

# **NORTH CAROLINA COURT SECURITY GUIDELINES**

**September 1998**

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# NORTH CAROLINA COURT SECURITY GUIDELINES

## TABLE OF CONTENTS

Members of the Court Security Advisory Committee .....	i
1. INTRODUCTION.....	1
2. THE COURT SECURITY MISSION .....	4
3. FORMATION OF A COURT SECURITY COMMITTEE.....	4
4. POLICIES AND PROCEDURES MANUAL.....	7
5. COURT SECURITY OFFICERS .....	14
6. SECURITY SCREENING .....	16
7. WEAPONS POLICIES .....	18
8. DURESS ALARMS .....	19
9. BUILDING ACCESS CONTROL.....	19
10. ARCHITECTURAL AND DESIGN CONSIDERATIONS .....	23
11. INCIDENT TRACKING AND REPORTING.....	24
12. HIGH PROFILE TRIALS .....	25
Acknowledgments .....	27

## APPENDICES

### A. COURT SECURITY RESOURCES

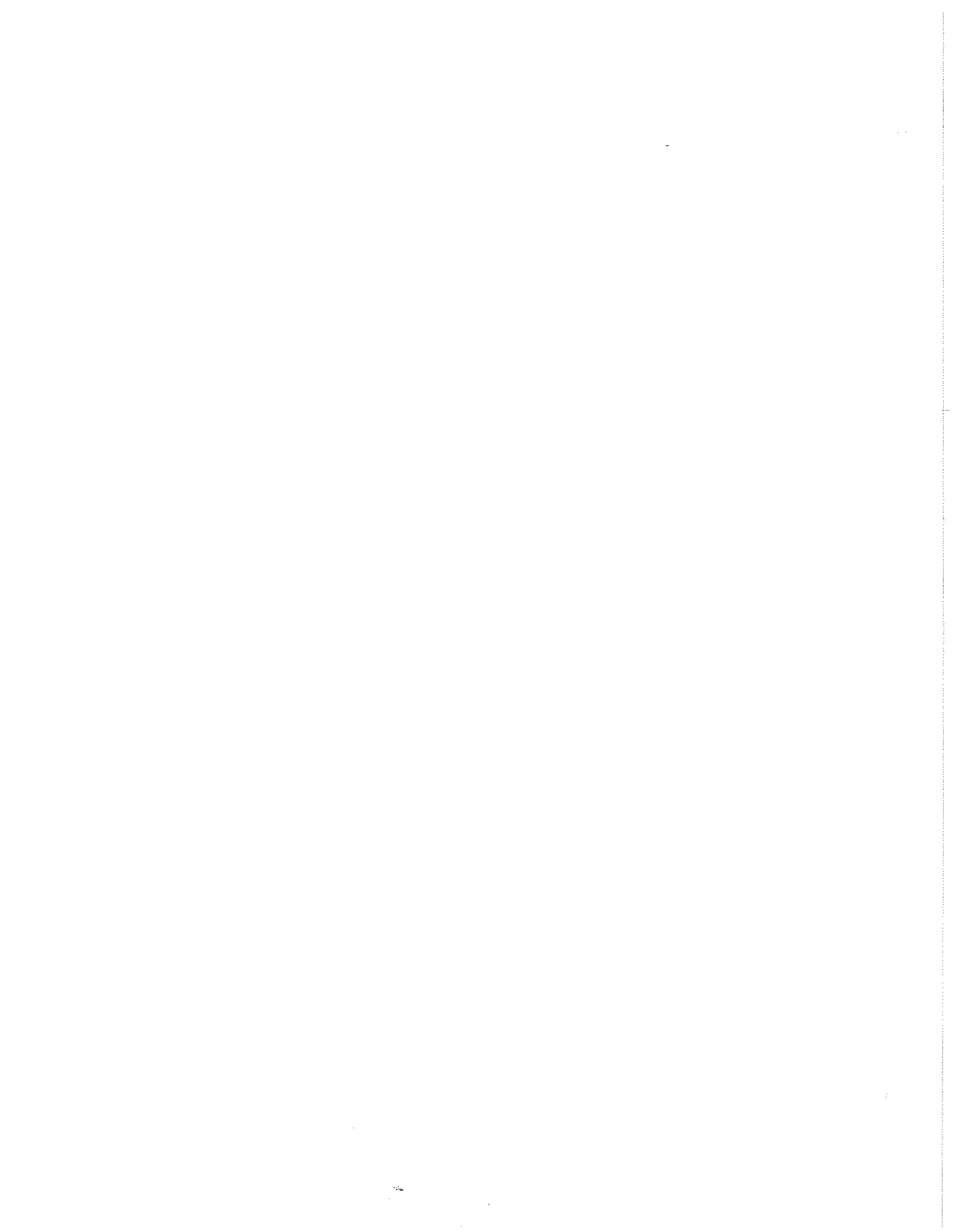
1. General References .....	A1
2. N.C. and National Organizations.....	A1
3. Court Security Officer Training, references and organizations .....	A2
4. Courthouse Architectural and Design Standards.....	A3
5. High-Profile Trials - references .....	A3

### B. COURT SECURITY AUDIT INFORMATION AND CHECKLIST

### C. SAMPLE FORMS

1. Bomb Threat Checklist
2. Incident Reporting Form

### D. LEGAL ISSUES -- by Professor James C. Drennan, Institute of Government, University of North Carolina at Chapel Hill



## COURT SECURITY ADVISORY COMMITTEE

*Serving at request of the Director of the N.C. Administrative Office of the Courts, 1997 - 1998*

*The Court Security Advisory Committee unanimously adopts these guidelines and recommends that county and court officials statewide make every reasonable effort to implement and improve security measures in every courthouse in this state. It is hoped that these guidelines will contribute to the administration of justice in court settings that are free from risk and fear.*

### *Committee co-chairs:*

Honorable Anna Mills Wagoner  
Chief District Court Judge, District 19C

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Clerk of Superior Court, Warren County

### *Committee Members*

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## North Carolina Court Security Guidelines

*“The business of courts should be conducted in a dignified and secure environment. A courthouse should be designed and operated to limit the opportunities and occasions for disruption, violence, theft and tampering, and to deal quickly and effectively with emergencies. Security programs, however, should not dominate the judicial process at the expense of such other important objectives as maintenance of courtroom dignity and respect for the rights of individuals.”*

Standards Relating to Trial Courts, § 2.46 (1976),  
American Bar Association Commission on Standards of Judicial Administration

*“All courts shall be open; every person for an injury done him in his lands, goods, person, or reputation shall have remedy by due course of law; and right and justice shall be administered without favor, denial, or delay.”*

North Carolina Constitution, Article I, Section 18

### **1. INTRODUCTION**

Recent incidents of violence in courthouses across the nation have stimulated intense pressures for improved courthouse security. Our state courts have endured a seemingly endless succession of incidents, including bomb threats, bombs discovered, weapons found or discharged, and countless altercations, threats, and erratic behaviors. Surveys conducted by the North Carolina Administrative Office of the Courts (AOC) consistently reveal that judges and other court officials rate fear for their own and the public's safety as among the most pressing concerns for the administration of justice.

These security guidelines were developed by the Court Security Advisory Committee listed above, with the guidance of a national expert in court security. The purpose is to help county and court officials identify and implement security measures, hopefully before a tragedy occurs. These guidelines do not purport to offer strict mandates that “*must*” be implemented, or to define “adequate” security relevant to legal duty or liability. Ultimately, in addition to physical protection of the public and employees, the purpose is to ensure that the public has access to *their* court system, to the administration of justice.

## North Carolina Court Security Guidelines

Although this project was launched with grant funds obtained by the AOC (the state agency responsible for administering the court system), one guiding principle has been that adequate security requires a concerted effort by county, court and other state officials, including the sheriff, county commissioners, county manager, elected court officials including judges and clerks, and such state Executive Branch institutions as the Justice Academy. Accordingly, the Advisory Committee was representative of the inter-governmental involvement that is necessary. The guidelines are intended to set out what “we” can and must do cooperatively, not what one government office purports to mandate for another.

Some other guiding principles heavily influenced development of these guidelines:

- *Security does not depend on high-cost, state-of-the-art devices:* Our 100 counties differ greatly in the resources available to address security and other needs. Some counties can hire expensive outside consultants and install state of the art technology. Other counties simply cannot. These guidelines offer a range of solutions, especially including measures that cost little or nothing, such as simple changes in practice or procedure. These guidelines strive to recognize that they may be needed most by counties with the least resources.
- *The process for implementation and review is vital:* Implementation of security measures requires much more than an understanding of “how to” - - such as how to use magnetometers to screen for weapons. At least as important is the *process* by which county and court officials can cooperatively identify and prioritize their needs. A major finding of this project was that guidance is urgently needed in how to establish an ongoing, intergovernmental structure to plan, implement, and monitor local policies and procedures. Launching and maintaining that process is the first essential step in use of these guidelines.
- *No security planning project can ever completely address all questions or anticipate and solve all issues:* Court facilities cannot be made impervious to all potential dangers. Moreover, security is as much subjective as it is objective. People may feel safe even when objectively in danger, or people may feel unsafe and insecure even when well protected. Furthermore, circumstances change. What seems entirely unlikely today can develop into tomorrow’s crisis. For these and other reasons, these guidelines should not be considered as an end, but a beginning. The mission of creating and



## North Carolina Court Security Guidelines

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maintaining a flexible and viable security system requires ongoing evaluation, without which any program, no matter how carefully crafted, will soon fall into irrelevance and ineffectiveness.

These guidelines begin with the mission for court security, and then proceed to detail a process for formation and operation of a standing county-court committee to develop and maintain local policies and procedures. Subsequent sections address substantive security practices and procedures, the “how to’s,” including operational solutions, which are predominantly procedures and manpower; technological solutions, from simple alarms to elaborate, sophisticated equipment; and architectural solutions, which incorporate security needs into courthouse design for new construction or renovation.

The Appendices give information to help each county develop and maintain its security systems:

Appendix A: lists resources to contact, generally at no cost, for expertise and assistance with evaluation of security needs, development and implementation of solutions, and training.

Appendix B: includes an “audit checklist” that can be used to assess present security needs during an on-site, walk-through inspection of the courthouse. *However*, while the audit form can be very useful, it is not a substitute for expert assistance by the sheriff, a retained expert, or other person trained in the security field. The checklist covers the major issues to look at, but the trained eye of a professional is needed to properly assess the unique conditions in a specific facility.

Appendix C: has two sample forms that may be useful within the ongoing security program: (1) a bomb threat checklist, which staff may use to gather useful information when a bomb threat is received; and (2) an incident reporting form, to be completed after a security incident occurs, so that useful records are made both for investigation and to assess needs for improved security systems.

Appendix D: discusses issues under present law governing the authorities and responsibilities of state and local government for court security.

## **2. THE COURT SECURITY MISSION**

To ensure that every North Carolina court facility<sup>1</sup> provides a safe and secure environment for all, and to the extent not inconsistent with safety and security, to preserve the court facility as an open and accessible public building that serves the public as the forum for justice in every county.

## **3. FORMATION OF A COURT SECURITY COMMITTEE**

**An assessment of security needs and development and implementation of court security policies and procedures are essential in every county. The formation of a broad based court security committee is strongly recommended.**

Consistent court and county direction and commitment, including adequate financial support, are essential to carry out the court security mission. However, various officials have differing responsibilities and concerns related to court security. The sheriff has the primary duty to provide court security, although other county officials control funding. The senior resident superior court judge and chief district court judge have administrative duties over court operations in their districts. All judges have control over the courtrooms in which they preside, and must ensure that the proceedings are orderly and dignified. Finally, non-court related county functions are often located in courthouses, and court and county security needs and policies may differ.

A committee with broad based representation is necessary to ensure ongoing communication among these groups and provide a vehicle for development of common

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<sup>1</sup> Throughout this document, all references to courthouses and court facilities are meant to include all buildings in any county that are used for court purposes.

## North Carolina Court Security Guidelines

goals. Even in counties that have already implemented a comprehensive court security program, an ongoing committee process is essential for review and revision.

**Appointment of committee; chairs; members:** One approach to convene a court security committee would be by joint letter from the chair of the county commissioners, the senior resident superior court judge, and the sheriff, appointing county representatives, court representatives, and law enforcement representatives, respectively. Consideration may be given to appointing three committee chairs, to represent those respective interests: a county commissioner, a judge, and the sheriff.

When appointing members of the committee, strong consideration should be given to the need for persons with knowledge of and responsibility for court security, and to ensure that all perspectives are represented. Committee members should include a cross-section of users and participants, such as:

- one or more county commissioners
- the sheriff and a “front-line” court security officer
- the county manager
- the senior resident superior court judge and chief district court judge or their judicial designees
- the clerk of superior court
- a magistrate
- the district attorney or his or her designee
- one or more other interested court officials who may be present in a given district, such as a public defender or trial court administrator
- a representative of court-related programs with clear ties to security issues, such as a juvenile court counselor or adult probation officer
- a member of the local bar association
- one or more citizens of the county

**Organization, Staff, and Tasks:** Subcommittees may be useful to organize the work of the committee. The committee must designate administrative staff. The personnel and related resources in existing offices should be able to support the committee’s work, without need to hire new staff. Consideration can be given to utilizing staff of the county manager, trial court administrator, or sheriff.

## North Carolina Court Security Guidelines

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The principal tasks of the committee will be to:

- *Assess current court security conditions and needs.* A checklist for this audit is reproduced in Appendix B. The checklist, however, is not a substitute for the skill and expertise of a trained professional. The committee may wish to rely on the sheriff, and/or may wish to retain a professional consultant.
- *Develop and implement a comprehensive court security program, including a policies and procedures manual.* Principle resources for developing a security program tailored to local needs and conditions will include the audit results, discussion from committee meetings, expert advice, these guidelines, and other resources (some are listed in Appendix A). Detailed discussion of a policies and procedures manual begins on page 7 below.
- *Implement the security program.* The committee should coordinate and oversee implementation of the program, including advance notice to and training for court and county officials and employees, other building occupants, the bar, and the public.
- *Continue to assess operation of the program and make adjustments as needed.*

**Meetings; ongoing monitoring and improvement:** The committee must meet frequently at first to complete the audit and initial implementation of court security improvements. Thereafter, the committee should meet at regularly set times, to ensure that it remains an active, standing committee, to continually assess the effectiveness of the program and make necessary adjustments. Also, as needed the committee should meet to review any security incidents, and discuss security measures for any high-profile cases to be conducted. The committee should specify what other circumstances require a committee meeting, and who has the authority to convene meetings. Committee staff should periodically notify the committee of trends and changing circumstances so the committee can plan proactively, not just reactively. The committee should establish ways to receive ongoing input and suggestions from court employees and the public.

#### **4. POLICIES AND PROCEDURES MANUAL**

**Policies and procedures must be in writing and clearly identify lines of responsibility, day-to-day security routines, and actions to be taken during security incidents.**

A written policies and procedures manual is a key component of every security system. The manual would help provide the systematic accountability that is necessary for effective court security operations, by identifying and documenting lines of authority and responsibility, and improve security by detailing the procedures to be followed for day-to-day routines and emergencies.

**Careful distribution of policies and procedures manual:** Information contained in the manual will be sensitive. It could be used to circumvent security procedures and thus endanger employees and the public. Distribution should be kept reasonably restricted to responsible persons and staff who "need to know." Only the following officials should receive a copy: the sheriff, county manager, senior resident superior court judge, chief district court judge, and clerk of superior court. Consistent with the sheriff's duty to provide court security, the sheriff's office should be responsible for maintaining the official copy of the manual, including updates and modifications, and for any further distribution. The sheriff may wish to distribute only pertinent portions of the manual to other appropriate officials or staff, and should maintain a log of all recipients. Officials receiving copies should ensure that all employees and building occupants know what actions are to be taken, and by whom, on a day-to-day basis, and in the event of a security incident or other emergency.

**Recommended contents:** The policies and procedures should include a description of the authorities and duties of the judiciary, sheriff, and county officials; policies and procedures for day-to-day security activities and routines; procedures for

## North Carolina Court Security Guidelines

emergency situations; and other information the committee deems helpful. Suggested details to include are as follows.

### Authorities and duties of various officials (see Appendix D for details):

- Judiciary: Judges have authority to direct implementation of appropriate security measures. Within each judicial district, the senior resident superior court judge and chief district court judge have administrative authorities over the operation of their respective courts, including magistrates. All judges are responsible for the orderly and dignified conduct of the proceedings over which they preside, and must take whatever precautions are necessary to preserve order in the courtroom. The committee may wish to specify a formal procedure for judges to inform the sheriff or court security officers in advance, if possible, of any special situations, risks, or threats.
  
- Sheriff: The sheriff is ultimately responsible for court security,<sup>2</sup> including day-to-day operations and emergency situations. In an emergency, the sheriff has primary authority. While security policies and procedures manual will provide guidance and overall direction, the sheriff has the authority to determine proper allocation of security personnel and resources. As discussed below (in the section on “Court Security Officers,” page 14), all security officers should be deputy sheriffs. If contractual security personnel must be utilized, they must be under the sheriff’s control.

The sheriff’s responsibility for court security is not limited to when court is in session. Security is an issue during all normal business hours, and must also be provided for activities after normal hours, such as for cleaning crews and

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<sup>2</sup> N.C. Gen. Stat. § 17E-1 (“The sheriff, . . . , is the only officer who is . . . responsible for the courts of the State, and acting as their bailiff and marshal”).

