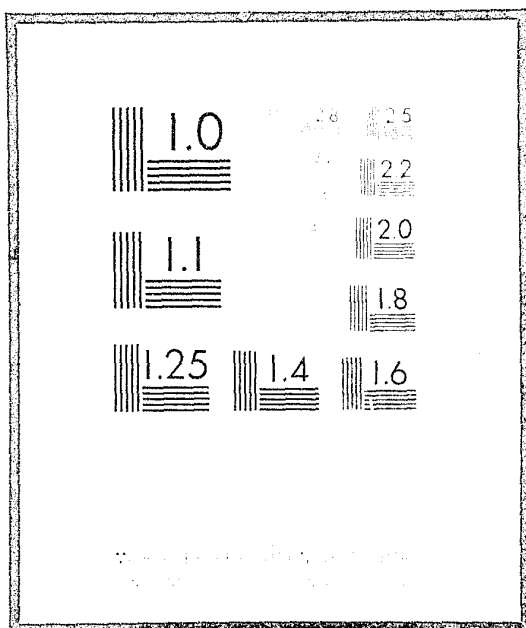


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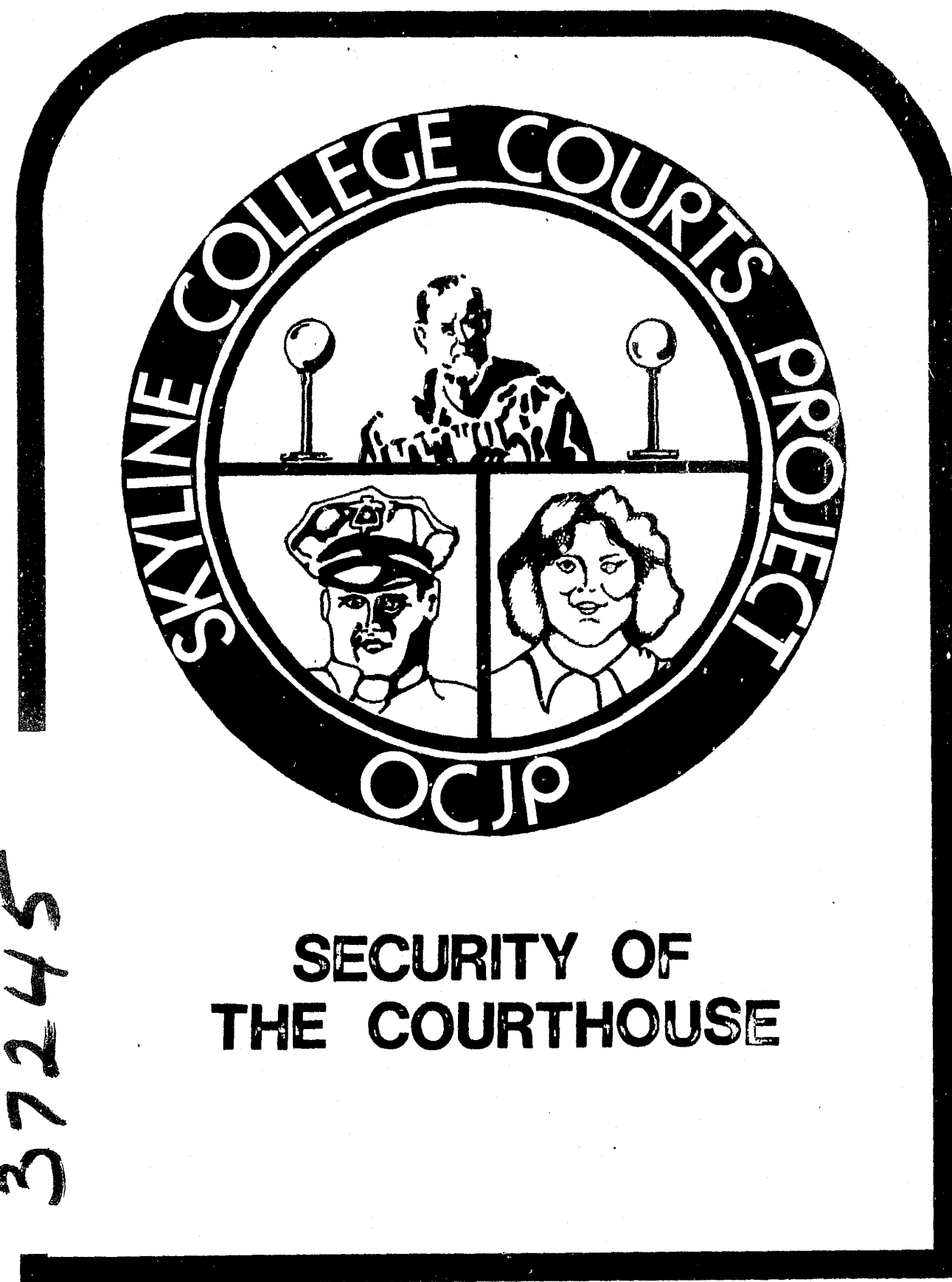
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## SECURITY OF THE COURTHOUSE

