

**STAFFING ISSUE OF THE HENDERSON
MUNICIPAL COURT, MARSHAL DIVISION**

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STAFFING ISSUE AND CONCERN FOR HENDERSON MARSHAL DIVISION

Problem

The Henderson Justice Facility is currently expanding by 52,000 sq. ft including four more courtrooms and a security camera surveillance monitoring station. Additional marshal staffing will be required when the expansion project is completed in May of 2009. The Marshal Division does not have adequate staff to accommodate the opening of another courtroom nor to staff the security camera monitoring station.

Senior Judge Proctor will begin hearing traffic calendars in the Department 4 courtroom on Tuesdays when the expansion project is completed. This will require additional court staffing including at least one marshal for courtroom security.

The security camera surveillance monitoring station will be completed simultaneously with the expansion project. As a result of logistical limitations, the security station is located in a secluded area and will require at least one employee to monitor the activities of the courthouse for staff and public safety.

Assumptions

- The court's projected workload will continue to increase by 6% each year through 2015. (Annex A)
- The courthouse expansion project will be completed on schedule and ready for occupancy April/May 2009. (Annex B)
- The traffic calendars will continue to increase in accordance with the population and police department growth.
- Staffing the Department 4 courtroom and the security camera surveillance monitoring station will contribute to the overall safety of staff and the public.

Facts

- The City will remain in a "hiring freeze" until such time the City's economic situation stabilizes to allow for more hiring.
- The City will only hire those positions considered a "critical need" to the continued operation of City departments.
- Courthouse is currently 70,000 sq. ft and contains 5 courtrooms (3-Municipal Court courtrooms; 2-Justice Court courtrooms).
- Expansion project will increase the size of the courthouse by 52,000 sq. ft and will add four more courtrooms (2-Municipal Court; 2-Justice Court).
- The Marshal Division currently employs 13 marshals and two sergeants to staff the courthouse and serve warrants of arrest. (Annex C)
- Current deployment staffing levels will not accommodate this expansion and required additional position(s).
- The last count of persons entering the courthouse on a daily basis from October 2008 revealed an average of 900 persons coming through the front doors daily.
- The Municipal Court has approximately 12,500 warrants of arrest awaiting service and this number increases weekly. (Annex D)

- The annual cost for one full-time marshal is \$118,595.04 including salary and benefits. (Annex E)

Discussion

The Henderson Justice Facility is expanding due to the increase in caseloads and the fact the court has outgrown the current facility. The current facility does not have capacity for growth with a projected increase in cases and defendants of 6% each year from 2010 through 2015 (Annex A). The expansion project will contain four more courtrooms and a security camera monitoring station. Senior Judge Proctor will use a vacant courtroom all day on Tuesdays to conduct traffic calendars. The expansion project currently underway is expected to be completed in May 2009 based on reports during bi-weekly meetings with the contractors (Annex B). Current staffing and deployment does not allow for an additional marshal to work the courtroom on Tuesdays or to staff the security camera monitoring station (Annex C).

The traditional response to such a situation is to simply make a request in the budget for additional personnel perhaps three full-time marshals to fill the need created by the expansion; however, an increase in the budget is not currently feasible. The need to maintain current levels of warrant service in the field must remain a consideration. Supplementing the staffing need for marshals in the courthouse by drawing from the field operations section is not feasible as warrant service would decline and field marshals are also needed to conduct transports of defendants from other detention facilities for their mandatory court appearance (Annex C). Presently there are approximately 12,500 warrants awaiting service, not including summonses and show cause orders as issued by the court, and the warrant section issues approximately 150 warrants weekly (Creal, interview). (Annex D).

Alternatives being considered are the hiring of three full-time marshals, hiring reserve/part-time marshals, and/or hiring a classification of civilian security officer to man the security camera surveillance monitoring station. Research says reserve officers are considered a valuable resource and can assist agencies with staffing shortages by assisting officers and responding to calls with a full-time officer (Hedlund & Burke, 2006). More important is the fact reserve or part-time officers can handle many administrative functions and relieve full-time officers to handle primary duties (Hedlund & Burke, 2006). Many agencies require reserve officers to go through the same training and possess the same requirements as commissioned, full-time personnel (Hedlund & Burke, 2006).