## North Carolina Court Security Guidelines

community groups, and when the building is closed. The committee may wish to ask the sheriff to perform specific other functions for the committee's work, such as conducting the initial court security audit and annual audits thereafter, bringing recommendations for security improvements to the committee, and keeping the committee apprised of the effectiveness or ineffectiveness of various security measures.

- County officials: County officials have a common interest with court officials in ensuring the safety of the public in the courthouse. The county must provide for court security, and has the duty to fund the operations of the sheriff and otherwise provide for protection of people in public buildings. The county also has the duty to provide adequate court facilities; security is an important aspect of court facilities. As discussed in Appendix D, consistent with constitutional principles of separation of powers, counties have discretion in determining exactly how to meet these duties.

Day-to-day security activities and routines: In order to ensure a secure environment for the public and court and county staff, the policies and procedures manual should address all of the following topics, in addition to others that may be identified locally: The details listed under each topic are intended to prompt further discussion; they are not meant to be all-inclusive or limiting in any way.

- Courtrooms: Courtrooms are where all interested parties converge: the criminals as well as victims and families, and the adversaries in often acrimonious domestic and other civil disputes. The courtroom is often an emotion laden environment, with a great need to protect the public, the judge, and all other participants. The risk of spontaneous violence exists every day, not just during high-profile trials.
  - Courtrooms should be searched daily before court sessions begin.
  - Duress alarms should be located at the judge's bench and clerk's desk.
  - The judge's bench should be lined with bulletproof materials.
  - The judge should have a clear, easy exit from the bench to a secure place.
  - The judge should have a clear line of sight over the entire courtroom, especially over the public entrance.

## North Carolina Court Security Guidelines

- . Courtrooms should have only one entrance for public use.
- . Any exterior windows should be obscured so as not to provide a clear line of sight into courtroom, and either be bulletproof or have some type of covering.
- . Objects that could be thrown or used as weapons should be removed or affixed.
- . Separation, such as a bar and physical space, should be provided between the spectator seating and litigation areas.
- . Courtrooms should be secured by the bailiff during recesses and lunch breaks.
  
- . *Parking*: Parking lots provide a location for possible attacks on judges and court staff, and a place where various participants, such as jurors and parties, could come into contact inappropriately.
  - . Staff parking and public parking should be separate.
  - . Separate juror parking should be considered.
  - . Parking areas should be enclosed or gated and must have adequate lighting.
  - . Provisions should be considered to escort jurors and/or employees after dark or to remote parking lots.
  - . Parking areas on public streets should be patrolled.
  - . Judges and other officials should not use marked parking spots, because they provide a potential assailant with the location of an official's car. Spaces can be reserved using alternative, uninformative designations, such as numbers.
  - . Judges and other officials should not use marked, identifying license plates.
  
- . *Courthouse perimeter/access* (further details are in "Building Access Control," page 19): The policies and procedures manual should:
  - . identify who is responsible for maintaining access devices (for example, who retains, issues and controls keys);
  - . identify who is responsible for opening and closing the building;
  - . specify policies and procedures for after-hours use of building.
  
- . *Public access within the courthouse*: A fundamental design consideration for court facilities is to promote protection of court officials, the public, and staff by providing separate, secure circulation routes. The public should not be exposed to contact with prisoners, parties should not have contact with jurors, and there should be no public access to such private areas as judges' offices, jury rooms, storage areas for confidential file or weapons, etc.
  - . Courthouses should have three zones of circulation: public, employee, and prisoner zones. For high risk locations, such as cashier stations, physical separation is especially important between the public and employees. Consideration should be given to providing bulletproof windows and wide counters or other physical separation.
  - . To avoid confusion and unnecessary public circulation, courthouses should have a public information desk and good signage.



## North Carolina Court Security Guidelines

- . Decisions relating to facility access must be in compliance with the Americans With Disabilities Act.
- . In some areas of the state, bi-lingual signs may be needed to prevent confusion and security risks that can arise when people wander, potentially to restricted zones.
  
- . *Court Security Officers* (further details are in “Court Security Officers,” page 14)
  - . The sheriff is responsible for providing security and ensuring that court security officers receive comprehensive training and meet all relevant qualifications.
  - . The policies and procedures manual should specify the duties of court security officers, such as courtroom searches prior to use every day, prisoner handling and transportation policies, etc.
  
- . *Prisoner transportation and movement within courthouse:*
  - . Transporting or moving prisoners through public areas exposes the public to increased levels of danger, increases the possibility of prisoner escape, increases the risk to court security officers, and heightens the potential ability to transfer weapons and/or contraband to other prisoners. If public hallways must be utilized, appropriate physical restraints and court security officer safety measures must be employed, along with restricting public movement and access in the area during the time of prisoner movement.
  - . All security officers should be trained in the appropriate procedures to use when transporting prisoners to the courthouse and within the courthouse.
  - . Courthouses should have secure entry and exit for unloading prisoners. Secure holding cells should be located adjacent to all criminal courtrooms, with separate holding areas for men, women, and juveniles. Separate circulation routes should be utilized within the courthouse so prisoners do not come into contact with court officials, employees, jurors, trial participants, or the public.
  
- . *Witnesses:* should have a waiting area separate from the public, and from possible exposure to an adverse or hostile party.
  
- . *Employees*
  - . Court staff should be trained, to heightened their awareness of security in general, and specifically regarding their responsibilities within the security program, including how to handle de-escalate hostile individuals. Selected staff should attend violence reduction training within the first six months of employment. Training programs, including one by the AOC’s Human Resources Division, are listed in Appendix A.

## North Carolina Court Security Guidelines

- *Cash handling*
  - Cashier stations should be secured. Some ways to accomplish this are bulletproof glass, locked doors, and physical separation from the public by a wide counter or other means.
  - The security procedures should specify who is responsible for taking money to the bank. Staff transporting money should always be escorted by a court security officer.
  - The times of day and routes taken for transportation of money should be varied, and thus unpredictable to a potential thief.
  
- *After-hours uses/cleaning etc.* (further details are in "Building Access," page 19)
  - There should be specific policies for after-hours access into building.
  - The courthouse must be secured after evening hours use.
  
- *Records/evidence storage*
  - The sheriff/law enforcement should store all weapons and contraband, and the courthouse must have secure storage for breaks, lunch, and overnight.
  
- *Courthouse deliveries/mail*
  - Effective policies are needed for the screening of packages and mail by trained personnel, preferably law enforcement officers. Employees should be trained to watch for suspicious packages.
  
- *High profile trials/media* (further details are in "High Profile Trials," page 25)
  - Every county should develop a plan for the increased security needs of high profile trials, including the potential violence from people who have intense feelings about the trial, and the need for media management.
  
- *Alarms* (further details are in "Duress Alarms," page 19, and "Intrusion Detection," page 22)
  - The security procedures should specify the need for and locations of adequate fire, smoke, duress, and intrusion alarms.
  
- *Security screening/weapons* (further details are in "Security Screening," page 16, and "Weapons Policies," page 18)
  - Every courthouse should conduct entrance screening of all persons. The security procedures must include details regarding screening operations (who, what, when, where, etc.) and establish clear weapons policies.

## North Carolina Court Security Guidelines

Policies and procedures for actions during security incidents: Public buildings, and court facilities in particular, cannot be made impervious to all dangers. However, realistic appraisals of possible threats and planned responses are necessary to avoid confusion and wasted efforts in emergency situations, and ultimately, to prevent injuries and save lives. The objective is to provide officials and employees with the ability and preparedness to properly assess a situation and respond appropriately. Employees should be well informed about emergency procedures through training and posting of the procedures.

Consistent with any emergency management procedures that may already be established in the county, the security procedures should address at least the following:

- *Bomb threats*
  - Forms should be provided to help record information when a telephone bomb threat is received. A sample form is reproduced in Appendix C.
  - Employees should be trained to recognize suspicious packages and to follow appropriate notification procedures.
  - The security plan should specify routine policies for searches of the building.
- *Evacuations:* Evacuation plans should be established and employees trained. The security procedures should specify:
  - what circumstances require and who has authority to order an evacuation;
  - who has responsibility to notify other agencies, such as the sheriff, other police or law enforcement offices, federal agencies, fire department, emergency medical teams, utility companies, the AOC, and others;
  - who has responsibility to assist people in the courthouse, including witnesses, jurors, the general public, other staff, judicial officers, disabled people, etc.;
  - evacuation routes -- where everybody will go from given locations. Building plans and updated directories of building occupants must be provided to other agencies, such as fire departments, and evacuation routes posted in appropriate places in the courthouse.
- *Threats*
  - Threats to judges or other personnel should be reported immediately to the sheriff and other appropriate law enforcement for response and investigation.

- *Other types of incidents*
  - The policies and procedures should develop plans for other emergencies that may occur, including gang violence, hostage situations, gunfire, medical emergencies, prisoner escape, power loss, natural disasters, and others.

## 5. COURT SECURITY OFFICERS

**All court security officers should be deputy sheriffs, properly trained and otherwise equipped and able to carry out their professional duties.**

Trained, able people, rather than devices, are ultimately and inevitably the most important aspect of an effective security system. Security screening equipment and other devices are important, but huge expenditures are not generally necessary to remedy some of the most significant personnel-related shortcomings of existing security conditions. Some key principles are:

- All court security officers should be deputy sheriffs. The sheriff has the duty to provide security, and to meet that duty, court security officers must be professionals under the sheriff's supervision, trained in use of weapons and crisis management. The courthouse environment has changed dramatically, and reliance on a civilian bailiff or a security firm ("company police") is no longer sufficient to adequately protect the public and court employees.
- Court security officers must be stationed in all courts --criminal, civil, juvenile, and domestic-- and should at least patrol all other locations. Many serious incidents occur in domestic and juvenile court cases, which can be very emotional for participants. Spontaneous explosions of violence are most prevalent in domestic courts, where the issues may include hostile divorce, loss of parental

## North Carolina Court Security Guidelines

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rights, alimony and support, etc. Also, security risks exist not just in courtrooms, but throughout the courthouse -- in cash-handling areas, private offices, and crowded public hallways and lobbies. If the court facility houses probation offices, probationers may be visiting the building throughout the day, or even after normal business hours. Any use of the building after hours poses security risks. County offices located in the courthouse may also be at risk.

- Court security officers must be well trained. Appendix A lists resources for court security officer training. Training and preparedness require good written operational procedures, including written and practiced contingency plans.
- Court security officer fitness requirements: Security officers should be fit and effective for situations such as physical confrontation. Officers must be able to react quickly in emergency situations.
- Professional stature of court security officers: Court security officers are trained professionals with a dangerous job to do, and should not be asked to tend to water pitchers, run errands, or perform other duties that may divert them from their primary responsibilities. Judges and other court personnel should be trained to better understand the professional image and stature of and respect owed to court security officers.
- Prisoner transportation: All security officers should be trained in the appropriate procedures to use when transporting prisoners to the courthouse and within the courthouse (this issue is discussed further on page 11).

## **6. SECURITY SCREENING**

**Security screening should be conducted at all courthouse entrances by deputy sheriffs under the direction of the sheriff, and all persons entering the courthouse should be subject to screening. The number of entrances should be kept to a minimum.**

Screening is an effective way to meet the most significant threat to court security. Concealed weapons in the hands of angry, aggrieved, distraught, or otherwise unstable persons are the most clear, compelling, present danger to the safety and security of personnel and the innocent public, and to the integrity of the judicial process.

Ensuring public access to the courthouse and providing an effective security system are not mutually exclusive. Since other security measures can become meaningless unless weapons are kept out of the courthouse, entry screening is an imperative. However, courthouses, as public buildings and symbols of justice, must be open to the public. Security systems can and should be carefully crafted to avoid the appearance of impeding access to justice. Security screening conducted at courthouse entrances is generally considered to be a minor inconvenience in comparison to the benefits provided. The minor delays that are sometimes caused do not significantly impede the public's access to the courthouse.

In developing a screening policy, the court security procedures must address the questions who, what, where, how, and when:

- **Who:** Screening is reliable and effective only when applied to everyone entering the courthouse, including court officials, court employees, other employees, law enforcement representatives, members of the bar, and the general public. Mail and all other courthouse deliveries should also be screened. (The possibility of an exception for weapons held by on-duty law enforcement officers is discussed under "Weapons Policies," page 18.)

## North Carolina Court Security Guidelines

- **For what:** The screening policy should clearly define the types of weapons to be prohibited from the courthouse. All deadly weapons, including all types of guns, should be prohibited, as well as all pocket and other knives, razors, stun guns, or any item or device that could be used as a weapon.
- **Where:** Screening should be conducted at all courthouse entrances, and is most effective and efficient when the number of courthouse entrances is limited so that screening of the general public can be concentrated at one entrance. Since the goal to protect the *entire* courthouse, it is essential to conduct security screening at courthouse entrances, and not just outside courtrooms. Security risks exist in many areas of the courthouse in addition to the courtrooms, including cashier stations, magistrates' offices, hearing rooms, private offices, etc.
- **How:** Screening should be under the direction of deputy sheriffs, including any additional security personnel that are necessary to conduct screening and operate magnetometers or other devices. The equipment available includes walk-through magnetometers, hand-held screening devices, and x-ray machines for bags, parcels, and mail deliveries. The screening policy must specify what to do with weapons or contraband. Options include providing secure storage lockers at the courthouse entrance and issuing claim tickets, or requiring that unauthorized weapons be taken out of the building. Security procedures should provide for periodic searches of trash cans and bushes outside the courthouse, where people often try to hide weapons or contraband when they become aware that searches will be conducted.
- **When:** Screening should be conducted during all normal business hours, not limited to certain days or times, such as when criminal court is in session. Security risks exist for all types of court proceedings, and in various parts of the courthouse regardless of whether court is in session. Many serious incidents occur in domestic and juvenile court cases, which can be very emotional for participants. People angered by court decisions often vent their anger after they

## North Carolina Court Security Guidelines

leave the courtroom, such as when visiting the clerk's office to make a court-ordered payment. The committee must also address security needs when the courthouse is used after hours by various community groups or employees such as probation officers and magistrates. Screening for all after hours activities, for weapons or bombs that could be brought in and left by after-hours users, must be given close and serious consideration.

### **7. WEAPONS POLICIES<sup>3</sup>**

**No person, other than an on-duty court security officer, should be permitted to carry or possess any type of weapon in a courthouse.**

The most effective security systems prohibit all persons except on-duty court security officers from carrying weapons in a courthouse. The federal court system, for example, has a policy of prohibiting all weapons except those of its own marshal's service. Clearly, the courthouse is safer with fewer weapons.

The only exception to this policy is one that must ultimately be decided locally: whether to allow on-duty, uniformed North Carolina law enforcement officers not assigned to court security to keep their weapons when entering the courthouse. Under no circumstances should a law enforcement officer attending court for personal reasons be permitted to carry a weapon into the courthouse. The court security committee should specify procedures for identifying officers attending court on personal business. It may be incumbent on the judge, for example, to notify court security officers when another officer is attending court on personal business.

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<sup>3</sup> State law governs issuance of concealed handgun permits. N.C.G.S. Article 54B of Chapter 14, G.S. 14-415.10 *et seq.* However, notwithstanding issuance of a permit under the concealed handgun law, it is unlawful to possess any deadly weapon, openly or concealed, in a court facility. G.S. 14-269.4; G.S. 14-415.11(c).



## **8. DURESS ALARMS**

**Duress alarms should be provided for all courtrooms, hearing rooms, cash handling areas, security screening stations, judge's chambers, reception areas, and such other private offices as those of the clerk, magistrates, and district attorney.**

Early notification of emergency situations is of paramount importance in any court security program. Duress alarms should sound in offices of the law enforcement agency (generally the sheriff) that will respond directly to the call, and not ever to an intermediary office that would relay the call. Duress alarm activation buttons should also connect directly to any other central security monitoring station in the courthouse. The duress alarm system should be zoned to provide an immediate and positive notification of the area in which the event has occurred. The sheriff should periodically test all duress alarms.

## **9. BUILDING ACCESS CONTROL**

**In addition to security screening, the courthouse and its perimeter should be secured through the use of various means of access control, including key control, video surveillance, intrusion detection systems, and design considerations.**

### ***A. Access Control***

The methods of controlling access to a building cover a wide spectrum of products and technology ranging from traditional door locks and keys to magnetic card systems and complex biometric identification. The committee must decide upon the method(s) to be used and identify who is responsible for controlling access: who maintains the master key,

## North Carolina Court Security Guidelines

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who may issue keys or magnetic cards, who may add or delete people from a magnetic card system, and who is responsible for opening and closing the building every day.

Access audits: The court security committee should conduct an access audit and ensure that only authorized personnel have access to court facilities. In some cases, it may be necessary to re-key the building and/or change existing locking hardware. After the initial audit, routine access audits should be conducted to keep careful track of keys or other access devices after personnel changes. If, for example, keys are lost, re-keying the building may be necessary. An advantage of card reader devices over traditional keys is that individual cards or combinations can be deleted without requiring the facility to be re-keyed.

Staff training: In buildings that use traditional keys, key control and security of the keys are personal security issues that need to be explained to each staff member. If a key can be obtained for only seconds, an imprint can be made and security is compromised. Personnel must be instructed not to permit duplicate keys to be made, and violations of this policy should result in appropriate disciplinary actions.