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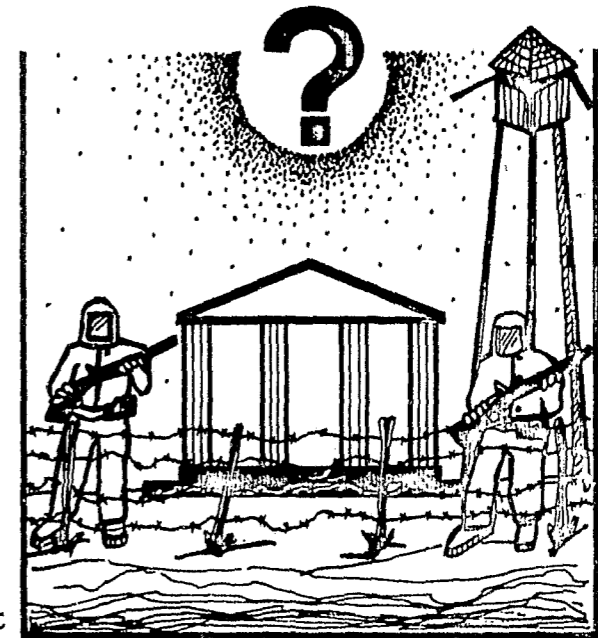
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This videotape program concerns the intricacies of courthouse security. It is one of a series made with the cooperation of the Marshal's Office of San Diego County and the San Diego Municipal Court. It is important to note that courts of first instance, such as San Diego Municipal, present



the most complex and serious security problems in our court system. Even though we will explore the particulars of this one court and its security force, you should look for those principles and concepts which can be generally applied to every courthouse. In addition, some futuristic approaches to court security design will be seen through the cooperation of McGeorge School of Law.

## PROGRAM OBJECTIVES

After viewing this videotape and reading this booklet you should be able to:

1. List major courthouse security concerns.
2. Describe the importance of courthouse design in security.
3. Discuss five common security problems handled by the San Diego Marshals.
4. Identify new developments in courthouse security.

Keeping these objectives in view will give direction to your own notes and better prepare you for the "Self-Review Test" at the end of this booklet.

You will notice that this videotape deals with the ordinary day-to-day kinds of security concerns. Another instructional segment entitled, "Court Security in Sensitive Trials," deals with the more complex level of problems posed by "political" or "sensational" proceedings.

If you have technical difficulties or you do not completely understand how to use this videotape, please read the "User's Guide" which accompanies each videotape.

After viewing the videotape please turn to the next section of this booklet.

