

***STATE  
OF  
MINNESOTA***

***CONFERENCE OF  
CHIEF JUDGES***

***Court Security Manual***

# ***COURTHOUSE SECURITY COMMITTEE MISSION STATEMENT***

*To develop and implement a statewide courthouse security program, incorporating the elements of prevention, deterrence, and response. The program shall include the development of uniform standards and procedures for courthouse security and shall contain a training component for courthouse employees and those charged with providing security in courthouses.*

# ***INTRODUCTION***

“It’s not a question of whether there is going to be a major and serious security incident in our courthouse; the question is when will it happen?” Those are the words of Ramsey County Sheriff, Bob Fletcher who is responsible for security at all Ramsey County Court facilities.

*Every day, headlines in newspapers shout out the violence which takes place in courthouses around our country. Bombings, shootings, kidnapping, threats, assaults and more. These incidents are not just the products of urban areas. They are happening in small jurisdictions as well as in large population areas. We have been exposed to the bombing at the Alfred P. Murrah Building in Oklahoma and the recent tragedies at the Columbine High School in Littleton, Colorado, and the Jewish Community Center in Los Angeles, California.*

*The Minnesota Conference of Chief Judges recognizes the importance of providing a safe and secure environment to all who use our courthouses while at the same time providing a facility which is not oppressive and intimidating.*

To this task, a committee appointed by the Conference of Chief Judges has been meeting since August 1, 1997. This committee is composed of knowledgeable persons in the areas of security, criminal justice, historical preservation, architecture, administration and legislation.

*This Manual is intended to be an important and extremely useful resource for those persons who are responsible for making our courthouses the safehavens which they should be for the fair, secure and effective administration of justice.*

***Honorable Lawrence D. Cohen, Chair  
Conference of Chief Judges Courthouse Security Committee***

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# ***PREFACE***

*Contained within this manual is both general and specific information on a number of the multi-disciplined areas believed essential to establishing a model Court Security Program. It is intended to be utilized by designated officials (i.e., Court Security Committee Members and Representatives) to enhance court security.*

*Simply stated, this manual is intended to be informative, and it was prepared with that goal in mind. Throughout the manual, the comments and recommendations concerning courthouse security intentionally cover a wide range of subjects, extending from administratively-acted (cost-effective) to fiscally-driven schedules of implementation. It is believed that each chapter - from Court Security Management and Development to Threat Management to Courthouse Security Considerations - meets this pre-identified goal.*

*The manual should be considered a starting, and not an ending point (i.e., a work-in-progress). In order to maintain a high level of proficiency, court security program managers will need to continuously seek out additional program-specific experience, source documents, training, and professional associations.*

*Security program responsibilities are both considerable and consequential. Assigned program managers must not simply possess a basic familiarity, but also must possess a high level of expertise in all associated areas. This elevated paradigm of expertise and due diligence can only be attained when program continuity is recognized and established. This requires a time commitment that should minimally reflect the level of program-equated responsibility and required expertise. The premise is that assigned managers will now be allowed to meet and exceed elevated program thresholds (in becoming subject matter experts), rather than reach a certain, usually lesser, point and subsequently be routinely reassigned.*

*The Conference of Chief Judges Courthouse Security Committee “Court Security Manual” provides instructions and examples on executing court security operational assignments in an exemplary manner. When reviewing the manual, please note that individual chapters should not be interpreted nor considered exclusive of one another. They are intended to complement one another.*

*For example: Chapter 12, titled “Training Outlines” is directly supported by nearly every other manual chapter. It should be noted that with this particular example you *actually need* a thorough understanding of the information contained in the other chapters as well as the previously-mentioned experience, source documents, training, and professional associations before you will be able to present, as an authority, the individual training material as outlined.*

*The material contained herein is not intended to replace or change the meaning of any existing state manual, policy or procedure. Any disparity or change between this manual and existing state policies and procedures will be deferred to and governed by those same official notices and publications.*

*The comments and recommendations contained herein are not intended to dictate mandated policies or procedures. Rather, they are intended to foster a positive and responsive dialogue among those officials and persons reviewing and assessing security needs for their respective courthouse facilities.*

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# ***CHAPTER 1***

## ***LEGISLATION, POLICY NOTICES and DOCUMENTS***

# ***LAWS, RULES, AND POLICIES: RELATING TO COURTHOUSE SECURITY***

## **RESPONSIBILITY FOR THE COURTHOUSE**

Under Minnesota law, the county is responsible for providing and keeping the courthouse in good repair. In addition, it is required to provide suitable furniture, heating, lighting, maintenance, and necessary office equipment and supplies necessary to the discharge of the duties of the county officers, including the court administrator and the judges of the district court. The court is required to provide separate waiting areas within the courthouse for victims and defendants. **The possession of dangerous weapons within a courthouse is absolutely prohibited**, except in certain limited instances. Security incidents occurring within the courthouse are to be reported to the local sheriff and to the Bureau of Criminal Apprehension. (See Appendix for Security Incident Reporting Form.) Only in the most extreme cases may the court invoke its inherent judicial power to provide for the security of the courthouse. If the court does so, it must comply with specific procedural requirements. The relevant statutes are:

### **MINN. STAT. § 373.05. COUNTY BUILDINGS**

Each county shall provide at the county seat, and keep in good repair, a suitable courthouse, supplied with fireproof vaults, a suitable and sufficient jail, and other necessary buildings.