Exterior windows: Measures should be taken to ensure that all exterior windows and doors are secured. Special care should be taken to secure and obscure any first floor windows, particularly for courtrooms, judges' offices, and jury rooms. Installing bars on ground floor windows is often necessary.

Use of building after hours -- public events, cleaning/maintenance, etc.: All of the effort for screening and weapons detection could easily be circumvented by someone planting a device or weapon during non-business hours. The security manual must establish policies and procedures that specifically limit circumstances when people have after-hours access to the courthouse. The sheriff must employ procedures for securing the building prior to the beginning of each work day to protect against the possibility that an after-hours user left a weapon or bomb. The sheriff must be made aware of routine after-

## *North Carolina Court Security Guidelines*

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hours uses, such as by magistrates or probation officers, and be notified in advance of all special after hours uses, such as public meetings. The court security committee should consider ways to monitor after-hours use, such as by requiring people to sign in and sign out, or using a video camera to monitor access.

Cleaning crews pose a special risk. There is often a high turnover rate in cleaning personnel, and most counties are not able to perform background checks prior to employment. Counties must review cleaning service contracts and check bonding requirements. Cleaning and maintenance crews should never have unsupervised access to sensitive areas of the courthouse, such as judge's offices and confidential file storage rooms. Other persons, such as community service workers and probationers, should be subject to similar supervision and restriction

### ***B. Video Surveillance***

**Video camera surveillance may greatly enhance security for many areas of the courthouse, such as parking areas, lobbies, cash handling areas, reception areas, courtrooms, elevators, and restricted hallways.**

The court security committee should consider use of video surveillance. Most counties do not have the funds to employ security personnel to continually patrol all areas of the courthouse and grounds, and the presence of a court security officer in the courtroom is not sufficient to provide adequate overall court security. If feasible, utilization of a closed circuit video system serves as a deterrent and aids the overall court security plan when limited staff are available. Video surveillance could be utilized in all or some of the areas mentioned above, for example, to monitor remote parking lots or high-risk areas, such as magistrates' offices that are open 24 hours a day and where a magistrate often works alone. The size and architectural design of some courthouses may require more video cameras than others due to limited fields-of-view. Video cameras may also require additional or supplemental lighting for proper operation.

Video surveillance coupled with time lapse video recording also serves as an investigative tool, to identify suspects after an incident has occurred. Cameras covering critical areas could be continuously monitored and recorded while other cameras could be called up on an as-needed basis. Video surveillance, when integrated with an intrusion detection system, could provide the means to automatically record a designated camera during a security violation in that area.

### **C. *Intrusion Detection***

**Measures should be taken to prevent unauthorized intrusions after normal business hours.**

Intrusion detection measures are designed to provide complete perimeter and interior security against break-in, and thus help protect evidence, court files, and other important records. The court security committee must determine the potential risks of after-hours intrusions and develop a plan to minimize those risks. Securing the building will likely require integration of various intrusion detection technologies, such as door contacts, glass break sensors, and motion detection devices.

All security related electronic devices should be powered by an on-line uninterruptible power supply rated to provide a minimum of 24 hours of power. Should a security violation occur, the system should provide prompt notification to the sheriff or other law enforcement agency that has the responsibility to respond, and the system should identify the exact location of the alarm. Integration with video surveillance equipment can provide automatic monitoring and recording of the affected area. Securing the courthouse after an alarm should include a complete sweep or search of the building for any items that may have been left behind.

## **10. ARCHITECTURAL AND DESIGN CONSIDERATIONS**

**Counties undertaking courthouse renovations, additions, or new construction should ensure that security measures are carefully integrated into the architectural planning, design, and construction. Counties should have in-house or retain expertise in court security needs, and contracts with security experts should be directly with the county and not through the architect.**

The expense of providing adequate court security can be minimized if security is carefully incorporated into courthouse design. The need and expense for many security devices can be traced to architectural problems, such as limited or poor sight lines or the inability to staff a remote or isolated location. Some design elements can enhance court security at little or no extra cost. For example, a fundamental of court design is to have three separate circulation paths that intersect only at the courtroom -- separate paths for the public, judges and other court staff. Also, exterior design options and landscaping often raise compelling security considerations, such as by avoiding dark crannies not visible to a passing patrol car.

The court security committee should be involved in all courthouse renovations, additions, or new construction. As part of the planning process, well prior to any renovation or construction, the committee, the architect and appropriate others should tour other facilities to view examples of operationally effective, secure, yet aesthetically pleasing designs. The county and the security committee should have the benefit of expert assistance in the field of security. The security expert should be a county employee or under separate contract directly with the county, and not under the employ of the architect. Security concerns can often conflict with or challenge aesthetic or other decisions that an architect may wish to make, or already has made. The security expert must be in a position to give the county objective, independent advice.

A comprehensive review of courthouse design as it relates to security is beyond the scope of these guidelines. Several resources are listed in Appendix A.

## **11. INCIDENT TRACKING AND REPORTING**

**Every security incident should be documented and reviewed.**

Proper incident tracking and reporting procedures are crucial for assessing the effectiveness of the overall security plan. Information maintained in incident logs should be reviewed periodically by the court security committee with the help of the sheriff or a qualified expert. Annual reports generated from these incidents would help identify patterns that may be developing, and help the committee analyze and implement needed improvement in the security plan. Toward that end, "incident" should be defined broadly to include all security violations, and not just criminal acts or major events.

A sample form for incident reporting is reproduced in Appendix C. The committee should identify who is responsible for keeping the completed forms, to whom blank forms should be distributed, who is responsible for convening a special committee meeting after a security incident, what types of incidents require a committee meeting, and the time frame for a meeting after an incident. Incident reports will contain sensitive information that should be shared only with committee members and law enforcement personnel.

## 12. HIGH PROFILE TRIALS

**Although the presiding judge has the authority to order needed security measures, the court security committee should develop procedures and contingency plans for high profile trials, both to assist the judge in identifying what can and should be done, and to ensure that the measures ordered by the judge can be implemented promptly and effectively.**

The presiding judge has the final authority to make appropriate orders for the secure conduct of proceedings. Nonetheless, *advance* preparation is essential. The presiding judge may arrive in the county very shortly before a high profile begins, and as a trial proceeds, security needs can change quickly. A county's security plan should include plans and procedures that inform the judge about and offer a full range of alternatives. The goal should be to anticipate and plan ways to address the unique needs of high profile trials before the potential onslaught of intense media exposure, crowds, protests, and other security concerns. This preparedness is needed everywhere. Experience has already shown that no county is exempt from the possibility of a high profile trial.

High profile trials place substantial additional pressures on security. Tensions and risks are increased for jurors, judges, defendants, prosecutors, other court staff, and the public. High profile trials will involve intense media attention, crowds of reporters and spectators, and the possibility of violence from persons who may be incensed over the subject matter of the trial. Appendix A includes some references to further information and resources. Some key issues for the security plan to cover are:

- Media control: The committee should become familiar with the authorities and procedures in relevant court rules and statutes, particularly Rule 15 of the General Rules of Practice for the Superior and District Courts. Rule 15 generally permits media coverage of trial and appellate courts subject, most importantly, to limits that the presiding judge may order, such as prohibiting

## North Carolina Court Security Guidelines

media coverage in the courtroom and adjacent corridors. Some general principles for media control include:

- Under no circumstance should the media be allowed to draft proposed rules or procedures or be given the impression that the rules can be negotiated.
- When the judge allows a camera in the courtroom, only one camera should be allowed. The judge must have control over a master on/off switch for video and audio signals. The one camera can provide a common feed for all media to share (all networks, individual stations, etc.). There is no need for every television truck or camera crew to be in or even near the courthouse. The common feed can be routed to site remote from the courthouse, which the security plan can identify in advance, such as a football field or other parking lot large enough to accommodate vehicles with satellite dishes.
- The security plan should prepare other media ground rules that a judge may adopt to cover off-site parking locations for all media vehicles, routing of cables, location of press lines and barriers, issuance and wearing of press identification badges, access control measures such as designating a specific off-site or courthouse room for reporters, off-site locations for the conduct of press interviews of lawyers and others, and an expected code of conduct.
- Screening and other increased protection: Entry screening for weapons is especially essential during high profile trials, including screening of all equipment and deliveries. (Details about screening are in “Security Screening,” page 16.) The security plan should also consider advance preparation to improve protection for persons subject to heightened risk of violence, including the judge, jurors, defendants, prosecutors, other parties, and witnesses. The plan should consider the possible need to transport and protect sequestered jurors.
- Crowd control: Plans can be made for the potential of demonstrations outside the courthouse, and for the likelihood that media and spectators will crowd parking lots, sidewalks, courtrooms, and corridors. Alternatives can be arranged in advance for off-site designated parking areas, special seating arrangements or rooms for families or witnesses, and a system (perhaps a lottery) to regulate an overflow of spectators or press.



*Acknowledgments*

The Court Security Advisory Committee wishes to acknowledge and extend special appreciation to the following for their vital contributions to this project:

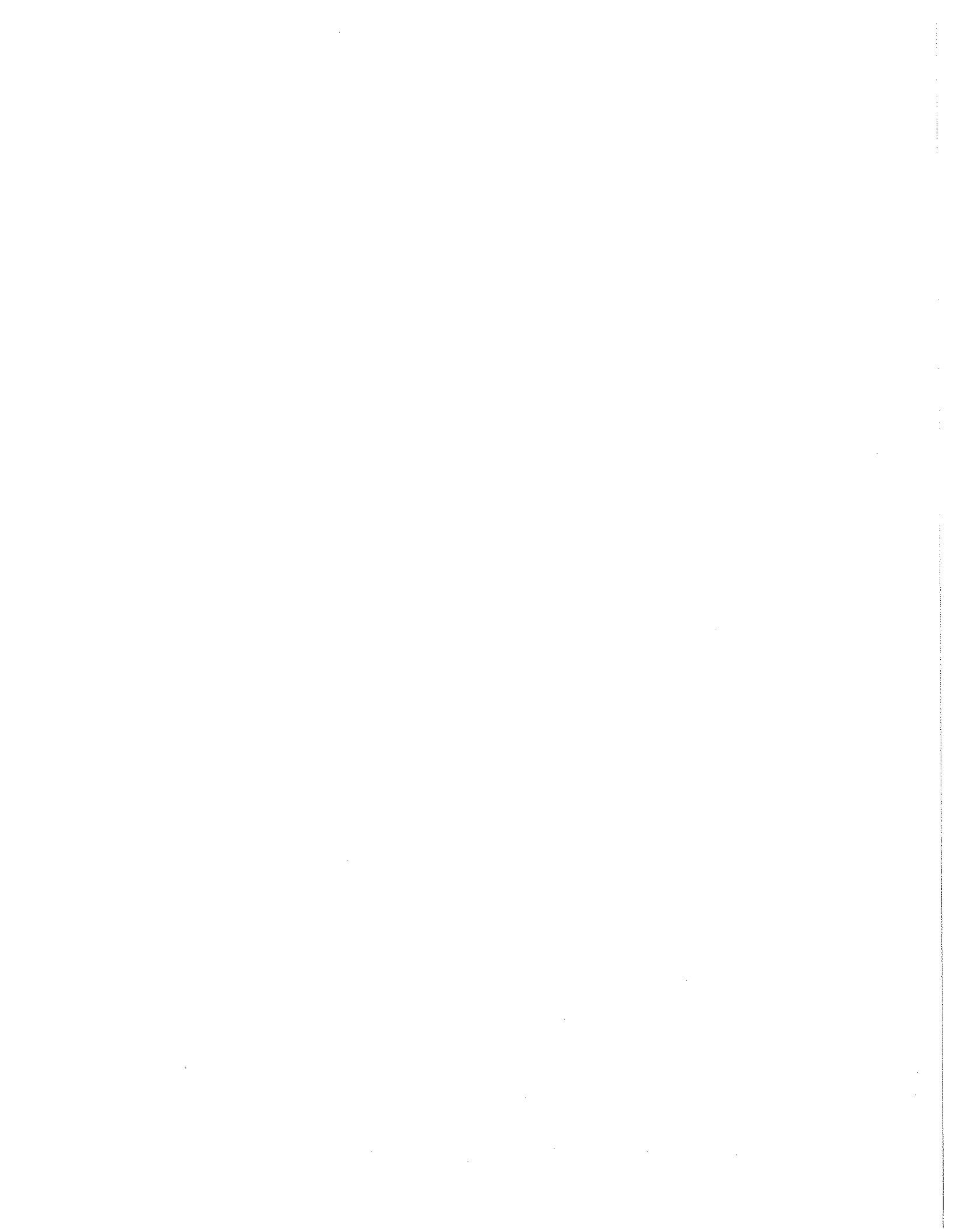
- The Governor's Crime Commission, which approved the grant funds that made this project possible.
- The hundreds of court and county officials, including county managers, judges, clerks of court, district attorneys, and others, who completed lengthy and detailed surveys on present security practices and needs in each county. Special thanks are extended to court and county officials in Alexander, Franklin, Johnston, Onslow, and Rutherford Counties, where site visits were conducted to assess and investigate security needs in actual courthouses selected to represent the geographic, demographic, caseload, and economic diversity of the state. Information from the surveys and site visits richly informed the committee about the issues and priorities that these guidelines needed to address.
- Mr. Mark Strickland and Mr. Van Ritch, of the North Carolina Justice Academy, who attended several committee meetings and contributed immensely with their extensive expertise in court security, training, and law enforcement issues.
- Kim Hagan, an attorney and researcher with the Administrative Office of the Courts, who was project director.



## **APPENDIX A: RESOURCES**

<b>1. General References .....</b>	<b>A1</b>
<b>2. N.C. and National Organizations .....</b>	<b>A1</b>
<b>3. Court Security Officer Training, references and organizations.....</b>	<b>A2</b>
<b>4. Courthouse Architectural and Design Standards .....</b>	<b>A3</b>
<b>5. High-Profile Trials - references.....</b>	<b>A3</b>

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## APPENDIX A: RESOURCES

### 1. GENERAL REFERENCES

Court Security and the Transportation of Prisoners: A National Study  
National Sheriffs' Association, 1996

Court Security Guide,  
National Association for Court Management, June 1995

The Courthouse: A Planning and Design Guide for Court Facilities  
National Center for State Courts, 1991, pp. 32-34, 41-43 (under revision as of 4/98)

100 Courthouses: A Study of North Carolina Judicial Facilities  
N.C. Administrative Office of the Courts and N.C. State University School of Design,  
1978, Vol. 1, pp. 64-65, 80-81 (copies are available with each clerk of court)

### 2. N.C. AND NATIONAL ORGANIZATIONS

#### *North Carolina:*

North Carolina Sheriffs' Association  
P.O. Box 2717  
Raleigh, N.C. 27602  
(919) 783-8899

North Carolina Justice Academy  
P.O. Box 99  
Salemberg, N.C. 28385  
(910) 525-4151

North Carolina Administrative Office of the Courts  
P.O. Box 2448  
Raleigh, NC 27602

*For courthouse security, operations etc.:*  
Research Services Division  
(919) 733-7107

*Violence reduction training:*  
Human Resources Division  
(919) 662-4300

#### **National:**

National Sheriffs' Association  
1450 Duke Street  
Alexandria, Virginia 22314  
(800) 424-7827

National Center for State Courts  
Institute for Court Management  
300 Newport Avenue  
Williamsburg, Virginia 23187-8798  
(757) 253-2000

**3. COURT SECURITY OFFICER TRAINING**

**REFERENCE MATERIALS:**

Court Security and the Transportation of Prisoners: A National Study,  
National Sheriffs' Association, 1996

Court Security, Training Guidelines and Curricula, William H. Petersen and Barbara E. Smith, Ph.D. (National Sheriffs' Association, 1991).

**CONTACTS**

Both the North Carolina Sheriffs' Association and the North Carolina Justice Academy offer courses for court security officers.

North Carolina Sheriffs' Association  
P.O. Box 2717  
Raleigh, N.C. 27602  
(919) 783-8899

North Carolina Justice Academy  
P.O. Box 99  
Salemberg, N.C. 28385  
(910) 525-4151

**National contacts:**

National Sheriffs' Association  
1450 Duke Street  
Alexandria, Virginia 22314  
(800) 424-7827

International Association of Court  
Officers & Services, Inc.  
1450 Duke St.  
Alexandria, VA 22314-3490  
(800) 424-7827

U.S. Marshal's Service:  
Eastern District  
310 New Bern Avenue  
Raleigh, N.C. 27601  
(919) 856-4153

Middle District  
324 W. Market Street  
Greensboro, N.C. 27402  
(336) 333-5354

Western District  
100 Otis Street  
Asheville, N.C. 28801  
(828) 271-4651

#### **4. COURTHOUSE ARCHITECTURAL AND DESIGN STANDARDS**

The Courthouse: A Planning and Design Guide for Court Facilities  
National Center for State Courts, 1991, pp. 32-34, 41-43 (under revision as of 4/98)

100 Courthouses: A Study of North Carolina Judicial Facilities  
N.C. Administrative Office of the Courts and N.C. State University School of Design,  
1978, Vol. 1, pp. 64-65, 80-81 (copies are available with each clerk of court)

U.S. Courts Design Guide  
(available from U.S. AOC; see also *Federal Design Standards*, 41 C.F.R., Ch. 101,  
Subch. D)

Americans With Disabilities Act Accessibility Guidelines for Buildings and Facilities: State  
and Local Government Facilities.  
Full text: 36 C.F.R. Part 1191  
(Rule 11 amendment, as of 1/13/98, at Fed. Reg., Vol. 63, No. 8)

#### **5. HIGH PROFILE TRIALS**

N.C. General Rules of Practice for the Superior and District Courts, Rule 15:  
Electronic Media and Still Photography Coverage of Public Judicial Proceedings.