Human Resources

This issue and the alternatives were discussed with two analysts from human resources, as well as the command-level officers with other in-state marshal units. This is what was learned: A part-time employee may work any combination of hours but no more than 988 hours per calendar year otherwise the City will have to pay PERS contributions and benefits to the employee (Cox, interview). Human resources opined it would be beneficial to supplement a staffing shortage with part-time personnel given the fact the City is suffering from the poor economy; however, it was suggested the court not fully-staff the shortages with part-timers (Willson, interview).

- City of Las Vegas Municipal Court, Marshal Division

Some marshal divisions utilize part-time marshals while others do not. For example, the City of Las Vegas Municipal Court, Marshal Division explored this option 4-5 years ago and determined they could not find qualified applicants for the position and there were issues with the number of part-timers they could use based on their labor agreement (Manning, interview).

- Reno (NV) Municipal Court, Marshal Division
The Reno Marshal Division utilizes two part-time security officers to staff their security camera monitoring station along with one full-time marshal (Roper, interview). Reno marshals have determined one full-time marshal supplemented with a part-time security officer, usually a retired police officer, is more beneficial as only one “exceptional” officer can adequately monitor up to six monitoring screens at a given time (Roper, interview).
- Clark County District Court, Marshal Division
The Clark County District Court, Marshal Division utilizes part-time marshals to supplement their staffing shortages; however, their applicant pool is made up of “problematic officers” released from other agencies and those who are good usually leave after a short time for a better law enforcement job or fill any in-house full-time vacancies (Glasper, interview). Clark County has experienced a high turnover of part-time reserve marshals and is constantly recruiting for replacement part-time marshals (Glasper, interview). Clark County uses civilian dispatchers to monitor their security cameras, not marshals (Glasper, interview).

Cost impact analysis

A cost impact analysis was conducted by the City of Henderson Office of Budget and Strategic Management to review the salary impact these options would have on the court.

- *Marshals – Full-time vs. part-time*
One full-time marshal has an annual fiscal impact of \$118,595.04 with salary and benefits (Annex E). One part-time marshal with PERS benefits has an annual fiscal impact of \$90,037.25 (Annex F). And one part-time marshal without benefits has an annual fiscal impact of \$79,597.11 (Annex G).
- *Security Officer – Full-time vs. part-time*
By comparison, a full-time security officer position has an annual fiscal impact of \$83,865.48 (Annex H), while a part-time security officer has an annual fiscal impact of \$50,420.75 (Annex I).
- A part-time employee can work any combination of, but no more than, 988 hours per year, half of 1976 hours, which is the number of hours a full-time employee works with benefits (Cox, interview). Any more than 988 hours worked and the City would have to pay benefits.

Conclusion

The primary theme concluded from interviews with fellow marshal commanders around the state would indicate a reserve part-time marshal program would not be as effective or efficient if the court utilized security officers (typically retired police officers) supplemented with a full-time marshal to staff the security camera monitoring station and the additional courtroom on Tuesdays. Human resources analysts advised against fully staffing any positions solely with part-time employees.

The cost impact analysis revealed a significant cost savings between hiring a part-time reserve marshal and a part-time security officer: \$79,597.11 as compared to \$50,420.75 respectively. The differences between hiring a part-time marshal and a part-time security officer is the security officer would have to stay in the security camera monitoring station while a part-time reserve marshal could be used anywhere in the courthouse or field operations to supplement staffing shortages; however, this could be offset by hiring one full-time marshal and two part-time security officers.

Part-time reserve marshals are also hard to find and/or keep around. The good ones usually leave for full-time law enforcement work shortly after being hired and the ones who want to stay many times are problematic officers from other agencies.

Part-time security officers on the other hand could come from a larger pool of retired police officers in the community who are not ready to completely retire from law enforcement.

Recommendation

The recommendation is for the court to adopt these two elements of the solution:

1. Hire one full-time marshal to supplement courthouse staffing needs (Annexes A, B, C & D) to accomplish:
 - a. Rotation between courtroom backup
 - b. Department 4 courtroom marshal staffing on Tuesdays
 - c. Rotation through the security camera monitoring station
2. Hire at least two, perhaps three or four, part-time security officers, preferably comprised of retired police officers, to staff the security camera monitoring station (Annex H). Daily rotation would be implemented so only one part-time security officer would be on-duty at any given time.

This recommendation provides the court with the ability to provide adequate security for the courthouse while maintaining warrant/summons service and the ability to staff the security camera monitoring station while being fiscally responsible to the City.

