

## BALLWIN MUNICIPAL COURT

### MEMORANDUM

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Date: August 20, 2014

To: City Administrator Bob Kuntz

From: Chris Northcutt

Subject: Court Office Space

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The court office was physically removed from the police department to the government center in January, 2010, a move that was strongly endorsed by Judge Nye in order to give the court autonomy and the ability to have better access to court customers. The move was considered to be the first phase in creating a court office environment that was both more efficient and independent of police operations. It was hoped that eventually two other issues would be addressed, i. e., a more secure office space and secure storage for closed records which fall under the Missouri Sunshine Law.

Court business should be on a need to know basis. Currently there is no privacy for defendants to speak openly with court personnel. Anything said at the pay window or over the phone between court personnel & defendants is overhead by at least the three employees sitting adjacent to the court space, as well as people in the lobby on other city business and employees & others who happen to be in the work room or walking by the court work area.

Additionally, every two to three years we undergo a Policy Compliance Review (PCR) by the Missouri State Highway Patrol Criminal Justice Information Services Division. These reviews are required by the FBI to maintain our access to state and national criminal justice information systems. The objective is to ensure that we are in compliance with all federal and statutory requirements. This access is needed by the court clerks to query criminal history records for use by both the prosecuting attorney and the judge.

Our court was first audited in September, 2011, at which time we were found to be non-compliant in several areas including security of the court computer terminals which have access to both Missouri State Highway Patrol criminal history records as well as FBI records. A quick fix solution to this was to require every employee and board member with access to the government center to be fingerprinted, however this was not intended to be a permanent fix and keeping up on all this fingerprinting as employees/board members come and go is difficult for the court to monitor.

On November 21, 2013, the Ballwin court was audited for a second time by the PCR. It was again noted that the court was in an open, non-secure area and the auditor was clearly looking for a more long term solution to this issue. Our next audit will be sometime in 2016.