A Manual for Managing Notorious Cases, by Timothy R. Murphy, Project Director, and  
Genevra Kay Loveland, and G. Thomas Munsterman (National Center for State Courts,  
1992).





**APPENDIX B:**

**COURT SECURITY AUDIT INFORMATION and  
CHECKLIST**

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**APPENDIX B:  
COURT SECURITY AUDIT INFORMATION and CHECKLIST**

Security "audits" are on-site, room by room, area by area evaluations of present security conditions and needs. An audit is the essential first step in developing a plan for overall security improvements.

**RESOURCES**

Assistance with conducting a court security audit can be provided by:

North Carolina Justice Academy  
P.O. Box 99  
Salemberg, N.C. 28385  
(910) 525-4151

U.S. Marshal's Service:  
Eastern District  
310 New Bern Avenue  
Raleigh, N.C. 27601  
(919) 856-4153

Middle District  
324 W. Market Street  
Greensboro, N.C. 27402  
(336) 333-5354

Western District  
100 Otis Street  
Asheville, N.C. 28801  
(828) 271-4651

**AUDIT CHECKLIST FORM**

The "security audit checklist" on the following pages was reproduced with permission (with minor changes) from materials produced by the Michigan State Office of State Court Administrator.

While the audit form can be very helpful, it is not a substitute for expert assistance by the sheriff, a retained expert, or other person trained in the security field. The checklist covers the major issues to look at, but the trained eye of a professional is needed to properly assess the unique conditions in a specific facility.



# COURT SECURITY AUDIT CHECKLIST COVER SHEET

Date \_\_\_\_\_

Sheriff: \_\_\_\_\_

County Manager : \_\_\_\_\_

Senior resident superior r court judge  
\_\_\_\_\_

Chief district court judge  
\_\_\_\_\_

Clerk of Superior court  
\_\_\_\_\_

Court Administrator: \_\_\_\_\_

Court  
\_\_\_\_\_

Address  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Court Contact: \_\_\_\_\_

Contact Phone: \_\_\_\_\_

Security Audit Team completing audit:

	Member Name	Title and Office
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____

**BRIEF DESCRIPTION OF BUILDING (DESCRIBE THE NUMBER OF STORIES, SQUARE FEET, CONSTRUCTION MATERIAL, OTHER BUILDING OCCUPANTS, NORMAL TRAFFIC PER DAY, NUMBER OF PUBLIC ENTRANCES, NUMBER OF PRIVATE ENTRANCES, ETC.). ATTACH FLOOR PLANS IF AVAILABLE:**

Briefly describe the city or community where the building is located (population, main businesses, urban, suburban, rural, community highlights, etc.)

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Briefly describe the immediate environment of the building in all directions: (business, urban, suburban, residential, high crime, etc.)

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Which floors contain Judicial facilities?

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What is the type of building construction (concrete, brick, glass siding, steel framed, etc.)?

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Building construction date:

---

Building addition date:

---

Judicial area last renovated date:

---

Is the building a historically registered landmark?

Yes  No

	ADMINISTRATIVE ISSUES Security Advisory Committee	YES	NO	N/A
1.	Is there an established Court Security Advisory Committee?			
2.	To whom does the committee report?			
3.	How frequently do they meet?  When was the last meeting?			
4.	Is there a formalized procedure for: <input type="checkbox"/> announcing meetings <input type="checkbox"/> documenting and reporting to <input type="checkbox"/> Court and <input type="checkbox"/> County Officials			
5.	What is the committee's mission or stated goals?			
6.	What is the composition of the members of the committee? <input type="checkbox"/> Judges <input type="checkbox"/> Court administration <input type="checkbox"/> Others: <input type="checkbox"/> Court staff <input type="checkbox"/> Sheriff <input type="checkbox"/> Court security officers <input type="checkbox"/> County administration <input type="checkbox"/> County Commissioners <input type="checkbox"/> Local bar association <input type="checkbox"/> Law enforcement agencies <input type="checkbox"/> Emergency management authority.			
7.	Does the committee have established duties, or written goals and objectives			
8.	Has the committee done any strategic or long-term planning?			
9.	Is the committee responsible for oversight of the <input type="checkbox"/> Security Procedures Manual <input type="checkbox"/> Emergency Procedures manual?			
10.	Does the committee review all security and emergency related incident reports?			
11.	Does the committee verify that emergency drills, and testing and maintenance of security and emergency equipment has been completed?			
12.	Has a prior security survey been conducted? By whom and when?			
13.	How well have security recommendations in prior reports been implemented? Comment:  What significant recommendations have not been implemented?			

	ADMINISTRATIVE ISSUES	Emergency Procedures	YES	NO	N/A
1.	Does the court have an emergency procedures manual?				
2.	Is the manual? <input type="checkbox"/> Loose leaf <input type="checkbox"/> Uniformly numbered <input type="checkbox"/> Indexed <input type="checkbox"/> Periodically reviewed/updated	<input type="checkbox"/> Organized by subject <input type="checkbox"/> Standard Section format <input type="checkbox"/> Pages dated/revised <input type="checkbox"/> All copies updated			
3.	Does the manual have phone numbers easily accessible for: <input type="checkbox"/> Ambulance <input type="checkbox"/> Local Police <input type="checkbox"/> Sheriff Dept. <input type="checkbox"/> Utility - gas <input type="checkbox"/> Utility - Electric	<input type="checkbox"/> Fire/Rescue <input type="checkbox"/> Court/Building Security <input type="checkbox"/> State Police <input type="checkbox"/> Utility - water <input type="checkbox"/> Building Maintenance			
4.	Are there written emergency procedures for: <input type="checkbox"/> Medical Emergency <input type="checkbox"/> Civil Disorder/Disturbance <input type="checkbox"/> Natural Disaster <input type="checkbox"/> Tornado <input type="checkbox"/> Severe Weather <input type="checkbox"/> Flood <input type="checkbox"/> Winter/Cold	<input type="checkbox"/> Fire <input type="checkbox"/> General Evacuation <input type="checkbox"/> Power/utility failure <input type="checkbox"/> Civil Disorder <input type="checkbox"/> Hostage Situation <input type="checkbox"/> Prisoner Escape <input type="checkbox"/> Disaster Recovery			
5.	Does each section: <input type="checkbox"/> identify key decision makers <input type="checkbox"/> list authorized actions <input type="checkbox"/> give uncomplicated directions	<input type="checkbox"/> define who declares an emergency <input type="checkbox"/> define chain of command			
6.	Who has the final authority to declare an emergency?				
7.	Are security plans coordinated with appropriate local, state, and federal agencies?				
8.	Does the manual contain: <input type="checkbox"/> Directory of building tenants and their phone numbers <input type="checkbox"/> Floor plans showing <input type="checkbox"/> windows, doors, and fire exits <input type="checkbox"/> control panels <input type="checkbox"/> alarm system controls <input type="checkbox"/> Elevator controls	<input type="checkbox"/> utility shut offs <input type="checkbox"/> HVAC controls <input type="checkbox"/> first aid kits <input type="checkbox"/> fire extinguishers, hoses, suppression systems			
9.	Are floor plans of emergency exits, fire hoses, extinguishers posted throughout the building?				
10.	Are periodic security/emergency procedures meetings held with: <input type="checkbox"/> judges <input type="checkbox"/> attorneys <input type="checkbox"/> supervisory staff	<input type="checkbox"/> staff <input type="checkbox"/> tenants <input type="checkbox"/> custodial/maintenance personnel			
11.	Are other tenants given periodic instruction about the various emergency procedures?				
12.	Is there a policy and procedure for reporting incidents?				
13.	What types of incidents are required to be reported?				
14.	Who are incidents reported to, and how quickly must they be reported?				



ADMINISTRATIVE ISSUES		Alarm Policies	YES	NO	N/A
1.	Is there an alarm policy?				
2.	Does the policy define all of the following? <input type="checkbox"/> who is responsible for setting alarms <input type="checkbox"/> who is responsible to turn them off <input type="checkbox"/> how after hours access is allowed				
		<input type="checkbox"/> when they will be set <input type="checkbox"/> when they will be turned off <input type="checkbox"/> who is responsible to respond to alarms			

ADMINISTRATIVE ISSUES		Emergency Equipment and Staff	YES	NO	N/A
1.	Have appropriate court staff received and signed for relevant security policies & procedures?				
2.	Have court staff been trained in relevant policies and procedures? (e.g. First Aid, CPR, fire suppression, evacuation, bomb searches)				
3.	Is first aid equipment, including <input type="checkbox"/> oxygen and <input type="checkbox"/> universal precautions, provided throughout the courthouse?				
4.	How frequently is that equipment periodically checked and tested?				
5.	Are staff used in key roles in an emergency? (e.g. floor monitors for evacuation, fire brigade, first aid response). If yes, how:				

ADMINISTRATIVE ISSUES		Fire Planning	YES	NO	N/A
6.	Does the local fire marshal/inspector routinely inspect the courthouse?				
7.	When was the courthouse last inspected for fire safety?				
8.	Does the courthouse comply with local fire codes?				
9.	Does the building have fire alarms?				
10.	Does the building have smoke detectors? List locations (e.g. halls only, in offices, etc.)				
11.	Does the building have fire extinguishers?				
12.	Does the building have an automatic sprinkler system?				
13.	Does the building have emergency fire hoses?				
14.	Does the building have standpipes?				
15.	Are extinguishers and hoses clearly marked, and placed appropriately?				
16.	When was the last time the following were checked or tested? <input type="checkbox"/> fire alarms <input type="checkbox"/> fire extinguishers <input type="checkbox"/> emergency fire hoses				
		<input type="checkbox"/> smoke detectors <input type="checkbox"/> automatic sprinkler system <input type="checkbox"/> standpipes			
17.	How are fire extinguishers checked? By whom?				
18.	Are emergency exits clearly marked with an illuminated sign?				
19.	Are emergency exits and passages kept clear and in usable condition?				
20.	What is the estimated response time for the fire department?				

	ADMINISTRATIVE ISSUES	Jury procedures	YES	NO	N/A
1.	Are there specific security policies, procedures and guidelines for juries relative to: <input type="checkbox"/> orientation <input type="checkbox"/> barring discussion <input type="checkbox"/> custody during deliberation <input type="checkbox"/> conduct <input type="checkbox"/> meals <input type="checkbox"/> communications to court	<input type="checkbox"/> first day of trial <input type="checkbox"/> seclusion <input type="checkbox"/> site viewing <input type="checkbox"/> calls <input type="checkbox"/> medication			
2.	Are there emergency plans for <input type="checkbox"/> juror illness <input type="checkbox"/> medical emergency <input type="checkbox"/> emergency evacuation <input type="checkbox"/> an off site backup location to take the jury in an emergency.				
3.	Are security staff forbidden from discussing any trial related matter with jury members?				
4.	Are jurors issued buttons or identification badges?				
5.	Is there generic or model plan for handling a sequestered jury?				
6.	Does the sequestered jury plan include: <input type="checkbox"/> establishing a special task force on the high-risk trial jury <input type="checkbox"/> secured transport of the jury <input type="checkbox"/> housing for jury and security staff <input type="checkbox"/> meals and entertainment <input type="checkbox"/> handling communications and visitation <input type="checkbox"/> handling illnesses and medical emergencies <input type="checkbox"/> emergency evacuation <input type="checkbox"/> model orders and model forms <input type="checkbox"/> media limitation and regulation <input type="checkbox"/> methods to harden the grounds, courthouse, and courtroom, <input type="checkbox"/> family visitation <input type="checkbox"/> increased security screening <input type="checkbox"/> establishing a high profile case task force				

### ADMINISTRATIVE ISSUES CONCERNS

Briefly describe the major concerns regarding this section.

	PERIMETER Public Perimeter Area	YES	NO	N/A
1.	Do security staff patrol the perimeter of the building?			
2.	How frequent are <input type="checkbox"/> uniformed <input type="checkbox"/> plain clothes patrols & inspections of perimeter area?			
3.	Are any perimeter areas monitored by CCTV? Where:			
4.	Are any "restricted area" signs posted in the perimeter area? What is their wording:			

	PERIMETER Public Perimeter Area	YES	NO	N/A
5.	Are there any duress alarms in the perimeter area? Describe the number and locations:			

	PERIMETER Fences and Gates	YES	NO	N/A
1.	Is perimeter of courthouse grounds clearly defined by a fence, wall or other physical barrier?			
2.	Briefly describe the barrier: Location: Condition: Base/Anchor: Material: Top:			
3.	Does the barrier limit or control vehicle access to the courthouse?			
4.	Does the barrier limit or control pedestrian access to the courthouse?			
5.	Are gates solid and in good condition? Type of Gate:			
6.	Are gates locked properly? Type of Lock:			
7.	Are gate hinges secure and in good condition?			

	PERIMETER Lights	YES	NO	N/A
1.	Is the perimeter lighted?			
2.	Are public perimeter areas (including parking and walkways) sufficiently lighted to discourage attacks against persons or vehicles, and allow a person to avoid a hazard?			
3.	Describe the lighting (coverage, type, etc) of: Walkways, and sidewalks  Parking areas  Other public areas:			
4.	Is the exterior of the building (particularly entry points) sufficiently lighted to discourage unlawful entry attempts, vandalism, or placement of explosives against the walls?			
5.	Are lights on all night? If no, list hours:			

	PERIMETER Lights	YES	NO	N/A
6.	Are light fixtures suitable for outside use (i.e., weather- and tamper-resistant)?			
7.	Are lights and wiring inspected regularly? If so, by whom?			
8.	Lights are controlled: <input type="checkbox"/> automatically <input type="checkbox"/> manually			
9.	Are lighting control switches secured to prevent tampering?			
10.	Do exterior lights have an auxiliary power source?			

	PERIMETER Parking Areas	YES	NO	N/A
1.	How is entry to, and exit from parking areas controlled? <input type="checkbox"/> security officer <input type="checkbox"/> attendant <input type="checkbox"/> electronically operated gate <input type="checkbox"/> not controlled			
2.	Who provides the guard/attendant services? What hours is it staffed?			
3.	Are parking areas monitored by CCTV?			
4.	How frequently are inspections made of parking area and vehicles, for areas not guarded or monitored through CCTV?			
5.	Is a reserved parking lot or area: <input type="checkbox"/> on courthouse grounds <input type="checkbox"/> secured during non-business hours <input type="checkbox"/> protected by a fence or wall which restricts vehicle access <input type="checkbox"/> protected by a fence or wall which restricts pedestrian access			
6.	Are restricted area signs posted there? What do the signs say?			
7.	Do reserved parking spaces block access to the courthouse by fire or other emergency vehicles?			
8.	How is parking reserved for judges? <input type="checkbox"/> Name <input type="checkbox"/> Title <input type="checkbox"/> Number <input type="checkbox"/> Other Describe proximity to building:			
9.	How is parking reserved for court staff? <input type="checkbox"/> Name <input type="checkbox"/> Title <input type="checkbox"/> Number <input type="checkbox"/> Other Describe proximity to building:			
10.	How is parking reserved for witnesses and jurors? Describe proximity to building:			

	PERIMETER Parking Areas	YES	NO	N/A
11.	Are parking spaces rotated?			
12.	Where do police vehicles park?			
13.	Are there duress alarms in the parking area? Describe number and location.			
14.	Are adequate communications equipment and an alarm in the guard station in the garage?			
15.	Is there direct access for judges from the parking area to non-public elevators or corridors?			

	PERIMETER Landscaping	YES	NO	N/A
1.	Do landscaping features provide places for potential assailants, intruders, or explosives to hide? (height, clean lines, line of sight, etc.)			
2.	Describe landscaping features:			
3.	Are there items or materials that could be used as weapons, missiles, or tools? (trash receptacles, ash trays, stones, bricks, fencing)			
4.	Describe:			

**PERIMETER SECURITY CONCERNS**

Briefly summarize the major security concerns identified in this section.

	BUILDING EXTERIOR Exterior Walls and Doors	YES	NO	N/A
1.	Describe the building exterior walls: (construction, clean lines, line of sight, etc)			
2.	Are all exterior doors at least: <input type="checkbox"/> 1 3/4 inch steel <input type="checkbox"/> metal clad <input type="checkbox"/> solid core wood doors			
3.	Describe all exterior doors (location, construction, use, etc.)			
4.	Are all exterior doors properly equipped with: <input type="checkbox"/> cylinder locks <input type="checkbox"/> deadbolts <input type="checkbox"/> quality padlocks and hasps			
5.	Are all exterior locks <input type="checkbox"/> easily re-keyed (removable cores) <input type="checkbox"/> mounted so that they cannot be pried off <input type="checkbox"/> bolts at least 1" long and constructed or protected to prevent being cut			
6.	Are exterior padlock <input type="checkbox"/> locked to the hasp when the door is unlocked <input type="checkbox"/> hasps installed so that hasp screws cannot be removed <input type="checkbox"/> hasps constructed of a grade of steel which is difficult to cut			
7.	Is the number of doors in use reduced to the minimum necessary?			
8.	Are there any exterior doors with windows?			
9.	How are exterior doors with windows secured? What measures are taken to prevent access to the lock through the window?			
10.	Are exterior doors equipped with intrusion alarms?			
11.	What alarm devices are used?			
12.	How are emergency doors secured to prevent unauthorized use? <input type="checkbox"/> local alarm <input type="checkbox"/> alarm to central location <input type="checkbox"/> delayed exit device <input type="checkbox"/> other:			
13.	How are exterior door hinge pins secured to prevent easy removal? <input type="checkbox"/> located internally <input type="checkbox"/> welded <input type="checkbox"/> other:			
14.	How are emergency doors secured when the building is not in use?			