In support, the court presents this study to the Critical Needs Committee for review when presenting the case requesting additional personnel.

An implementation schedule for this recommendation is attached (Annex J).

References

- Cox, Diana. Analyst II-Human Resources Department. City of Henderson. Personal interview. 17 February 2009.
- Creal, Michele. Supervising Court Clerk-Warrant Section. Henderson Municipal Court. Personal interview. 24 February 2009.
- Glasper, George. Marshal Lieutenant-Clark County District Court, Marshal Division. Personal interview. 18 February, 2009.
- Hedlund, K. & Burke, T. W. (2006). Reserve Officers: A Valuable Resource. *FBI Law Enforcement Bulletin* (2006 December, vol. 75, iss. #12). Retrieved 17 February 2009 from:
http://www.iacpnet.com/iacpnet/members/current/publications/article_display.asp?page=534568591&g=88064&cmd=ViewGroup
- Manning, Jack. Marshal Lieutenant-City of Las Vegas Municipal Court, Marshal Division. Personal interview. 17 February 2009.
- Roper, Justin. Marshal Commander-Reno Municipal Court, Marshal Division. Personal interview. 17 February 2009.
- Willson, Sandy. Analyst II-Human Resources Department. City of Henderson. Personal interview. 17 February 2009.

Annexes

Annex A – Actual and projected caseload variances by calendar year as projected with population and police department growth.

Annex B – Email memo from Troy Westover, project manager of the Justice Facility expansion project, informing of projected completion dates.

Annex C – Marshal deployment justification and organizational chart.

Annex D – Current report dated 2/24/2009 of active arrest warrants awaiting service by marshals.

Annex E – Cost impact analysis, prepared by the Office of Budget and Strategic Management, providing the full fiscal impact of hiring a full-time marshal.

Annex F – Cost impact analysis, prepared by the Office of Budget and Strategic Management, providing the full fiscal impact of hiring a part-time reserve marshal with benefits.

Annex G – Cost impact analysis, prepared by the Office of Budget and Strategic Management, providing the full fiscal impact of hiring a part-time reserve marshal without benefits.

Annex H – Cost impact analysis, prepared by the Office of Budget and Strategic Management, providing the full fiscal impact of hiring a full-time security officer with benefits.

Annex I – Cost impact analysis, prepared by the Office of Budget and Strategic Management, providing the full fiscal impact of hiring a part-time security officer.

Annex J – Staffing implementation schedule if the recommended positions are approved. This schedule provides a projected timeline and justification for the urgency to begin the hiring process now to be able to have the staff ready when the expansion project is ready for occupancy.

Note: All of the aforementioned annexes are included in an adobe .pdf file attachment.

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SPSC #279

Executive Summary

Staffing issue for the Henderson Municipal Court Expansion Project

Problem

The Henderson Justice Facility is expanding by 52,000 sq. ft including four more courtrooms and a security camera surveillance monitoring station. Additional marshal staffing will be required when the expansion project is completed in May of 2009. The Marshal Division does not have adequate staff to accommodate the opening of another courtroom nor to staff the security camera monitoring station. Additional staffing is necessary to accommodate:

3. Senior Judge Proctor will begin hearing traffic calendars in the Department 4 courtroom on Tuesdays when the expansion project is completed.
4. The security camera surveillance monitoring station will be completed simultaneously with the expansion project.
5. A substantial increase in persons entering the courthouse, as well as additional employees in the building from the City Attorney's office.

If the lack of staffing is not addressed, a courtroom will be left unmanned on Tuesdays and the security camera surveillance monitoring station will be left unmanned thus creating unnecessary risk to the judiciary, court staff, and the public utilizing the courthouse.

Possible solutions

1. The hiring of three additional marshals to complement the additional size of the expansion and staff the courtrooms and security camera monitoring station; however, the City is in a "hiring freeze" and every position must pass the critical needs committee. Could be cost-prohibitive.
2. The hiring of reserve/part-time marshals. Could also be cost-prohibitive and the ability to find qualified marshals to work part-time would also be a challenge.
3. Supplement the staffing shortage with part-time security officers, typically retired police officers who live in the community, to staff the security camera monitoring station.

Recommendation

The Municipal Court should submit this study to the critical needs committee and recommend the hiring of one full-time marshal and two part-time security officers. The additional full-time marshal will be able to rotate through all positions within the courthouse including the additional courtroom and the part-time security officers will be sufficient to staff the security camera monitoring station.