



Cochise County Judicial System

Policy Title: Workplace Violence Prevention

Policy Number: 2000

Effective: March 1, 2021

Last Reviewed/Updated: February 22, 2021

I. Statement of Policy

The Cochise County Judicial System (CCJS) is committed to providing a safe environment for its employees, users of CCJS facilities, and the public. Threats of violence, threatening conduct, acts of aggression or violence by or against a CCJS employee (to include acts perpetrated by the public), harassment, intimidation and other disruptive behavior in the workplace will not be tolerated. This prohibition includes oral or written statements and gestures or expressions that communicate a direct or indirect threat of physical harm, regardless of the individual's actual intent to commit harm.

Any person engaged in violent acts or threats, whether on CCJS property or through telephone calls, emails or any other means of communication, shall be reported to the proper authorities. Employees who violate this policy shall be subject to disciplinary action, up to and including dismissal under Rule 16.

II. Definitions

Violence is an act or behavior that:

- a. Is a physical or verbal act, known, designed, intended or meant to frighten, intimidate or cause actual harm to another person or to oneself;
- b. A reasonable person would perceive as menacing or obsessively directed or intensely focused on a person and which could result in harm to such persons or property;
- c. Is a communicated physical or verbal threat to harm or endanger the safety and security of another person or oneself; or
- d. Involves destroying property, throwing objects or carrying/displaying firearms or other weapons in a manner reasonably perceived as threatening.

Exception: The display of firearms falls outside this definition where authorized by law or regulation and in the case of law enforcement officers and others required to carry a weapon in performance of their official duties.

Workplace Violence is a behavior that causes fear, injury, suffering or discomfort to others on CCJS/County property or while engaged in the scope of CCJS/County work. Workplace violence includes physical and mental injury, physical and sexual assault, stalking or intimidation, and physical or verbal harassment.

III. Reporting and Response Procedures

CCJS personnel have an affirmative duty to report threatening or actual workplace violence incidents. Any employee who becomes aware of, observes, or experiences, any threats or acts of violence, sabotage, intimidation, harassment, stalking, or other disruptive behavior by anyone in the workplace, whether an employee or not, on CCJS premises, or in conjunction with employment or business situations, must immediately report the issue to their supervisor, their Department Director or the Judicial Human Resources Director.

All reports of incidents will be taken seriously and dealt with appropriately. Individuals who commit such acts may be removed from the premises and may be subject to disciplinary action, criminal penalties, or both.

Supervisors and managers who receive such reports must notify the Department Director immediately.

Department Directors will ensure the Judicial Human Resources Director is notified of the reported incident and the Judicial Human Resources Director will advise the Court Administrator. If the alleged violator is the employee's supervisor or Department Director, the employee must notify the Judicial Human Resources Director. Failure to report and respond appropriately to threats or acts of violence creates an unacceptable risk to the CCJS, as well as the County, and may also result in discipline. The Department Director will expedite an investigation of the incident and take appropriate action.

Each Department Director may establish and implement protocols for workplace violence prevention, including training, specific to their department and office locations.

A. Response Procedures: Immediate Threat or Violence

1. Employee:

- Quickly assess the situation and risk. Evacuate or hide as needed to protect yourself;
- If possible, notify the supervisor, co-workers and visitors of the need to evacuate or hide;
- Call 9-1-1 from a safe location;
- Follow instructions from Law Enforcement;
- As soon as possible, provide written documentation of the incident to immediate supervisor;

2. Supervisor:

- Assist in evacuation of the immediate work area, if you can do so safely;
- Ensure that 9-1-1 has been called and follow instructions from law enforcement;
- As soon as practicable, report the incident to Court Security at (520)432-8515 or (520)432-8516 and Judicial Human Resources at (520)432-8503;
- Ensure that all staff and visitors are accounted for after the threat is resolved.

B. Response Procedures: Non-Emergency Threat

1. Employee:

- Notify the supervisor;
- Follow supervisor directions regarding further actions;
- Provide written documentation of the incident to immediate supervisor.

2. Supervisor:

- Direct the actions of employees and visitors;
- Report the incident to Judicial Human Resources at (520)432-8503;
- Report the incident to Law Enforcement as indicated by Judicial Human Resources.

IV. Investigation

Judicial Human Resources will coordinate a thorough and impartial investigation of reports of workplace violence or the threat of violence by a CCJS employee. The investigator shall gather relevant facts and may schedule interviews with employees, managers or witnesses who may have relevant information.

To the extent feasible, information provided in the complaint and investigation process will be kept confidential. However, the CCJS may disclose information if deemed reasonably necessary to investigate and take appropriate corrective action and/or if required by law.

During the investigation process and/or following a review of the allegations made by the reporting employee and any witness(s), the accused employee will have an opportunity to respond to the allegations.

Once the investigation is complete, Judicial Human Resources will issue a final decision on whether there was a policy violation and will notify both parties (the reporting person and the accused person), the Department Director and Court Administrator of the outcome of the investigation. Included in the report will be any identified and recommended measures to minimize or eliminate similar and/or future threats or violence.

V. Mandatory Cooperation

All CCJS personnel are directed to cooperate with any CCJS or County investigation, whether informal or formal, and to treat information obtained in the course of such investigation as confidential. Any CCJS employee who fails to cooperate and/or attempts to undermine and/or discourage participation in an investigation will be subject to discipline, up to and including termination. To ensure a proper investigation, the Judicial Human Resources Director shall have access to all relevant and necessary information.

Retaliating against someone who reported a violation of this policy is strictly prohibited. The CCJS will investigate and resolve reports of retaliation in the same manner as reports of violence or threatened violence.

VI. Corrective Action

If a violation of this policy has occurred, the Department Director, in consultation with the Judicial Human Resources Director, will determine and implement prompt and appropriate action, which may include disciplinary action, up to and including termination.

VII. Court Orders

An employee who has obtained a Restraining Order, a domestic relations Restraining Order, a no trespass order, or an injunction against harassment involving any public or private person shall immediately notify their supervisor thereof and shall provide their direct supervisor or Department Director with a copy of the court order. Department management shall advise Judicial Human Resources of the order(s) and provide a copy for the employee's personnel file.

When appropriate and approved by the Court Administrator, the CCJS may obtain a Workplace Injunction Against Harassment against any person who disrupts the workplace through harassment, intimidation, or violence against the CCJS, its employees, and/or representatives.