	BUILDING EXTERIOR	Exterior Walls and Doors	YES	NO	N/A
15.	Are emergency doors secured to prevent unauthorized access but equipped to allow emergency egress?				
16.	Are exterior locks sufficient, or exterior door frames built, so the door cannot be forced open by spreading the frame?				
17.	Are all unused doors locked to restrict access?				
18.	Are all unused doors alarmed?				

	BUILDING EXTERIOR	Windows	YES	NO	N/A
1.	How are windows that could be accessed for intrusion secured? <input type="checkbox"/> locking devices w/o key <input type="checkbox"/> locking devices w/key <input type="checkbox"/> metal bars <input type="checkbox"/> mesh <input type="checkbox"/> intrusion alarms <input type="checkbox"/> glass break <input type="checkbox"/> foil tape <input type="checkbox"/> motion sensor <input type="checkbox"/> other:				
2.	Are metal bars and mesh securely fastened to prevent easy removal?				
3.	Are any accessible windows made of tempered glass?				
4.	Are any accessible windows made of impact resistant plastic?				
5.	How are all other windows protected?				
6.	Are all windows not used for ventilation permanently sealed or locked?				

	BUILDING EXTERIOR	Roof	YES	NO	N/A
1.	Is the exterior roof accessible by: <input type="checkbox"/> fire escape <input type="checkbox"/> another building <input type="checkbox"/> a pole or tree <input type="checkbox"/> other means:				
2.	How is internal access to the roof controlled?				
3.	Are all roof openings (doors, skylights, etc) locked or securely fastened from the inside?				
4.	Are all roof openings alarmed?				

	<b>BUILDING EXTERIOR</b>	<b>Other openings and emergency power</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Are other openings to the buildings (tunnels, utility and sewer manholes, culverts, service ports) secured to prevent unauthorized access?				
2.	Is the main power source dependable?				
3.	How many power related problems, or disruptions have they had in the last year?				
4.	Describe the emergency power source:				
5.	Is the emergency power source in a secured area?				
6.	How is the emergency power source maintained?				
7.	How often is the emergency power source tested? Who tests it? When was it last tested?				

**BUILDING EXTERIOR SECURITY CONCERNS**

Briefly summarize the major security concerns identified in this section.



	BUILDING INTERIOR: EQUIPMENT	Intrusion Alarms	YES	NO	N/A
1.	Does the building have an intrusion alarm system?				
2.	Who is responsible for setting alarms?				
3.	When is the alarm system set?				
4.	Who is responsible to turn the alarm system off?				
5.	When is the alarm system turned off?				
6.	Who is responsible for responding to alarms?				
7.	Is after-hours access allowed after the system is set?				
8.	Is there a schedule to test all components of the intrusion alarm system?				
9.	Is the schedule being followed? (verify logs) When was the last time it was tested?				
10.	How is the alarm system tested? Who tests it?				
11.	Does the alarm system have an auxiliary power source?				
12.	Is the system covered under a service and maintenance contract?				
13.	Who is the alarm service and maintenance provider?				
14.	Are system vendors: <input type="checkbox"/> Licensed by the State Police <input type="checkbox"/> Install U/L approved equipment				
15.	Where is the alarm system monitored? <input type="checkbox"/> sheriff's department <input type="checkbox"/> sheriff's department dispatch <input type="checkbox"/> local law enforcement office <input type="checkbox"/> local law enforcement dispatch <input type="checkbox"/> commercial central station <input type="checkbox"/> proprietary system (e.g. security office) <input type="checkbox"/> local alarm (e.g. audible alarm on building exterior) Name:				
16.	Who maintains records of all alarm signals (e.g. time, date, location, cause, and action taken)?				
17.	What is done to review the alarm records?				
18.	List the EXTERIOR components (e.g. magnetic contact, glass break, motion sensor, etc.): Walls: Roof: Doors: Windows: Describe weaknesses or gaps:				
19.	List the PUBLIC INTERIOR components:(e.g. magnetic contact, photoelectric beam, motion sensor, etc.):				

	BUILDING INTERIOR: EQUIPMENT	Intrusion Alarms	YES	NO	N/A
	Doors: Hallways/Stairway Elevator Describe weaknesses or gaps:				
20.	List the JUDICIAL AREA AND COURT RELATED OFFICES components: (e.g. magnetic contact, photoelectric beam, audio detection, motion sensor, etc.): Office Interior: Doors: Hallways/Stairway Describe weaknesses or gaps:				
21.	List the HIGH RISK AREA components (e.g. magnetic contact, proximity, pressure mats, motion sensor, etc.): Evidence locker Safes/vaults Describe weaknesses or gaps:				
22.	Has a floor plan designating each alarm been developed?				

	BUILDING INTERIOR: EQUIPMENT	Access Control: Electronic	YES	NO	N/A
1.	What are the components of the electronic access control system? <input type="checkbox"/> None <input type="checkbox"/> Key-pad <input type="checkbox"/> fixed position pad <input type="checkbox"/> electronically scrambled pad <input type="checkbox"/> Card-key <input type="checkbox"/> swipe <input type="checkbox"/> card reader <input type="checkbox"/> proximity <input type="checkbox"/> other: <input type="checkbox"/> Biometrics <input type="checkbox"/> finger print <input type="checkbox"/> hand geometry <input type="checkbox"/> palm <input type="checkbox"/> voice <input type="checkbox"/> signature <input type="checkbox"/> iris recognition/retina scan <input type="checkbox"/> other: <input type="checkbox"/> Remote release lock monitored by: <input type="checkbox"/> closed-circuit TV <input type="checkbox"/> intercom <input type="checkbox"/> visual inspection <input type="checkbox"/> other: <input type="checkbox"/> Other:				
2.	Who is responsible for the electronic access control system? <input type="checkbox"/> supervisory level person                      Name:				

	BUILDING INTERIOR: EQUIPMENT	Access Control: Electronic	YES	NO	N/A
3.	How are the places and times that an individual's card key or code number is allowed to enter determined to limit access?				
4.	Is there a system in place to temporarily give after hours or weekend access, as opposed to open access?				
5.	Are access control cards/codes easily changed, or deactivated?				
6.	Can the access control official tell which cards/codes each individual has been issued?				
7.	Can the access control official determine who has access to any given area?				
8.	How is card access controlled for any given area?				
9.	Is any written authorization required before cards/codes are issued?				
10.	Does the written authorization specify exactly which areas the individual should be given access to?				
11.	How often are combinations to electronic touch pad locks changed?				
12.	Are codes changed or cards deactivated if lost, or not surrendered by terminated employee?				
13.	How much information is available in the access control records? (e.g. individual, entry time, places, etc)  How long is the information maintained?				
14.	If staff forget or lose their card, what do they do?				
15.	How is entry to the access control system secured?				
16.	Are keys issued which bypass use of the electronic system? When are they used?				
17.	Does an alarm ring if keys are used instead of the electronic system? What is the response to the alarm?				

	BUILDING INTERIOR: EQUIPMENT	Access Control: Mechanical Locks	YES	NO	N/A
1.	Are any mechanical push button locks used? List locations:				

	<b>BUILDING INTERIOR: EQUIPMENT</b>	<b>Access Control: Mechanical Locks</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
2.	How often are combinations to mechanical locks changed?				
3.	When was the combination changed last?				

	<b>BUILDING INTERIOR: EQUIPMENT</b>	<b>Access Control: Key Control</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Who is responsible for the key control system?				
2.	Is the key control function handled by a supervisory level person?				
3.	Are locks easily re-keyed (e.g. changeable cores)?				
4.	Can the key-control official replace locks and keys at their discretion?				
5.	Is an inventory record maintained to identify all locks (e.g. key number and location) in the building?				
6.	Can the key group and lock number for each location be identified from key control records?				
7.	Can the key control official tell which keys each individual has been issued?				
8.	Can the key control official determine who has access to any given area (including master keys)?				
9.	How is distribution of keys controlled for any given area?				
10.	Is written authorization required before keys are issued?				
11.	Does the written authorization specify exactly which areas the individual should be given access to?				
12.	Does a person receiving keys sign a receipt for them?				
13.	How is distribution of building entrance keys controlled?				
14.	Is a separate key (group) required for exterior access to the building?				
15.	Rather than issuing keys, is there a sign out or check out system in place to get keys for after hours or weekend access?				
16.	Is a system in place to periodically change lock cores or locks?				
17.	As areas are re-keyed, are all keys accounted for? How?				
18.	Are areas re-keyed if keys are lost or not surrendered by terminated employee?				
19.	Are building locks zoned to allow use of sub-masters in a particular zone or office?				
20.	Are all keys stamped "RESTRICTED-DO NOT DUPLICATE"?				
21.	Must duplication of keys be approved by the key-control officer?				

	<b>BUILDING INTERIOR: EQUIPMENT</b>	<b>Access Control: Key Control</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
22.	Are keys stored in a locked cabinet?				
23.	Where is the key to the key storage cabinet secured?				
24.	How many extra sets of lock cores are maintained?				
25.	How many master or grand-master keys have been issued? How are they secured?				

	<b>BUILDING INTERIOR: EQUIPMENT</b>	<b>Weapons Screening</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Is any screening done to search for weapons or contraband?				
2.	Are there written weapons screening policies or administrative orders?				
3.	Are there signs posted at all entrances announcing weapons screening?				
4.	What do the signs say?				
5.	List the location of each weapons screening station, and list the number of staff:				
6.	Are all people and packages searched at all public entrances for weapons and explosives?				
7.	Who is allowed to use private entrances that are unscreened?				
8.	Who is allowed to by-pass weapons screening at public entrances?				
9.	How are individuals screened? (list manufacturer and model) <input type="checkbox"/> Metal detector - walkthrough <input type="checkbox"/> Metal detector - handheld <input type="checkbox"/> Visual inspection <input type="checkbox"/> Other:				
10.	How are purses, briefcases, and packages screened? (list manufacturer and model) <input type="checkbox"/> Visual inspection <input type="checkbox"/> X-ray <input type="checkbox"/> E-scan <input type="checkbox"/> Other:				
11.	Are searches conducted uniformly not to unfairly or arbitrarily single out any group?				
12.	What is considered a weapon and/or contraband?				

	BUILDING INTERIOR: EQUIPMENT Weapons Screening	YES	NO	N/A
13.	<p>How are situations handled when a weapon or contraband is found? For legally possessed weapon/contraband?</p> <p>For illegally possessed weapon/contraband?</p>			
14.	Have security staff been trained to conduct searches?			
15.	Are individuals who set off a metal detector allowed to leave without being searched, if they choose to?			
16.	How frequently is the screening equipment tested/recalibrated?			
17.	When was the screening equipment last tested?			
18.	How is the screening equipment tested?			
19.	<p>Who provides maintenance for the screening equipment? How frequently?</p>			
20.	How are staff at screening stations relieved for breaks, etc?			
21.	Have any audits been conducted to insure staff compliance with screening?			
22.	<p>Does the staff adequately screen:</p> <p><input type="checkbox"/> wheel chairs                      <input type="checkbox"/> babies</p> <p><input type="checkbox"/> strollers                              <input type="checkbox"/> diaper bags</p> <p><input type="checkbox"/> purses                                  <input type="checkbox"/> brief cases</p> <p><input type="checkbox"/> attorney or staff parcels</p>			
23.	<p><b>Stand back and watch each post:</b> Is anyone allowed to bypass security screening?</p> <p>What is the potential of someone circumventing system?</p> <p>Are all parcels being screened?</p> <p>If someone is searched further, how thorough is the search?</p>			
24.	What accommodation is made to assist officers faced with searching the opposite gender?			



	<b>BUILDING INTERIOR: EQUIPMENT</b>	<b>Courtroom Security Devices</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
14.	Are additional restraining devices available for use in the courtroom? List type and location stored.				

	<b>BUILDING INTERIOR: EQUIPMENT</b>	<b>Safe and Vaults</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Are safes and vaults equipped with an intrusion alarm system? List the components (e.g. magnetic contact, proximity, pressure mats, motion sensor, etc.)				
2.	Are combinations routinely changed when personnel leave?				
3.	When was the combination last changed?				
4.	Are safes weighing less than 750 pounds securely fastened to the floor, wall, or set in concrete?				
5.	Does the safe or vault area have fire suppression equipment? Describe type.				
6.	Does the safe or vault area have fire detection equipment? Describe type.				
7.	Is the safe or vault fire rated? List UL rating.				

**BUILDING INTERIOR: EQUIPMENT SECURITY CONCERNS**

Briefly summarize the major related concerns identified in this section.



BUILDING INTERIOR: PUBLIC Interior Walls		YES	NO	N/A
1.	Are drop or removable ceilings used in the courthouse? List Locations:			
2.	Is the building designed to separate <input type="checkbox"/> public <input type="checkbox"/> secured court areas <input type="checkbox"/> prisoner transport/holding zones			
3.	Do all walls extend to ceiling (especially between public, court related, and prisoner zones?)			

BUILDING INTERIOR: PUBLIC Utility Control, Attics, Basement, Crawl Spaces, Air-Conditioning and Heating Ducts		YES	NO	N/A
1.	Are all utility and plumbing access plates and doors locked or sealed when not in use?			
2.	Do basement doors have intrusion alarms?			
3.	Are basement doors securely fastened or locked when not in use?			
4.	Are doors to utility rooms, boiler rooms, and attics locked when not in use?			
5.	Are all utility control panels located in public areas locked?			
6.	Are crawl spaces locked or secured to prevent unauthorized entry?			
7.	Are air-conditioning and heating vent openings in public areas secure from tampering?			

BUILDING INTERIOR: PUBLIC Elevators		YES	NO	N/A
1.	List the number of elevators and locations  General Public: _____ _____  Private (judges): _____ _____  Prisoner: _____ _____			
2.	Are prisoner and private elevators marked "Not for Public Use?"			
3.	Are prisoner elevators equipped with: <input type="checkbox"/> access control system <input type="checkbox"/> bypass unnecessary floors <input type="checkbox"/> duress alarms <input type="checkbox"/> telephones <input type="checkbox"/> CCTV <input type="checkbox"/> other (specify) <input type="checkbox"/> bars/grates separate prisoners from escorts			

	BUILDING INTERIOR: PUBLIC	Public Areas	YES	NO	N/A
1.	Do uniformed security staff routinely patrol the interior of the building?				
2.	Are signs and building directories posted at all public entrances?				
3.	Are public waiting areas/rooms: <input type="checkbox"/> near the courtrooms <input type="checkbox"/> routinely searched <input type="checkbox"/> equipped with drop or removable ceilings				
4.	Do any trash receptacles, furnishings, or other features in public areas allow easy concealment of contraband or explosives?				
5.	Are restrooms: <input type="checkbox"/> routinely searched <input type="checkbox"/> near the courtrooms <input type="checkbox"/> equipped with drop or removable ceilings				
6.	Do any trash receptacles or other features in restrooms allow easy concealment of contraband?				
7.	Are emergency directions (and floor plans, if appropriate) clearly posted in all public areas?				
8.	Are there any furnishings that could be used as weapons or thrown? (e.g. seating secured, bolted down, etc.) List:				

	BUILDING INTERIOR: PUBLIC	Witness waiting	YES	NO	N/A
1.	Are witness waiting rooms provided?				
2.	Is it possible to separate prosecution and defense witnesses?				
3.	What is the policy or protocol for use of witness waiting rooms?				
4.	How well publicized is the availability of witness waiting rooms?				
5.	What are the procedures for handling <input type="checkbox"/> opposing witnesses <input type="checkbox"/> hostile individuals <input type="checkbox"/> threatened witnesses				
6.	Is there a procedure for escort or security of threatened witnesses?				
7.	Are lighting control switches readily accessible?				
8.	Describe the furnishings in the witness waiting area (are they secured or loose): lamps: tables: seating:				

	<b>BUILDING INTERIOR: PUBLIC</b>	<b>Attorney/client conference rooms</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Are rooms provided in the courthouse for attorney-client conferences?				
2.	Describe the furnishings in the conference area (are they secured or loose): lamps: tables: seating:				
3.	How secure are these facilities to handle conferences with in-custody prisoners? Do the rooms have drop or removable ceilings? Can the rooms be locked?				
4.	Are the rooms routinely searched for contraband before and after use?				
5.	Are conferences with prisoners visually observed at all times?				
6.	How are attorney conferences with prisoners controlled?				

**BUILDING INTERIOR PUBLIC AREA SECURITY CONCERNS**

Briefly summarize the major concerns identified in this section.

