial Excellence Award. Since retiring from the NY Courts, Justice Rosa provides training and consulting for judges, courts, and communities on juvenile/family law, domestic violence, leadership and wellness, and systems change all over the country. She has taught at many national and state institutes including the National Judicial College, the National Judicial Institute for Domestic Violence, and multiple state judicial conferences. Justice Rosa provides conference curriculum support for the National Council of Juvenile and Family Court Judges (NCJFCJ). She served on its Board of Trustees, was past Curriculum Chair for NCJFCJ, past chair of NCJFCJ's Family Violence Advisory Committee, a participant of the child welfare Model Court initiative, is a current member of the Judicial Engagement Network, and served as the national Judicial Coordinator for NCJFCJ's Family Court Enhancement Project. She was a member of the Family Justice Advisory Committee for IAALS, a Denver Colorado nonprofit organization, now inactive, addressing policy matters in domestic relations and family law. Justice Rosa was recently named to the New York Governor's Blue Ribbon Commission on Forensic Evaluations to provide recommendations for improvement of custody evaluations. Justice Rosa is the author of law review articles and book chapters on domestic violence, risk and lethality, family law, judicial ethics, and military families. [Read Hon. Janice M. Rosa Bio](#)

This acclaimed panel of experts packed an 8 hour course of materials into a 2 hour presentation, focusing on the most critical aspects of the DV Aware program as applied to judicial safety considerations. Because there is an incredible amount of material condensed into this presentation, it would be very worthwhile to view the full video recording of the webinar, which can be accessed at <https://www.nawj.org/past-webinars/webinar-order-in-the-court-and-the-home-judicial-safety-considerations> ; however, I have tried to include a few key take aways from the presentation below.

Courthouse safety and security is a complex issue and there are no single solutions; however, a framework for risk assessment and response with clear direction, alignment of initiatives and efficacy measurement mechanisms implemented *before* the emergency arises is an essential aspect of addressing judicial safety concerns.

Use of threat assessments or other risk identification and response planning can help prevent or mitigate tragedy. Why is this information important to your work? Court security should be informed of specific cases and trained on general cases with a heightened lethality risk. Courthouse policies and procedures can be developed to increase coordination. Advocates who work in a courthouse can administer risk and lethality assessment to victims. Appropriate risk information sharing with the judicial officer about a case that poses safety concerns. Balance

the need for neutrality against need for judicial officer to know for courtroom safety purposes. Threat assessment tools include Jackie Campbell's Danger Assessment, MOSAIC, DA, ODARA, etc.

Effective risk identification and response plans addressing court safety, both for the victim and for the court itself, should include: **Prevention ; Protection; Mitigation; Analysis; Response; and Recovery.**

**Prevention: How to avoid, prevent, or stop an incident.**

Are there pre-incident indicators before an incident happens, such as prior history of violence or issues pending before the court that may present a particularly heightened level of tension in the courtroom; attempt to address escalating behavior and the physical security risk to the court/room; give consideration of the contact offenders had with court the court and what was observed.

**Protection: Protection of people and assets.**

There are many layers to security and corresponding roles and responsibilities: Establish security measures that are designed to deter, detect, deny and delay an adversary. Examine your facility from the perspective of the threatener and consider barriers to accessing areas of the facility(ies). Develop a safety plan for cases when an injunction is violated, a victim is threatened, or there is an emergency in the courtroom (e.g., an evacuation).

**Mitigation: Reduce loss of life and property.**

Be prepared to take actions to prevent or lessen the impact of an active threat incident. Be part of a broad-based planning team discussion to get a wide array of input into appropriate actions, such as warning all people in the court of a potential or active threat. Includes prevention measures, de-escalation techniques, and physical security considerations.

**Analysis: Analysis of incident data for all types of cases.**

Part of risk awareness and assessment includes access to and the use of any available assessments conducted by third parties or court staff that may be pertinent to the court. What types of data are available to the court and its partners to assess risks? What kind of post-incident review occurs?

**Response: Planning**

Plans should include the judge, including judicial training. Consideration should be given to how/when to inform a judicial officer regarding cases with a high degree of risk/dangerousness. Issues to be addressed in preparing an effective risk assessment and response plan must include the following: Planning for an ongoing incident. • Identifying the chain of command. • Consideration of how a threat is communicated and to whom. • Understanding how first responders access the building and the challenges for first responders' access. A review of your current resources and procedures. Include any incidents review team, including fatality review. A risk identification process that includes searching social media before key hearings. Must

provide clarity for what can be done in each role, including who should be involved and when. Must balance reporting requirements/process and duties to clients/impartiality.

An effective plan cannot be developed in a vacuum. Consider the overall courthouse and each operational department, functional team, working group or committee encompassing the full sweep of departments, job descriptions and employee status. Does your court have a security plan or COOP? If so, does that include any action plan for response to an incident? What does your court security currently look like? Who oversees any security planning for your department or program? Consider any jurisdictional issues. Invite others to review the plan.

Risk planning and response should include a systematic review of protocols, practices, and spaces. How is your courtroom laid out? Where are the exits? Are emergency exits well marked and accessible to the judge and courtroom staff? How are emergency evacuation protocols shared with courtroom staff and other individuals in the courtroom? Be aware that procedures for fire evacuations MAY NOT be appropriate for incidents pertaining to violence inside or outside of the courtroom. An effective plan requires collaborative work: improved communication and collaboration amongst system professionals could help increase risk awareness and planning. Whatever the status of your plan, it is important to conduct regular training and education for court security and court staff on violence (including domestic violence) and safety issues and response.

As an important follow-up to the content rich April 24, 2024 webinar, NCJFCJ, in collaboration with NAWJ and the United States Department of Agriculture, will be conducting a four hour in-person training program for up to 30 attendees from the registrants for the webinar on a first to enroll basis. More information on this very special opportunity will be provided directly to registrants of the April 24, 2024 webinar at a later date. Remember that for action plans to be effective, they must be specific to the court, its facilities, and resources security challenges, should be integrated into plans. In recognition of this fact, the NCJFCJ DV AWARE training program is designed to provide in-person and training specific to a courtroom or court system can be made available.

**RECOVERY: restore and strengthen the court and community**

Recovery from an incident, both personal and systemic, should focus *first* on an understanding and implementation of trauma and trauma responsive strategies (including for direct or secondary/vicarious trauma and/or individual or collective trauma) such as: honesty, transparency, continuous engagement with community stakeholders, and a sincere desire to improve the systems' response. The six key principles are: resiliency and recovery; understanding trauma and stress; collaboration and empowerment; compassion and dependability; safety and stability; and cultural humility and responsiveness. NCJFCJ's DV AWARE program provides training addressing these important issues.

Final thoughts: While the DV AWARE Project was initially designed to support juvenile and family court systems around the country to anticipate, identify, and mitigate incidents in their courthouses associated with domestic violence, it quickly became clear that this training and

access to the DV Aware Resources Toolkit could also provide other court systems with the knowledge and resources needed to respond to violence-related threats and emergencies when they take place and to help courts and communities recover from violence with trauma-informed and healing strategies.

Thank you, NCJFCJ, for providing NAWJ members access to this wealth of information and tools to address judicial safety concerns in our courtrooms and at home through this webinar and access to the DV AWARE Resources Toolkit found at <https://www.ncjfcj.org/dv-aware/> .