# COMMENTARY

## SECURITY IN TRANSITION

In previous decades the county courthouse was a gathering place for local politicians and a source of amusement for bored citizens. Security of the courthouse was confined in large part to maintaining control of in-custody prisoners and cooling-off an occasional over-heated temper. It would be easy to think that



this complacency was shattered by the murder of Judge Harold Haley in Marin County. Beginning in the late 1960's, huge demonstrations, threats of bombings, and violent courtroom behavior began occurring with alarming frequency. This trend coupled with a growing number of sensational trials involving defendants from militant and political groups created an urgent need for new approaches to courthouse security.

Problems - It is not surprising to hear that in 1972 \$700,000 was spent in a single California court to improve security for an up-coming trial. Similarly, a San Francisco newspaper reported in February 1973 that of the 18 civilians permitted by the city to carry concealed weapons, 13 were judges. While the public generally accepted these developments,

there were legitimate complaints about the new practices in security.

In 1970, State Supreme Court Justice Stanley Mosk noted:

"We are departing from the free, open, intellectual atmosphere in which the judicial process can best undertake the truth-seeking function, and replacing it with a garrison environment. The question we shall have to ask more and more in the days ahead is whether the departure is necessary."

Justice Mosk was especially concerned about hearings being held inside San Quentin prison. Others objected to the mandatory searches for weapons which had been instituted by some courts.

The Challenge - The challenge to those who assume responsibility for the security of the court and its personnel is two-fold. It involves both the enforcement of necessary precautions and the understanding that these measures must never be allowed to corrupt the process which is being guarded. Measures which corrupt the spirit of an open society can only end by aiding the efforts of those who would destroy free institutions. Hence, the quality of restraint is one characteristic of good security. In the videotape, this quality is demonstrated by the security staff exercising caution in undertaking measures which might appear overbearing without consulting their superiors or the presiding judge.

**FREE INSTITUTIONS**  
**SECURITY**  
**COURTS**  
**UNDERSTANDING**  
**Don't corrupt the process**  
**NECESSARY PRECAUTIONS**  
**restraint**  
**open society**

## SECURITY PROCEDURES

It is important that court personnel and private citizens be aware that their protection is a constant concern of security officers. In-custody prisoners are unlikely to be in a position to complain much about measures taken for their safety. However, attorneys can be a source of questions or



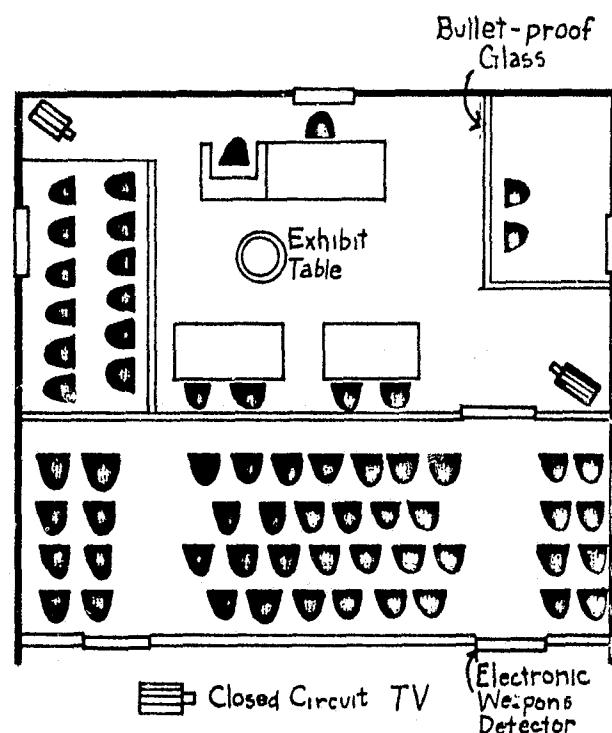
criticism in security matters. Thus, clearly spelled-out rules and even-handed enforcement can go a long way to head-off any unpleasantness as well as provide a sense of confidence in courthouse security.