	BUILDING INTERIOR: RESTRICTED Storage Areas for Arms and Dangerous Substances	YES	NO	N/A
1.	Which of the following are stored in the courthouse? <input type="checkbox"/> weapons -- list type and location: <input type="checkbox"/> ammunition -- list type and location: <input type="checkbox"/> tear gas -- list type and location: <input type="checkbox"/> other flammable, solvents, hazardous substances -- list type and location:			
2.	Are items listed above stored in a: <input type="checkbox"/> restricted area <input type="checkbox"/> secured room?			
3.	Does the storage area have <input type="checkbox"/> intrusion alarm <input type="checkbox"/> door at least 1 3/4 inch metal, metal clad, or solid core wood <input type="checkbox"/> fire rated door <input type="checkbox"/> properly equipped with cylinder or deadbolt lock, or quality padlock and hasp <input type="checkbox"/> hinge pins concealed or welded to prevent removal <input type="checkbox"/> windows secured with steel bars, or mesh, or permanently sealed <input type="checkbox"/> good ventilation <input type="checkbox"/> fire detection equipment; describe: <input type="checkbox"/> fire suppression equipment; describe:			

	BUILDING INTERIOR: RESTRICTED Evidence Storage Areas	YES	NO	N/A
1.	Are there policies and procedures to ensure that evidence is protected from tampering, theft, and damage or destruction.			
2.	Are there controls established for handling evidence: <input type="checkbox"/> in court during proceedings <input type="checkbox"/> during breaks <input type="checkbox"/> overnight.			
3.	Do policies define who is responsible for handling evidence: <input type="checkbox"/> in court during proceedings <input type="checkbox"/> during breaks <input type="checkbox"/> overnight.			
4.	Do evidence procedures include recording its removal from a secured area.			
5.	Is evidence stored in a safe or vault?			
6.	Is evidence stored in a secure reinforced room or closet?			
7.	How is access to the evidence storage area limited and controlled? <input type="checkbox"/> Intrusion alarm <input type="checkbox"/> Electronic locks <input type="checkbox"/> combinations <input type="checkbox"/> biometric devices <input type="checkbox"/> card key <input type="checkbox"/> Door at least 1 3/4 inch metal, metal clad, or solid core wood <input type="checkbox"/> Properly equipped with cylinder or deadbolt lock, or quality padlock and hasp <input type="checkbox"/> Hinge pins concealed or welded to prevent removal <input type="checkbox"/> Windows secured with steel bars, or mesh, or permanently sealed			
8.	Does the evidence storage area have: <input type="checkbox"/> fire rated door <input type="checkbox"/> fire detection equipment; describe: <input type="checkbox"/> fire suppression equipment; describe:			
9.	Are there special accommodations for large sums of cash, drugs, or other valuable objects?			



	<b>BUILDING INTERIOR: RESTRICTED</b>	<b>Offices Handling Money</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
7.	Is the deposit taken to the bank by a private courier? List.				
8.	Court Finance Audit issues resolved (list):				

	<b>BUILDING INTERIOR: RESTRICTED</b>	<b>Courtroom</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Do spaces above, below and next to judicial facility or courtroom present a security hazard?				
2.	Are all unused doors secured?				
3.	Is the courtroom locked at all times when unused?				
4.	Are the keys to all doors strictly controlled? Who has keys?				
5.	Are there separate entrances into the courtroom for: <input type="checkbox"/> judges, court staff, jurors <input type="checkbox"/> in-custody defendants <input type="checkbox"/> spectators				
6.	Are all windows draped to obscure vision (particularly of the bench) from outside?				
7.	Is the prisoner entry door far enough from public areas to prevent passing weapons or contraband?				
8.	Is prisoner seating 6-8 feet from public areas to prevent passing weapons or contraband?				
9.	Is there emergency lighting in the courtroom? <input type="checkbox"/> battery <input type="checkbox"/> generator				
10.	How are lighting control switches secured to prevent tampering?				
11.	Is the litigation arena or well separated from the spectators by a barrier? Describe the barrier: Describe gate and lock:				
12.	Is the judge's bench closed at both ends to prevent access from the well and witness stand?				
13.	Are the defendant's chair and the witness chair constructed to allow use of restraints?				
14.	Are spectator seats solidly built and fastened to the floor?				
15.	Are regular searches of the courtroom made before each session?				
16.	Are potential weapons, such as drinking glasses, water carafes, etc. kept out of the defendant's reach?				
17.	Are microphone stands secured to prevent use as a weapon.				

	<b>BUILDING INTERIOR: RESTRICTED Courtroom Procedures</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Are policies and procedures: <input type="checkbox"/> agreed between sheriff/security and chief judge ? <input type="checkbox"/> signed by sheriff/security and chief judge? <input type="checkbox"/> administratively ordered by the chief judge?			
2.	Do courtroom policies: <input type="checkbox"/> require that all are locked at times when not in use; Who is responsible: <input type="checkbox"/> require regular systematic searches of the courtroom; Who is responsible: <input type="checkbox"/> specify what conduct will / will not be allowed in courtroom and security staff response <input type="checkbox"/> allow for restraint/removal of disruptive individuals <input type="checkbox"/> require all to obey directive of officers <input type="checkbox"/> require that spectators stay seated during proceedings <input type="checkbox"/> restrict approaching bench and entering litigation arena <input type="checkbox"/> restrict packages and parcels <input type="checkbox"/> restrict weapons for <input type="checkbox"/> public/litigants <input type="checkbox"/> police spectator/litigants <input type="checkbox"/> police witnesses <input type="checkbox"/> security officers			
3.	Are any administrative orders posted outlining conduct not allowed in the courtroom?			
4.	When are security staff in the courtrooms: <input type="checkbox"/> all times while in session <input type="checkbox"/> other:			
5.	Are there enough court security staff to: <input type="checkbox"/> observe each in-session courtroom <input type="checkbox"/> patrol the building at large <input type="checkbox"/> provide high visibility at court entrances			
6.	Is there a process that may be used to request additional security staff?			
7.	Is any risk analysis done to verify that enough staff are available for any given proceeding?			
8.	Is there a written agreement between the sheriff and/or security service provider, and the court outlining the security policy?			
9.	Does the policy regarding security staffing: <input type="checkbox"/> set staffing levels <input type="checkbox"/> designate who may be assigned <input type="checkbox"/> provide for regular rotation of officers between posts <input type="checkbox"/> provide for regular rotation of officers between judges <input type="checkbox"/> suggest placement of officers during hearings and different contingencies <input type="checkbox"/> specify procedures for controlling the public in the courtroom			
10.	How familiar are security officers with the policy on duties and authority?			
11.	Are security staff in uniform?			
12.	Do security staff have adequate time and attention to devote to their security function (i.e., clerical or other functions do not take precedence over security)?			
13.	What non-security duties are security staff required to perform?			
14.	Are prisoners primarily supervised by security staff in the courtroom?			
15.	Are prisoners kept in restraints except when in the courtroom?			
16.	Are there procedures for the emergency evacuation from the courtroom?			







	BUILDING INTERIOR: RESTRICTED	Prisoner Entry	YES	NO	N/A
1.	Are prisoners brought from jail to the court facility by (mark all that apply): <input type="checkbox"/> tunnel <input type="checkbox"/> vehicle <input type="checkbox"/> other:				
		<input type="checkbox"/> bridge <input type="checkbox"/> foot			
2.	Are prisoners brought from into court facility through (mark all that apply): <input type="checkbox"/> sally port <input type="checkbox"/> private entrance <input type="checkbox"/> secured elevator <input type="checkbox"/> public hallway <input type="checkbox"/> other:				
		<input type="checkbox"/> public entrance <input type="checkbox"/> secured stairway <input type="checkbox"/> private hallway			
3.	Is the prisoner entrance area equipped with gates/doors that can close the area to the public?				
4.	Is there more than one way for vehicles to exit the area?				
5.	Are gates electronically controlled from a remote station?				
6.	Is an interlocking system used so that the outer gate/door can be closed and locked before the interior door is opened?				
7.	Are law enforcement officers required to leave guns in locked cabinets before entering secure prisoner areas?				
8.	Is this area used exclusively for prisoner movement?				
9.	Which of the following prisoner areas are monitored by closed circuit TV: <input type="checkbox"/> Prisoner entry/reception <input type="checkbox"/> Prisoner passageway <input type="checkbox"/> Prisoner stairway				
		<input type="checkbox"/> Holding Cell <input type="checkbox"/> Secured elevator			
10.	Which of the following prisoner areas have duress alarms: <input type="checkbox"/> Prisoner entry/reception <input type="checkbox"/> Prisoner passageway <input type="checkbox"/> Prisoner stairway				
		<input type="checkbox"/> Holding Cell <input type="checkbox"/> Secured elevator			
11.	Is the entrance for prisoners out of public view?				

	BUILDING INTERIOR: RESTRICTED	Prisoner Holding Cells	YES	NO	N/A
1.	Are temporary holding facilities located in the court building? <input type="checkbox"/> Central holding area				
		<input type="checkbox"/> Holding cells adjacent to courtrooms			
2.	If not, where and how are prisoners held?				
3.	How many holding cells are there? List location, capacity, and proximity to the courtrooms.				

	<b>BUILDING INTERIOR: RESTRICTED Prisoner Holding Cells</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
4.	Do temporary holding cells open directly into: <input type="checkbox"/> the courtroom <input type="checkbox"/> a restricted passage			
5.	Does each cell have adequate: <input type="checkbox"/> size (70 sq. ft minimum) <input type="checkbox"/> fixed benches <input type="checkbox"/> toilet facility <input type="checkbox"/> wash basin <input type="checkbox"/> lighting <input type="checkbox"/> controlled from outside the cell) <input type="checkbox"/> emergency lighting <input type="checkbox"/> view of entire cell <input type="checkbox"/> in-door observation ports			
6.	Are cells built securely and in a way that reduces opportunities for self-inflicted injuries by prisoners (metal bars, phone cords, etc.)?			
7.	Is at least one holding cell equipped for audio and/or visual coverage of courtroom proceedings?			
8.	How are cell doors locked and unlocked: <input type="checkbox"/> electrically <input type="checkbox"/> manually <input type="checkbox"/> remote command center <input type="checkbox"/> directly (e.g. w/key) <input type="checkbox"/> both remotely and directly			
9.	Are keys issued to people other than security personnel for: <input type="checkbox"/> temporary holding cells <input type="checkbox"/> prisoner elevators <input type="checkbox"/> secured passageways			
10.	Are temporary holding area keys ones that cannot normally be duplicated commercially?			
11.	Are security staff prohibited from removing keys from the building?			
12.	Are prisoners searched prior to entering or leaving a holding cell?			
13.	Are cells and areas used by prisoners searched for contraband before and after use?			
14.	Are prisoners kept in restraints except when in the cell?			
15.	Are additional restraining devices available? What are they? Where are they located?			
16.	Are juveniles separated (by sight and sound) from other prisoners?			
17.	Are female prisoners separated (by sight and sound) from male prisoners?			
18.	Are there appropriate accommodations for mentally ill and handicapped prisoners?			
19.	Are there written procedures for the emergency evacuation of prisoners from temporary holding areas?			
20.	Is the emergency evacuation route secured?			
21.	Are a complete set of emergency keys maintained in a secured area? How are they secured?			

	<b>BUILDING INTERIOR: RESTRICTED</b>	<b>Prisoner Holding Cells</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
22.	Is a self-contained breathing apparatus available? List locations				
23.	Have security and transportation officers been trained on procedures for emergency evacuation of prisoners from temporary holding areas?				
24.	Is there a procedure for handling the medical emergencies of prisoners?				
25.	Have officers been trained in procedures for handling medical emergencies?				

	<b>BUILDING INTERIOR: RESTRICTED</b>	<b>Prisoner Secured Passageways</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Do prisoners walk through public areas when going from temporary holding areas to court?				
2.	Are prisoners brought from courthouse holding area into courtroom by (mark all that apply): <input type="checkbox"/> public elevator <input type="checkbox"/> secured elevator <input type="checkbox"/> stairway <input type="checkbox"/> public hallway <input type="checkbox"/> private hallway <input type="checkbox"/> private entrance <input type="checkbox"/> public entrance				
3.	Are restricted passages also used by judges and court staff?				
4.	Are keys to secure passageways issued to people other than sheriff's personnel? If so, to whom?				
5.	Are the stairways used for prisoner movement adequately lighted?				
6.	Are stairways and stairwells enclosed with protective metal grilles?				

	<b>BUILDING INTERIOR</b>	<b>Gun Cabinets</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Are the number of gun cabinets adequate?				
2.	Are gun storage areas locked with keys that cannot normally be duplicated commercially?				

**BUILDING INTERIOR RESTRICTED AREA SECURITY CONCERNS**

Briefly summarize the major concerns identified in this section.

	<b>SECURITY STAFF</b>	<b>Equipment</b>	<b>YES</b>	<b>NO</b>	<b>N/A</b>
1.	Is the security force issued or allowed to carry: <input type="checkbox"/> Handguns <input type="checkbox"/> Handcuffs <input type="checkbox"/> Batons <input type="checkbox"/> Flashlights <input type="checkbox"/> Tear/pepper gas <input type="checkbox"/> Ballistic resistant vests <input type="checkbox"/> Two-way radios				
2.	Does the court mandate/approve type of weapon and ammunition carried by security staff?				



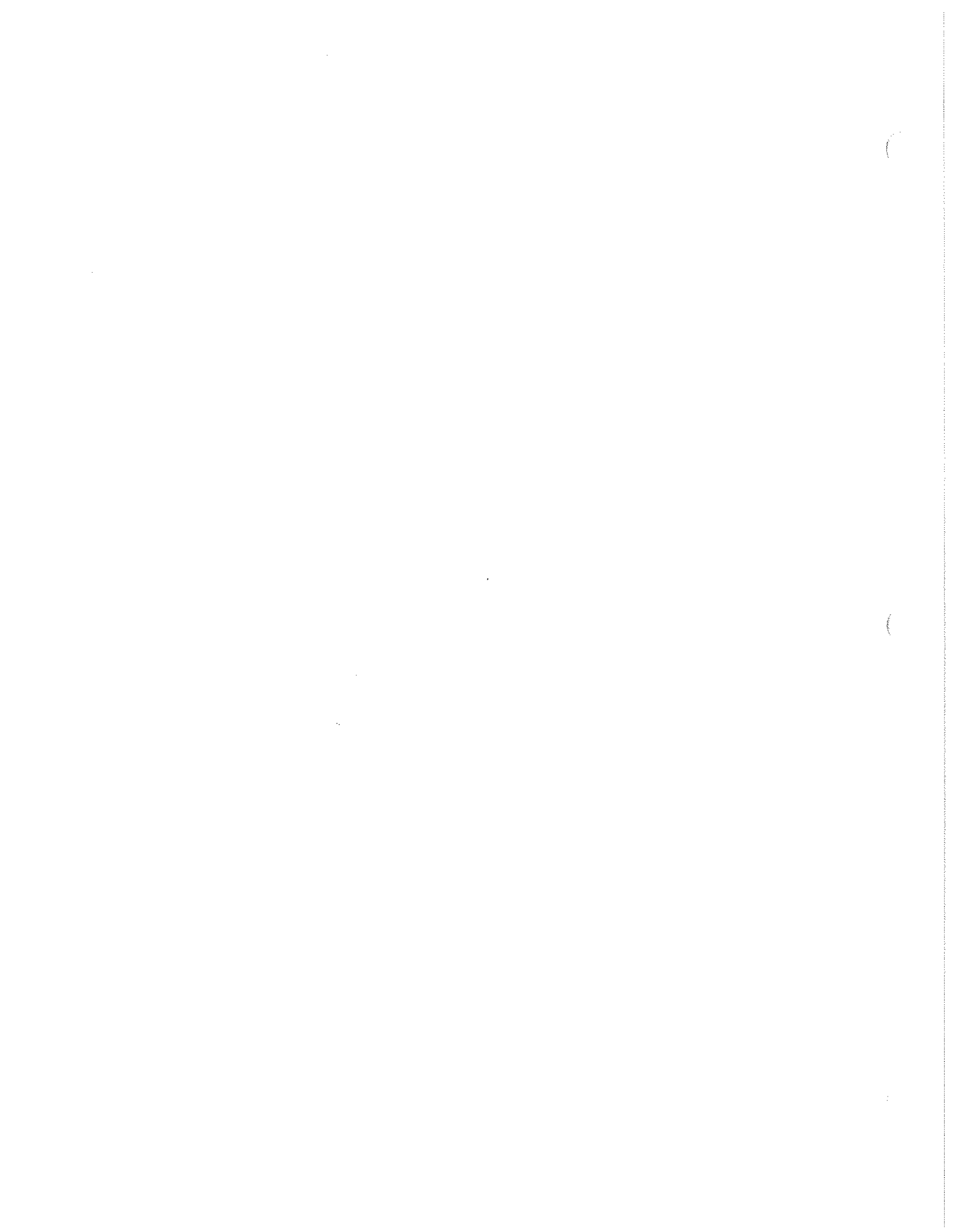
	SECURITY STAFF	Selection and Responsibilities	YES	NO	N/A
3.	How were applicant qualifications for security officers been established? (e.g. based on job study, NSA standards, etc.)				
4.	What job related testing does an applicant have to pass to be considered for employment as a court security officer?				
5.	Are background investigations completed on all security staff? If so, by whom?				
6.	What is done to investigate an applicant's background?				
7.	Are all court security staff directly accountable to one person designated as responsible for court security functions?				
8.	Do court security staff have written job descriptions and clearly defined job expectations?				

