

KURT KRUEGER
DISTRICT COURT JUDGE, DEPT. I
SILVER BOW COUNTY COURTHOUSE
155 WEST GRANITE STREET
BUTTE, MT 59701
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FILED

FEB 03 2016

Lori Maloney, Clerk
By: T. POWERS
Deputy Clerk

MONTANA SECOND JUDICIAL DISTRICT, SILVER BOW COUNTY

IN RE: THE SECURITY OF
THE BUTTE-SILVER BOW COURTHOUSE
ITS OCCUPANTS AND EMPLOYEES
DURING THE TIME PERIOD OF FEBRUARY
8, 2016 UNTIL THE CLOSE OF PROCEEDINGS
OF STATE V. HATFIELD, DC-14-44

No. 53-16-1

KURT KRUEGER
Judge, Dept. 1

Upon reflection of recent events occurring in Butte-Silver Bow specifically the anonymous calls referencing the existence of a bomb within the structure, the Court *sua sponte* provides the following declaration.

IT IS THE UNDERSTANDING OF THE COURT that the recent threats have been part of multiple similar incidents that have occurred throughout the United States and other locations within the State of Montana. That such threats consist of automated phone calls to an existing number and are disguised through a "spoof" or "swatting" system. That during the last several incidents, there has been no confirmation of the existence of a credible threat after such phone calls have been made.

IT IS THE FURTHER UNDERSTANDING that the defined protocol of Butte-Silver Bow is that upon receiving such phone calls is to evacuate the entire building pending a visual sweep of the structure by law enforcement, fire and other emergency responders.

IT IS THE FURTHER UNDERSTANDING OF THIS COURT that Butte-Silver Bow Law Enforcement and the City-County of Butte-Silver Bow have prepared a contingency plan should such a phone call be received during the proceedings in State v. Hatfield, DC-14-44, a deliberate homicide trial set to begin February 8, 2016. Law enforcement and county officials have prepared a plan for a heightened level of security during such proceedings which among other actions require every visitor and employee on premises to be subject to a search of their person and possessions. That such plan may include the prohibition of all bags and boxes and other items being brought into the facility. The plan also includes an examination of the structure at the beginning of everyday prior to it becoming open to the public and employees to confirm no threat exists. The Court has reviewed the plan and determines it to be an acceptable way in which to minimize the potential threats to all occupants in the structure.

THEREFORE, in balancing the importance of the legal system and the protection of the rights of the parties in the Court system, while weighing heavily the interests of security of all those who work or visit the Courthouse, the Court has made the following determination.

IT IS ORDERED that during the period of February 8, 2016 and until the close of the proceedings of the homicide trial, State v. Adam Hatfield, DC-14-44, the defined protocol regarding the response to these automated telephone calls shall be held in abeyance. The Court determines that during such time, the Butte-Silver Bow Law Enforcement Department and the County of Silver Bow, State of Montana shall be responsible for an elevated level of security which is necessary to reduce the potential validity of a threat from these automated calls. Based upon the investigation of the previous incidents of calls, the Court determines that the proposed

plan be sufficient protection against the threat contained in these calls.

The Court however does understand that during such time frame, if there is any reason to question the validity of the calls or should a concern for the safety of any of the occupants of the building arise from law enforcement, fire officials, county officials or others, and after consultation with the Court, the protocol of evacuation including all occupants shall be authorized.

Dated this 3rd day of February, 2016.


KURT KRUEGER
DISTRICT COURT JUDGE

STATE OF MONTANA
COUNTY OF SILVER BOW
I, LORI MALONEY, CLERK OF THE DISTRICT
COURT OF THE SECOND JUDICIAL DISTRICT
OF THE STATE OF MONTANA IN AND FOR THE
COUNTY OF SILVER BOW, do hereby certify the
foregoing to be a full, true and correct copy of
the original on file in my office, and that I have
carefully compared the same with the original.

In Witness Whereof, I have hereunto set my
hand and affixed the seal of the District Court
this 3rd day of FEBRUARY, 2016
LORI MALONEY, CLERK

By 

Deputy