A Formula - Every court enforcement officer uses a slightly different formula to identify the potential troublemaker. Persons who by their conduct or demeanor show a contempt for the court and its personnel should be considered suspect. Good jail intelligence can aid the officer in anticipating and preventing disturbances. In addition, helpful background information may be available from the field. For example, notification that the father of a rape victim has threatened the accused or that a prisoner belongs to an outlaw motorcycle gang may prove useful in taking extra security precautions.

Searches - More or less regular searches of people entering courthouses in New York City and Baltimore in 1971 produced a large quantity of potential weapons. Most of these were knives. It is possible that similar search procedures in California courts may turn-up a comparable quantity of edged weapons. Hence, unless local policy requires everyone to be searched or pass through detection devices, it would be wise to be cautious about close physical contact.

**COURTHOUSE DESIGN**

Portions of the videotape placed emphasis on security as a result of the design of physical space. In many cases it is more efficient in terms of cost to make adjustments in design or technology to solve a problem than to utilize salaried employees. For example, it is less costly to employ electronic weapons detectors in selected areas than to search every person who comes to court. It is also important to remember that there will be fewer complaints if these devices are not obvious or conspicuous.



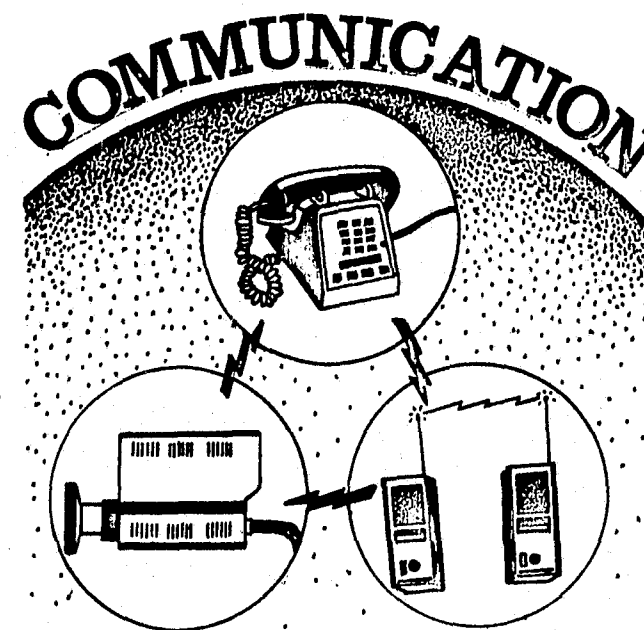
Design Changes - New courthouse facilities are being designed in order to maximize good security practices. In some courts, physical arrangements

are being modified to enhance security. The alert court officer will be aware of the importance of design whether it concerns the way various activities are grouped within the courthouse or whether it concerns something as detailed as how fast a door closes on its piston device.

Security Surveys - Regular security surveys check these situations as well as the more general problems created by the changing demands on the judicial process. Various kinds of information aid in developing the security survey. Damage surveys, theft reports and thorough descriptions of incidents help to develop new measures and procedures. However, it is worth remembering that, at a time when many judicial agencies are busy updating their security measures after a major problem has occurred, good security planning ultimately involves "expecting the unexpected."