	SECURITY STAFF	Training	YES	NO	N/A
1.	Are security staff certified as police officers by MLEOTC?				
2.	How many hours of formal instruction or training are given to staff newly assigned to court security functions?				
3.	Are security staff required to complete and pass court security specific training?				
4.	Have security staff have been trained in relevant policies and procedures?				
5.	Have appropriate staff received copies and signed for relevant security policies & procedures?				
6.	Do security staff receive instruction on the court's "shoot-don't shoot" policy?				
7.	How often are security staff required to qualify with the weapons and ammunition that they carry on the job?				
8.	Do security staff receive in-service training and are they certified, retrained, or refreshed in high risk areas on a regular basis in:				
	<input type="checkbox"/> Handguns				
	<input type="checkbox"/> Non-lethal weapons [mace, batons, etc]				
	<input type="checkbox"/> First aid and CPR				
	<input type="checkbox"/> Restraints and use of force				
	<input type="checkbox"/> Self-defense				
	<input type="checkbox"/> Other:				

	SECURITY STAFF Training	YES	NO	N/A
9.	Are opportunities offered for ongoing training or refresher courses in the following areas? <input type="checkbox"/> Behavioral psychology <input type="checkbox"/> Laws of arrest, search, restraint, and use of force <input type="checkbox"/> Use of lethal and non-lethal weapons, and weapons retention <input type="checkbox"/> Controlling violent persons and Court disruptions <input type="checkbox"/> Bombs and bomb detection <input type="checkbox"/> Securing court facilities <input type="checkbox"/> Concealed and disguised weapons, and contraband identification and detection <input type="checkbox"/> Crowd and riot control <input type="checkbox"/> Use of all security equipment and devices <input type="checkbox"/> Fire safety and control <input type="checkbox"/> Cultural and ethnic sensitivity <input type="checkbox"/> Commands in foreign languages common to the area <input type="checkbox"/> Hostage situations <input type="checkbox"/> Protection of persons at risk <input type="checkbox"/> Jury management, and sequestered juries <input type="checkbox"/> High risk trial policy and procedures <input type="checkbox"/> Prisoner control and transport <input type="checkbox"/> Court structure, protocol, operations, and procedures <input type="checkbox"/> Legal processes <input type="checkbox"/> Familiarization with local processes, procedures and policies <input type="checkbox"/> Emergency Response <input type="checkbox"/> Other:			
10.	How many hours of annual in-service training is required?			
11.	What training records are maintained?			
12.	Are trainees and officers thoroughly tested to make certain that they are knowledgeable and can correctly perform each task?			
13.	Do records reflect what each person was taught, how they tested and whether the person was required to be retested until the skills were learned?			

**SECURITY STAFF SECURITY CONCERNS**

Briefly summarize the major security concerns regarding security staff responsibilities, selection, training, and general guidelines.





## **APPENDIX C:**

### **SAMPLE FORMS**

#### **1. BOMB THREAT CHECKLIST**

Intended for use by personnel who receive a telephone bomb threat.  
Reproduced with permission from "Court Security Guide," by the  
National Association for Court Management (1995).

#### **2. INCIDENT REPORTING FORM**

Prepared by Fitzgerald Technology Group, Orlando Florida; used with permission.

After any security incident, this form should be completed by the appropriate law enforcement officer (generally a deputy sheriff) by interviewing the victims of and/or witnesses to a security incident. The form is intended to help with review and analysis of security systems, as explained in the section of these guidelines on "Incident Tracking and Reporting" (page 24). It is not intended to substitute for other police or crime reports.

The "I.D." boxes are for identification provided by the witness, such as drivers license. The "Disposition of Incident" area is for the officer's summary and explanation of the information taken from witnesses and of the outcome, such as actions taken by law enforcement. The "Corresponding Report No." section is to provide a cross reference to any other police report or similar report that may also be filed for the incident.



**Bomb Threat Checklist**  
Photocopy and Place Under Your Telephone

**Instructions** Be calm and courteous. Do not interrupt the caller. Notify your supervisor/security officer by using a prearranged signal while the caller is on the line.

Exact words of person placing the call:

**Questions to Ask**

When is the bomb going to explode?

Where is it right now?

What does it look like?

What kind of bomb is it?

What will cause it to explode?

Did you place the bomb?

Why?

What is your address?

What is your name?

Sex of the caller: \_\_\_\_\_ Male \_\_\_\_\_ Female \_\_\_\_\_ Unsure

Probable Race: \_\_\_\_\_ Probable Age: \_\_\_\_\_

**Callers' Voice**

- |  |  |
|--|--|
| <input type="checkbox"/> Calm                              | <input type="checkbox"/> Nasal               |
| <input type="checkbox"/> Angry                             | <input type="checkbox"/> Stutter             |
| <input type="checkbox"/> Excited                           | <input type="checkbox"/> Lisp                |
| <input type="checkbox"/> Slow                              | <input type="checkbox"/> Raspy               |
| <input type="checkbox"/> Rapid                             | <input type="checkbox"/> Deep                |
| <input type="checkbox"/> Soft                              | <input type="checkbox"/> Ragged              |
| <input type="checkbox"/> Loud                              | <input type="checkbox"/> Clearing throat     |
| <input type="checkbox"/> Laughter                          | <input type="checkbox"/> Deep breathing      |
| <input type="checkbox"/> Crying                            | <input type="checkbox"/> Cracking voice      |
| <input type="checkbox"/> Normal                            | <input type="checkbox"/> Disguised           |
| <input type="checkbox"/> Distinct                          | <input type="checkbox"/> Accent (what kind?) |
| <input type="checkbox"/> Slurred                           | <input type="checkbox"/> Whispered           |
| <input type="checkbox"/> Familiar (who did it sound like?) |  |

**Background Sounds**

- |   |  |
|---|--|
| <input type="checkbox"/> Street noise     | <input type="checkbox"/> Factory Machinery |
| <input type="checkbox"/> Voices           | <input type="checkbox"/> Clear             |
| <input type="checkbox"/> PA system        | <input type="checkbox"/> Local call        |
| <input type="checkbox"/> House noises     | <input type="checkbox"/> Long distance     |
| <input type="checkbox"/> Motor            | <input type="checkbox"/> Phone booth       |
| <input type="checkbox"/> Office machinery | <input type="checkbox"/> Animal noises     |
- Other: \_\_\_\_\_

**Threat Language**

- |                                      |                                     |
|--------------------------------------|-------------------------------------|
| <input type="checkbox"/> Well Spoken | <input type="checkbox"/> Incoherent |
| <input type="checkbox"/> Foul        | <input type="checkbox"/> Taped      |
| <input type="checkbox"/> Irrational  | <input type="checkbox"/> Read       |

Remarks: \_\_\_\_\_

Number at which the call is received: \_\_\_\_\_

Time: \_\_\_\_\_ Date: \_\_\_\_\_

Person receiving call: \_\_\_\_\_



**SECURITY INCIDENT REPORT**

Report No. \_\_\_\_\_ Building \_\_\_\_\_

Date of Incident \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Time of Incident \_\_\_\_\_

Date of Report \_\_\_\_ / \_\_\_\_ / \_\_\_\_ Time of Report \_\_\_\_\_

I.D.
Type: _____
No. _____
Exp. _____

Reported by \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

Telephone \_\_\_\_\_

Description of Incident \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I.D.
Type: _____
No. _____
Exp. _____

Witness 1 \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

Telephone \_\_\_\_\_

I.D.
Type: _____
No. _____
Exp. _____

Witness 2 \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_

Telephone \_\_\_\_\_

Disposition of Incident (use additional sheets if required) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Corresponding Report No. \_\_\_\_\_

Officer / Deputy No. \_\_\_\_\_

Officer / Deputy Name \_\_\_\_\_

Officer / Deputy Signature \_\_\_\_\_



**APPENDIX D:**

**GOVERNMENTAL DUTIES AND AUTHORITIES  
FOR THE PROVISION OF COURT SECURITY IN  
NORTH CAROLINA**

May, 1998

by Professor James C. Drennan  
Institute of Government  
University of North Carolina, Chapel Hill

Used with permission.

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## **GOVERNMENTAL DUTIES AND AUTHORITIES FOR THE PROVISION OF COURT SECURITY IN NORTH CAROLINA**

The primary purpose of this appendix is to discuss issues surrounding the responsibility and the authority to provide security for the trial courts in North Carolina. A brief discussion of some constitutional challenges raised to various security measures used in court settings is included as an aid to those who are interested in researching those issues more completely.

### **Governmental Responsibility For Security**

An examination of the government's duty to provide effective court security offers an excellent case study in intergovernmental relations. The issues implicate multiple actors of both state and local governments. Many of the legal issues are not yet clearly answered by case law or statutes.

At the state level, both the legislative and judicial branches are involved. Within the judicial branch, both state level administrators (the Administrative Office of the Courts) and local trial courts play a role in providing court security. Within the trial courts, some responsibility lies with the senior resident superior court and chief district court judges, who have ongoing administrative authorities. Some responsibility also lies with the judges assigned to preside over specific cases. The legislature may decide the policy issues, including the scope and allocation of responsibilities, and is asked to provide funding assistance for security and related needs.

At the local level, responsibilities for court security rest with both the county commissioners (and their chief executive, the county manager) and the sheriff.

This complex array of governmental intersections presents three basic questions and related legal issues: who has the duty to provide for effective security, who has the authority to direct that specific actions regarding security be taken, and which entities are responsible for complying with those directives?

### ***Allocation of duties.***

Like most issues relating to court administration, the starting point for discussion is the structure put in place by the General Assembly and the people of the state in 1962, when the current uniform court system was established in the state constitution. In simple terms, the decision made at that time was to make the courts a state function. That meant that the officials paid by local funds at that time (clerks, justices of the peace, lower court judges) were replaced by new state offices. The facilities in which those people worked, however, remained the county's responsibility. Thus, counties were relieved of nearly all funding responsibility for operation of the court system, with the major exception of the duty to provide the facility. The fundamental decision that the county provides the space

and the state provides the operating costs, while it doesn't answer all the questions, is the starting point for most of them.

The allocation of duties for court security is a bit more complicated. The sheriff has a key role. That office is locally elected, created by the state constitution with duties assigned by state statutes, local governments and the common law. One of the office's long-standing common law duties is to provide security to courthouses and court operations. The sheriff is a central player in the resolution of these issues.

*AOC.* By constitutional mandate (N.C. Constitution, Art. IV, Sec. 20), the state must provide operating funds for the court system. This duty is codified in G.S. 7A-300. The state agency responsible for administering the funds appropriated by the legislature, and for providing other administrative support for the court system, is the Administrative Office of the Courts (AOC). See G.S. 7A-340. The AOC is responsible for submitting and administering the court system's budget (G.S. 7A-343(4)), providing equipment for the trial courts with state funds (G.S. 7A-343(6)), and investigating, making recommendations about and assisting in the obtaining of adequate physical facilities for the courts (G.S. 7A-343(5)). The AOC's responsibilities over facilities and court operations in general extend to providing analyses and making recommendations, but the AOC has no direct authority to order local governments to act in any specific way, such as for provision of specific security measures.

*Individual judges.* Decisions about the conduct of trials and the security measures taken in response to them are made by trial judges, either in the context of a specific case, or sometimes as part of the judge's administrative duty. It is fairly clear that, in cases where the factual basis is established, judges have the power to order that measures be taken to do the things necessary for the administration of justice within the scope of their jurisdiction. *In the Matter of Transportation of Juveniles*, 102 N.C. App. 806 (1991). Those measures can include actions to provide adequate security, to control behavior that is disruptive to the court, and any related measures, and when supported by an appropriate factual basis, may be exercised by any judge conducting a proceeding. See generally "*Inherent Powers of the Courts: Sword and Shield of the Judiciary*," Felix F. Stumpf, The National Judicial College (1994). In *State v. Lemon*, \_\_\_ N.C. \_\_\_ (July 9, 1998), the Supreme Court upheld a trial court judge's order in a capital case for posting a sign on the courtroom entrance advising the public not to enter unless they had "business" in the courtroom, and warning that all persons entering would be searched for weapons. Noting that the case dealt with a sign, not outright closure, and that defense counsel supported posting the sign, the court rejected the argument on appeal that this security measure violated the defendant's constitutional right to an open trial. The Court relied on G.S. 15A-1034(a) which gives the presiding judge authority to "impose reasonable limitations on access to the courtroom when necessary to ensure the orderliness of courtroom proceedings." See also G.S. 15A-1035. Judges commonly enter orders requiring special security measures when, for example, threats have been made against witnesses, jurors, or court officials, or where weapons or other dangerous items have been found previously, or when there are reasonable grounds to believe that public interest in a case will run so high

that security controls will be necessary to maintain order and provide a fair trial to the parties.

In addition, senior resident superior court and chief district court judges have a more general administrative responsibility that is not tied to any specific case. Their authority derives in part from statutes and from rules adopted by the Supreme Court to govern trial proceedings. G.S. 7A-41.1 provides that "all duties place by the Constitution or statutes on the resident judge of a superior court district, . . . which are not related to a case or controversy or judicial proceeding and which do not involve the exercise of judicial power, shall be discharged . . . by the senior resident superior court judge. . . ." G.S. 7A-146 provides: "The Chief District Judge, subject to the general supervision of the Chief Justice of the Supreme Court, has administrative supervision and authority over the operation of the District Courts and magistrates in his district." Rule 2 of the Rules of Practice for the Superior and District Courts gives both the superior court and district court the power to promulgate local rules for managing cases on the civil dockets. Other statutes and rules confer similar authority on these officials, to issue bail or fingerprint policies, and to perform many similar administrative tasks. When circumstances are present that threaten the ability of the court to maintain order and decorum or which pose a threat to safety, these judges often engage in negotiations with those who are responsible for providing security, and sometimes enter orders directing that specific actions be taken, relying on their inherent authority as judges.

*County.* The county is responsible for providing "courtrooms and related judicial facilities." G.S. 7A-302. Those facilities must be "adequate" to meet the needs of the courts. G.S. 7A-304 (a)(2); *In Re Alamance County Court Facilities*, 329 N.C. 84 (1991). G.S. 153A-169 gives the county the authority to make decisions about the property in its control and to designate the uses to which county property may be put. It specifically authorizes the county to determine where the courthouse for the county will be located.

*Sheriff.* G.S. 17E-1 provides that the sheriff, a locally elected, locally funded, constitutionally independent official, is "the only officer who is responsible for the courts of the state, and acting as their bailiff and marshal." That provision codifies an understanding of the duties of the sheriff that goes back to the common law. The sheriff, therefore, must provide court security services. The sheriff obtains funds to operate his or her office from the county. On operational matters, however, the sheriff, because he or she is elected, is given the discretion to manage the office consistent with the statutory and other responsibilities assigned to the office.

## **Security issues in facilities, equipment and personnel**

### ***Facilities***

One issue that may arise is whether the facility in which court operations are conducted is adequate to provide a reasonable degree of security for those operations.

The law is clear that the facility must be adequate. What if there is a disagreement about the issue of adequacy, for lack of security or some other reason?

In 1991, the North Carolina Supreme Court spoke to the issue. It held in the *Alamance County Court Facilities* case that "when inaction by those exercising legislative authority threatens fiscally to undermine the integrity of the judiciary, a court may invoke its inherent power to do what is reasonably necessary for the orderly and efficient administration of justice." 329 N. C. at 99. This holding established clearly for the first time that judges have the power to order another branch of government (the county in this case) to act to provide adequate court facilities. This would clearly be an extraordinary proceeding and the Supreme Court was careful to emphasize the unusual nature of such a proceeding. The principle guiding rationale for the decision was separation of powers. The Court specifically held that the power is limited in that the remedy chosen must minimize the intrusion on the other branch, and the procedures followed to reach the decision to order the other branch to act must be consistent with established procedures and due process. One important effect of those limitations is that the county, while it may be ordered to act, retains the discretion to determine how it will provide the "adequate" facility.

The *Alamance County* case is important because it establishes a remedy by litigation that had eluded those who had tried in the past to fix what they thought to be inadequate court facilities. This case dealt with one kind of inadequacy -- lack of space. It did not specifically address security issues. To extend *Alamance County* to facilities that are inadequate because they do not provide adequate security would not, however, be inconsistent with the logic employed by the court. Other state supreme courts have approved local court orders requiring local governments to spend money for ongoing court operations when the necessary factual basis is established. See cases cited in Chapter V, "Logistical Support," in *Inherent Powers*, Felix Stumpf. One of those cases dealt with issues that might reasonably be construed to involve security. See *Carlson v. State*, 220 N.E. 2d. 532 (Ind. 1966), which upheld a local judge's order directing that funds be made available from the local government to hire bailiffs to, among other things, provide adequate security. The *Carlson* case involved security personnel, not facilities, but the combination of the two holdings would suggest that in a proper case, a facility that is inadequate because it does not provide adequate security could be the subject of an inherent powers lawsuit.

### ***Security equipment***

Another issue that arises is identifying who is responsible for providing the paraphernalia needed to provide adequate security. There are two sub-issues. First, is the paraphernalia needed part of the court's "operations," or is it more appropriately considered to be part of the "facility"? Second, even if it is not part of the "facility," is it a duty that is imposed on the sheriff by virtue of the duty of that office to provide security?

The law provides no clear answer to the first question. As a result there have been many instances in which court officials and local governments have disagreed about the definition. In general, if the thing being sought is "equipment" used for court operations, it is an operational expense and the duty to provide it falls on the state and the AOC. If the thing being sought is part of the "facility," the duty to provide it falls on the county. Some things are easily assigned to one category. Furniture is an integral part of providing a facility and is the county's responsibility. G.S. 7A-302. The computers and related equipment needed to provide information to the courts and about the courts are essential to operations, but are not a necessary part of a facility, and are therefore the state's responsibility. Statutory support for that result comes from G.S. 7A-343(1), (3), which requires the AOC to collect data and provide information services to the courts. The provision of the equipment necessary to do that is logically a part of the court's operation for which they are responsible, and the need for uniform, compatible equipment and programming for automation across the state is inherently and necessarily within the expertise and must be under the control of the courts.