**COMMUNICATION PROCEDURES**

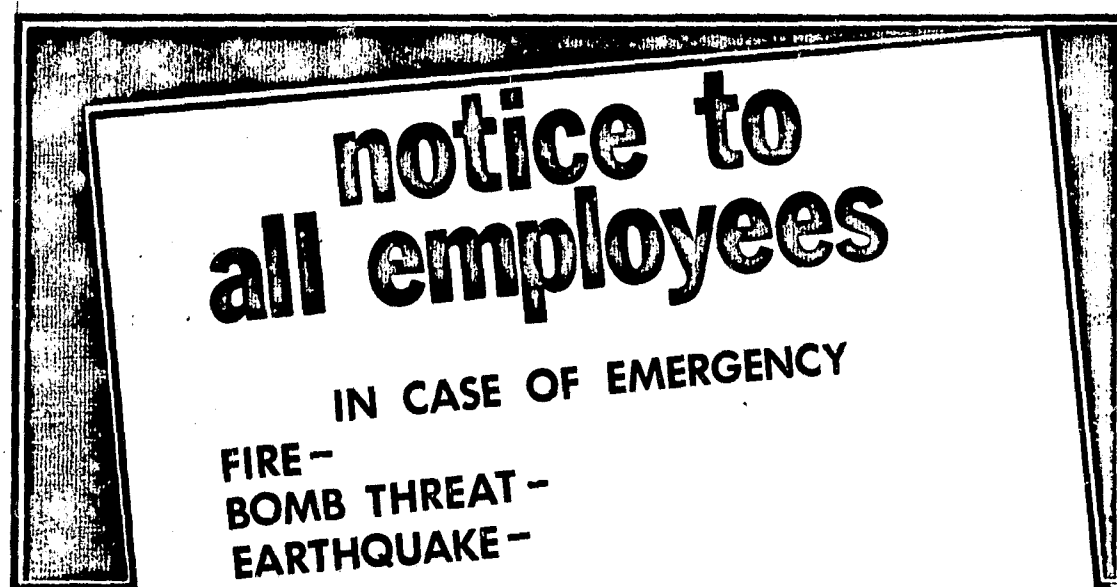
Good communications systems play an important role in preparing for the unexpected. In viewing the videotape you may have noted that the San Diego Courthouse utilizes three separate systems of communication. The emergency alarm system is used only for calling for assistance in disturbance situations. A separate "red telephone" hookup





is used to summon help in medical emergencies. Lastly, the courtroom's regular telephone system is used to alert the presiding department of the discovery of a bomb. This system may be regarded as almost ideal since it provides considerable backup and has taken precautions to avoid confusion.

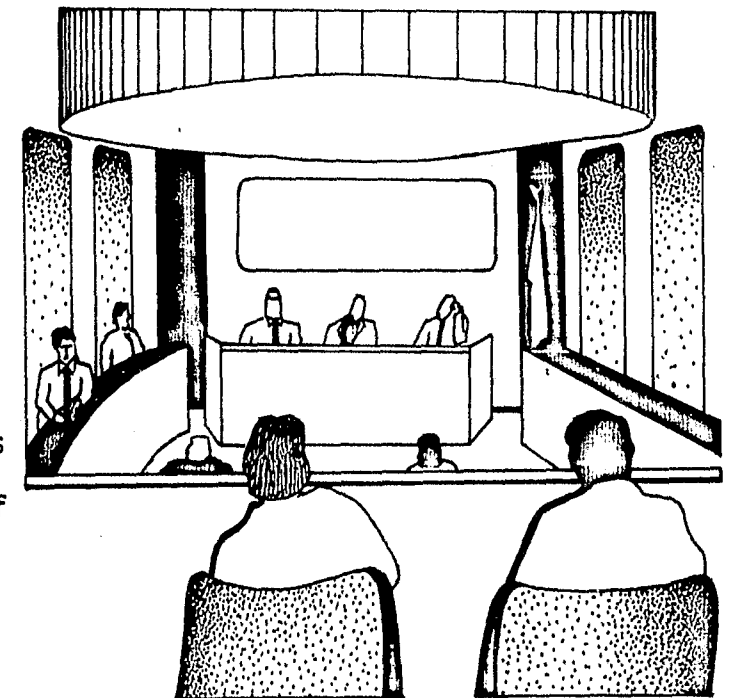
Emergency Planning - Each agency and facility requires separate emergency planning to deal with its specific situation. Differences in security staff organization, judicial policy, and physical limitations of the courthouse are reflected in emergency plans. It is advisable for every one of the court's personnel to be aware of the various plans that become operational with the discovery of a fire or bomb. In addition, most courts have developed standard procedural responses to telephoned bomb threats. These procedures may involve searches by specialized teams or by personnel who normally occupy the space to be searched. Some courts have highly developed evacuation plans and there is increasing interest in the use of practice-drills to familiarize employees with orderly evacuation and to test their response in emergency situations.



#### NEW TECHNOLOGY

New ideas in courthouse security have been developed in the McGeorge Law School experimental courtroom.

Closed-circuit television is becoming popular as a means of maintaining surveillance of corridors and entries. Some facilities have been equipped with television cameras that



make it possible to monitor an emergency within a courtroom and to record incidents. It should be noted that these systems, along with planted microphones, have been criticized because of their capacity to invade the privacy of attorneys and their clients.

Super Security - Presently plans are underway to develop "super-secure" courtrooms for certain types of trials. Some suggestions that have been made for equipping facilities include: bullet-proof partitions at the bench, isolation compartments for defendants, comprehensive weapons detection, and television surveillance. The main issue raised regarding super-secure facilities is that of the "fortress" environment having the effect of covertly condemning defendants by implying that they are "dangerous." Until statewide rules are passed or case law evolves, the appropriateness of this kind of facility will be in doubt.

Meanwhile, new technology is becoming available. Bullet-proof benches are being installed in some courts. One firm is marketing a portable panic button device that can be carried in the bailiff's pocket. Better lighting and perimeter security is being installed. Furniture and fixtures are offered in damage-resistant materials to reduce loss by vandalism. There is a great deal of interest in the use of non-lethal weapons and weapons technology generally. It is well to remember that before the tragic events in Marin County, bailiffs in that county were unarmed. There was even growing public opinion that weapons should be banned from the courtroom, including bailiff's.

#### SUMMARY

Interest in new directions for court security is sure to continue. While the new technology that has become available can be supplementary, there is every reason to believe that the main responsibilities in court security will continue to fall upon the men and women assigned to that function. As court officers carry out their responsibilities in deterrence, detection and damage-limitation, they can be certain that their appearance, attitude and discretion will be prime ingredients in the security of any California court.

## GLOSSARY

Courts of first instance: refers to the Justice and Municipal Courts which have the task of arraigning and holding preliminary hearings in criminal matters.

Panic-button: triggering device for the emergency alarm system.

Secured corridors: those passageways which are ordinarily locked or guarded to control access.

Security survey: (or security audit) a systematic, impartial and critical review of any operation or facility which evaluates its current and future security capability.

Super-secure courtroom: a facility which is regarded as being extraordinarily well protected because of its location, design, and personnel.

## SELF-REVIEW TEST

1. List major courthouse security concerns.
2. Describe the importance of courthouse design in security.
3. Discuss five common security problems handled by the San Diego Marshals.
4. Identify new developments in courthouse security.

## IN-SERVICE PERSONNEL

1. How is your agency organized to fulfill the courthouse security mission?
  
  
  
  
  
  
  
  
  
  
2. How do local procedures differ from those you saw in terms of:
  - a. prisoner movement
  
  
  
  
  
  
  
  - b. spectator screening
  
  
  
  
  
  
  
  - c. the emergency alarm system
  
  
  
  
  
  
  
  - d. summoning medical assistance
  
  
  
  
  
  
  
  - e. dealing with explosive devices
  
  
  
  
  
  
  
  
  
  
3. Does your agency have a periodic or on-going security survey? Who performs this function? What procedures are followed?

## SUGGESTED READINGS

On courthouse design:

Tom C. Clark, The American Courthouse, Sacramento, McGeorge School of Law, 1972.

On the subject of security surveys:

Richard S. Post, Determining Security Needs, Madison, Oak Publications, 1973.

Justice Mosk's remarks are found in:

Stanley Mosk, "The Secure Court," The Nation, November 2, 1970.

**END**

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