But there are many things that are not as easily assigned to either the state or the local government. A common example—while there is no doubt that the state has the duty to provide basic computer equipment (terminals, software, printers, hardware), questions have been raised about some of the component parts of an effective computer system. One specific issue that illustrates this problem concerns cable inside the courthouses and related court facilities that is needed to provide linkages to the state's computer. Is that part of the facility or is it operational equipment? How that question is answered determines who must pay for its installation.

While there is no definitive answer provided by cases or statutes, there are some factors that could bear on the question. One, if the item is permanently affixed to a structure (e.g., a fixture or a part of the structure), that tends to suggest that it is part of the facility. Two, if the item is used for persons other than court officials and users of the courts (e.g., permanent metal detectors at common entrances), that tends to suggest that it is not integral to court operations. Three, if the item would commonly be thought to be included in construction costs in erecting a new facility, that tends to suggest that it is a facility cost, even if the device is being added to an existing facility. Four, if the item is something that is unique to court operations (e.g., transcribing equipment or special filing equipment), that suggests that it is an operational expense. Conversely, the fact that an item is not unique to court operations and not operated by or under the control of court personnel (such as a portable metal detector used by sheriffs' deputies), may suggest that the equipment is not an aspect of court operations per se. Five, if the General Assembly, which established this dichotomy, allocates state funds to pay for the activity, that suggests that it views it as an operating expense. If, on the other hand, the legislature has not provided funds for the activity, that is some evidence that their interpretation is that the expense is not a court operational expense. Using factors such as these, this issue has generally been resolved by negotiation, with the result, in this example, that the cost of providing cable within the courthouse itself is usually considered a part of the facility and an infrastructure cost.

Security equipment would follow the same analysis. Permanent metal detection equipment is typically installed to provide security and to deter those who might be inclined to bring weapons to court. This equipment often is used in common areas that provide access to county operations as well as court operations. Both the fact that it is permanently installed and the fact that it serves both county and court officials suggest that it is a county responsibility. Either is probably sufficient to make it a county responsibility using the traditional analysis.

Some equipment needed for security, therefore, would probably fall clearly in the "facility category." Permanent metal detectors are a common example. But sometimes equipment is needed for a single, high-profile trial, and the equipment's use may be limited to a single courtroom. If, in that situation, the equipment used was a hand-held metal detector used at the courtroom door, it is hard to argue that it is part of the facility. But it does not follow that the responsibility is the state's. The sheriff's long-standing common law, and now explicit statutory, duty to provide court security suggests that the duty to provide such equipment lies with that office and not with the AOC or the state.

*County's discretion.* The existence of the duty does not determine the manner in which the duty is met. *Alamance County* makes it clear that even when ordered to provide or improve "adequate" facilities, the county retains the discretion to decide how to meet that responsibility. In the *Alamance* controversy, the court community preferred to have a single new judicial center that combined all the court operations under one roof. It did not get its wish. The county opted to build a new, special purpose facility and retain the old courthouse. To extend that principle to issues affecting security equipment, it would seem that the sheriff or the county retain discretion in determining how best to provide adequate court security. The sheriff or county may opt to provide security by using bailiffs or other personnel instead of providing screening devices like metal detectors. Only if the appropriate court officials decide that the decisions about security do not provide adequate protection can the court order that more be done, whether that involves equipment, facility changes or added personnel. In the context of a specific, high-risk case, judges do sometimes enter specific orders limiting access to the courtrooms, mandating that searches be performed on spectators, or other measures. G.S. 15A-1034, -1035.

*Voluntary actions by AOC.* In some instances it is possible that the sheriff and the trial judge presiding over a trial or other proceeding may disagree over the need for security equipment, and other security measures. In such cases, the AOC may elect to provide supplemental equipment, and it has done so on a temporary basis. This is apparently a valid use of state funds and is within the AOC's statutory mandate. The AOC has, in some high profile trials, provided equipment that it believed should have been included in the facility's infrastructure or should have been provided by the sheriff as part of his or her duty to provide security when there was not time to resolve the issue before the court proceeding was scheduled, or when the local government was unable or unwilling to do so.

## *Security personnel*

Security issues do not always involve equipment. They may instead be raised by the quantity or quality of the security personnel provided by the sheriff in furtherance of his or her duty under the statutes. In that case, may a court order the sheriff to provide additional personnel, or improve the training for the existing personnel? May it order the county to provide funds to the sheriff?

There are no statutes or cases in North Carolina that speak to this issue. Cases in other jurisdictions have approved orders that mandate that funds be spent to provide additional court employees. See *Carlson*. Other courts have upheld orders directing that clerks be hired, reassigned or otherwise directed to perform specified activities, even though they didn't work directly for the courts, and even when they had the effect of forcing reallocation of personnel from one county function to perform their duties in support of the work of the courts. *Price v. Superior Court*, 230 Cal. Rptr. 442 (Cal. App. 5th Dist. 1986); *Crooks v. Maynard*, 732 P.2d 281 (Idaho 1987). The precise holding of *Alamance County* and the adoption of the rationale of the cited cases could easily be read to support court-ordered local expenditures, but until such a case is decided, it will be an open question.

If the courts are found to have this inherent power, it will raise another issue. If a court finds that the number of security personnel is inadequate, what is the remedy and against whom is it to be directed? The sheriff almost certainly has personnel other than the bailiffs and deputies assigned to work on court security. Should the sheriff be directed to reassign those employees? Should the county be directed to provide additional staff to the sheriff? Or is the remedy simply to direct the county and the sheriff to provide adequate security and to leave the manner of complying with the mandate to their discretion? These are difficult questions, but given the deference showed to the county in *Alamance County*, the answer is probably the latter. The court is most likely to order that the security problem be addressed, and will leave it to the county and the sheriff to figure out how to do so.

All these issues about responsibility for operations and facilities, the scope of the court's inherent power, the sheriff's discretion in determining how security is to be provided, and similar issues share a common characteristic. Almost none of them are clearly answered by our current cases and statutes. As a result, the uncertainty of all these issues usually contributes to a commonly perceived need to solve these matters through negotiation, and that is how they are usually resolved, without forcing the issue to be resolved through legislation or litigation. Since public safety is ultimately involved, the incentive and opportunity for common ground should be great.

## **Authority to order that security measures be taken**

This discussion has dealt with the issue of who has the responsibility to provide secure facilities, as well as special security equipment and personnel. But who has the authority to decide that such equipment is needed?

A county may unilaterally decide to upgrade the security arrangements for the courthouse. G.S. 153A-169 gives it that power. A sheriff may unilaterally decide to add more bailiffs, to improve their training, or to install metal detectors (if an adequate showing of the need for the equipment is shown). But that is not always how these issues arise.

A trial judge may determine that improvements in security measures are necessary to insure that jurors, parties, witnesses and court officers are provided a safe environment in which court proceedings are conducted. G.S. 15A-1034 authorizes a presiding judge to limit access to those who are searched for weapons, and to impose reasonable limitations on access. The recent *State v. Lemon* case relied on this statute when upholding the posting of a sign on the courtroom entrance warning the public not to enter unless they had business in the courtroom and that persons entering would be searched. G.S. 15A-1035 authorizes the presiding judge to take any other measures necessary to maintain courtroom order, through use of the inherent powers of the court. See *State v. Superior Court of Marion County*, Rm. No. 1, 344 N.E.2d 61 (Ind. 1976) (approving inherent powers to order necessary equipment for courtroom); *O'Coins, Inc. v Treasurer of County of Worcester*, 287 N.E.2d 608 (Mass. 1972). The ordering of specific security measures, with authority derived from the judge's inherent power to insure a fair trial, is a practice that has been commonly followed by judges for generations. Orders in this area usually recite the specific findings that support the order. See also *State v. Grant*, 19 N.C. App. 401 (1973), which seems to approve this kind of order, although it was not discussed in terms of the court's inherent powers, as demonstrated by the following language from that case: "It was necessary for the court to maintain discipline and decorum in the courtroom and its environs. The action of the court in prohibiting picketing, parading, and congregating in and around the courthouse and in requiring spectators to submit to a search for weapons before entering the courtroom was entirely proper."

Measures that have been ordered in some cases include extra security personnel, requiring those who attend as spectators to sign in, requiring all persons entering the courtroom to pass through metal detectors, and secure transportation for jurors. In one extreme case the security for the jury's transportation included helicopter surveillance, police convoy, and armed guards on the street when their vans passed by. *U.S. v. Darden*, 70 F.3d 1507 (8th Cir. 1995). See also *U.S. v. DeLuca*, 137 F.3d 24 (1st Cir. 1998).



Usually these matters are memorialized in an order of the court, and are voluntarily complied with by the sheriff or other officials affected by the order. If there is resistance and the need to provide orderly proceedings is clearly demonstrated, it is possible that contempt proceedings could be used to enforce the order. G.S. 15A-1035 clearly authorizes a judge to use contempt proceedings to maintain courtroom order, and G.S. 5A-11(a)(6) establishes as one ground for contempt the "willful or grossly negligent failure by an officer of the court to perform his duties in an official transaction." Cases commonly cite the principle that courts possess the contempt power because it is essential for the administration of justice that the court possess the powers to enforce its mandates. Among those mandates are that the courts be open and that trials be fair. Lack of security can threaten both. But contempt is an extraordinary remedy, especially when used against a government official acting in his or her official capacity. Our cases suggest that while it could be a means of enforcing an order such as this, the courts will be reluctant to use contempt, and will examine the procedures used carefully. See *In Re Board of Commissioners*, 4 N.C. App. 626 (1969). There are no appellate cases in this state that discuss this use of the contempt power, primarily because these issues are resolved before they get that far.

The *Alamance County* case also offers a procedural roadmap that has the recent approval of the Supreme Court. The Court attempted to ensure deference to executive and legislative functions, while enabling the courts to take actions necessary to ensure their ability to function; thus, the opinion offers the safest procedure to follow in disputes over security issues arising between judges presiding over trials and the local official. To follow the recommended procedures, the court must (1) give the sheriff notice and an opportunity to be heard on the matter, (2) find facts that support the exercise of its inherent power, and (3) narrowly tailor the order to minimize the intrusion on the discretion of the sheriff and the county.

But the issue may not come up in the context of a specific case. If the concern is more general, the duty to deal with it at the trial court probably lies with the judges who have general administrative responsibilities, the chief district and senior resident superior court judges. They are given the general duty of providing administrative oversight over the courts in their district that are not attendant to the hearing or disposing of a specific case. In that capacity, when circumstances are present that threaten the ability of the court to maintain order and decorum or which pose a threat to safety, they often engage in negotiations with those who are responsible for providing security, and sometimes enter orders directing specific actions, relying on their inherent authority as judges. See *Bozer v. Higgins*, 596 N.Y.S.2d 634 (Sup. Ct. 1992), *modified*, 613 N.Y.S.2d 312 (Sup. Ct. App. Div. 1994), in which the court system's authority to issue a security policy was held to be part of running a separate, independent branch of government. In this context the judge is acting in an administrative capacity, and not in the context of a specific case, in which more urgency could be involved. That suggests even more strongly that disputes would be handled in the manner used in *Alamance County* if an agreement cannot be reached.

## Liability

Liability of governmental officials and of governments to third parties is a complex topic, and, unfortunately, litigation based on harm caused by inadequate security seems to be increasing. See *Gibson v. Texas*, 921 S.W.2d 747 (Tex. Ct. App. 1996) (noting that “a newly emerging theme of litigation involves allegations of inadequate courthouse security”); *Dorris v. County of Washoe*, 885 F. Supp. 1383 (D. Nev. 1995) (former wife's civil rights action against the county, its commissioners, the sheriff, and a deputy sheriff for inadequate courthouse security giving rise to an assault by her former husband during proceedings to obtain a protective order dismissed as failing to show more than mere negligence); *Salas v. Carpenter*, 980 F.2d 299 (5th Cir.1992) (estate of hostage killed by gunman during Tarrant County courthouse kidnapping brought civil rights action against former sheriff).

A complete examination of this kind of liability, however, is beyond the scope of this discussion. Liability issues arise under federal civil rights laws, under other federal statutes, under state statutes, and under the common law. In many instances the government or its officials are afforded immunity. Discussing those complex topics is not the purpose of this appendix. Instead this discussion is intended to provide guidance to court and county officials as they deal with each other in these delicate and important matters. The discussion of the duties assigned to each is intended to refer to the duties each has to the other. A discussion about whether those entities have a duty to a user of the courts and whether the failure to exercise that duty will result in civil liability must be left for another forum.

## Issues of Individual Rights

Individuals sometimes challenge security measures that courts impose, usually on the ground that the individual's constitutional rights are violated. The most common are challenges to searches conducted, typically by the use of metal detectors, for those entering a courthouse or a courtroom. There are numerous other cases discussing the imposition of security measures and whether they violate an individual's rights. The primary purpose of this appendix is to discuss the relationship between the governmental officials who have a role in maintaining court security. But as an aid to those interested in researching this further, citations to some leading cases in this area, with brief holdings of the cases are included.

- *State v. Lemon*, \_\_ N.C. \_\_ (July 9, 1998), upholding a judge's order in a capital case for posting a sign on the courtroom entrance advising the public not to enter unless they had “business” in the courtroom, and warning that all persons entering would be searched for weapons. The court rejected the contention that this security measure violated the defendant's constitutional right to an open trial (noting that the case dealt with a sign, not outright closure, that defense counsel supported posting the sign, and that it is possible for a defendant to waive a constitutional right). The Court relied on G.S. 15A-1034(a) which gives the presiding judge authority to “impose reasonable

limitations on access to the courtroom when necessary to ensure the orderliness of courtroom proceedings.”

- *State v. Grant*, 19 N.C. App. 401 (1973), holding that an order directing that courtroom observers be searched before entering was not evidence of court hostility to defendant: “It was necessary for the court to maintain discipline and decorum in the courtroom and its environs. The action of the court in prohibiting picketing, parading, and congregating in and around the courthouse and in requiring spectators to submit to a search for weapons before entering the courtroom was entirely proper.”
- *McMorris v. Alioto*, 567 F.2d 897 (1978), approving use of metal detectors in federal courthouse as an administrative search if the search is necessary to secure vital governmental interest (protecting courts from danger), limited and no more intrusive than necessary to protect against danger, and not conducted to gather evidence for criminal prosecutions. Metal detectors were found to be less intrusive than other search methods. Pat down searches are a reasonable secondary search method if the metal detector is triggered. See also *Klarfeld v. U.S.*, 994 F.2d 583 (9th Cir.1991); *Legal Aid v. Crosson*, 784 F. Supp. 1127 (S.D.N.Y. 1992).
- *U.S. v. Darden*, 70 F.3d 1507 (8th Cir. 1995), rejecting the contention that use of security measures conveyed to the jury that defendant was dangerous, thereby depriving him of fair trial. Measures included (1) numerous security personnel in courtroom, (2) use of metal detectors, (3) inspection of belongings of defense counsel, initially within view of arriving jurors, (4) use of anonymous jury, and assembling it in a secret location, and (5) transporting the jury from sequestration site using armed guards and helicopter escort. The court held that trial judge must have wide discretion to insure order and safety, and the violent nature of the alleged conduct (racketeering and continuing criminal enterprise) justified the measures taken.
- *Holbrook v Flynn*, 475 U.S. 560 (1986), holding that use of uniformed state police to provide extra court security is not inherently prejudicial to defendant’s ability to receive a fair trial, and is permissible in the absence of a showing of prejudice. The particularized factual basis required by *Illinois v. Allen*, 397 U.S. 337 (1970) to shackle or gag a defendant was not required in this context.
- *U.S. v. DeLuca*, 137 F.2d 24 (1st Cir. 1998), rejecting the contention that defendant’s right to public trial under 6th Amendment was violated by a policy requiring all courtroom spectators to provide written identification before being allowed to enter courtroom. The policy resulted in partial closure of the court, justified by government interest in providing security at trial. The court also suggested that metal detector use does not result in closure: “To cite an obvious example, magnetometer screenings are designed to prevent armed spectators from entering the courtroom, yet no one would suggest that conditioning spectator access on submission to reasonable security screening procedures for dangerous weapons violates the Sixth Amendment right to a public trial.”

- *U.S. v. Lamson*, 993 F.2d 1540, 1993 WL 168934 (4th Cir. 1993), affirming the constitutionality, under the Fourth Amendment, of use of metal detector as reasonable, minimally intrusive, and consistent with vital, legitimate governmental interest of protecting courthouse and employees from violence. (Unpublished disposition)
- *Rhode Island Defense Attorneys Association v. Dodd*, 463 A.2d 1370 (R.I. 1983), denying a request to enjoin a policy of searching all persons, including attorneys, entering the courthouse and of searching packages, briefcases, etc. for weapons. The court ruled that the policy does not violate the Fourth Amendment, nor does it interfere with defendant's right to counsel since it was limited to a search for weapons and did not involve inspection of confidential papers or confiscation of papers or files.
- *Martinez v. Winner*, 548 F. Supp. 278 (D. Colo. 1982), judicial immunity was applicable to actions taken by the trial judge to control order and security in the courtroom; actions taken to that end are "judicial" functions.