### **MINN. STAT. § 375.14. OFFICES AND SUPPLIES FURNISHED FOR COUNTY OFFICERS**

The county board shall provide offices at the county seat for the auditor, treasurer, county recorder, sheriff, court administrator of the district court, and an office for the county engineer at a site determined by the county board, with suitable furniture and safes and vaults for the security and preservation of the books and papers of the offices, and provide heating, lighting, and maintenance of the offices. The board shall furnish all county officers with all books, stationery, letterheads, envelopes, postage, telephone service, office equipment, and supplies necessary to the discharge of their respective duties and make like provision for the judges of the district court as necessary to the discharge of their duties within the county or concerning matters arising in it. The board is not required to furnish any county officer with professional or technical books or instruments except when the board deems them directly necessary to the discharge of official duties as part of the permanent equipment of the office.

**MINN. STAT. § 375.18. GENERAL POWERS**

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**Subd. 3. Courthouse.** Each county board may erect, furnish, and maintain a suitable courthouse. No indebtedness shall be created for a courthouse in excess of an amount equal to a levy of 0.04030 percent of taxable market value without the approval of a majority of the voters of the county voting on the question of issuing the obligation at an election.

**MINN. STAT. § 484.64. FAMILY COURT DIVISION; SECOND JUDICIAL DISTRICT**

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**Subd. 3.** The board of county commissioners of Ramsey county shall provide suitable chambers and courtroom space, clerks, bailiffs, and other personnel to assist said judge, together with necessary library, supplies, stationery and other expenses necessary thereto. The state shall provide referees, court reporters, and law clerks.

**MINN. STAT. § 484.65. FAMILY COURT DIVISION; FOURTH JUDICIAL DISTRICT**

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**Subd. 3.** The board of county commissioners of Hennepin county shall provide suitable chambers and courtroom space, clerks, bailiffs, and other personnel to assist said judge, together with necessary library, supplies, stationery and other expenses necessary thereto. The state shall provide referees, court reporters, and law clerks.

**MINN. STAT. § 611A.034. SEPARATE WAITING AREAS IN COURTHOUSE**

The court shall provide a waiting area for victims during court proceedings which is separate from the waiting area used by the defendant, the defendant's relatives, and defense witnesses, if such a waiting area is available and its use is practical. If a separate waiting area for victims is not available or practical, the court shall provide other safeguards to minimize the victim's contact with the defendant, the defendant's relatives, and defense witnesses during court proceedings, such as increased bailiff surveillance and victim escorts.

**MINN. STAT. § 609.66. DANGEROUS WEAPONS**

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**Subd. 1g. Felony; possession in courthouse or certain state buildings.** (a) A person who commits either of the following acts is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both:

(1) possesses a dangerous weapon, ammunition, or explosives within any courthouse complex; or

(2) possesses a dangerous weapon, ammunition, or explosives in any state building within the capitol area described in section 15.50, other than the National Guard Armory.

(b) Unless a person is otherwise prohibited or restricted by other law to possess a dangerous weapon, this subdivision does not apply to:

(1) licensed peace officers or military personnel who are performing official duties;

(2) persons who carry pistols according to the terms of a permit issued under section 624.714 and who so notify the sheriff or the commissioner of public safety, as appropriate;

(3) persons who possess dangerous weapons for the purpose of display as demonstrative evidence during testimony at a trial or hearing or exhibition in compliance with advance notice and safety guidelines set by the sheriff or the commissioner of public safety; or

(4) persons who possess dangerous weapons in a courthouse complex with the express consent of the county sheriff or who possess dangerous weapons in a state building with the express consent of the commissioner of public safety.

**Subd. 2. Exceptions.** Nothing in this section prohibits the possession of the articles mentioned by museums or collectors of art or for other lawful purposes of public exhibition.

### **Comment on Inherent Judicial Power**

In cases where the county or the sheriff have failed to provide adequately for the security of the courthouse or the courtroom, the judge can exercise inherent judicial power to compel these bodies to act. Inherent judicial power is an extraordinary remedy and is and should be seldom invoked. Because the judge is intruding upon executive and legislative functions, the power is to be used only under extreme circumstances and with due regard for the legal requirements of the process, which include a hearing before an independent judge. The requirements are contained in In re Clerk of Lyon County Courts' Compensation, 308 Minn. 172, 180-82, 241 N.W.2d 781, 786 (1976):

(1) Inherent judicial power grows out of express and implied constitutional provisions mandating a separation of powers and a viable judicial branch of government. It comprehends all authority necessary to preserve and improve the fundamental judicial function of deciding cases.

(2) Inherent judicial power is available to courts on all levels to be used consistent with respective jurisdictions and functions.

(3) Inherent judicial power may not be asserted unless constitutional provisions are followed and established and reasonable legislative-administrative procedures are first exhausted.

(4) When established and reasonable procedures have failed, an inferior court may assert its inherent judicial power by an independent judicial proceeding brought by the judges of such court or other parties aggrieved. Such a proceeding must include a full hearing on the merits in an adversary context before an impartial and disinterested district court. That court shall make findings of fact and conclusions of law in accordance with the standards set forth in this opinion and may grant appropriate relief.

(5) The test to be applied in these cases is whether the relief requested by the court or aggrieved party is necessary to the performance of the judicial function as contemplated in our state constitution. **The test is not relative needs or judicial wants, but practical necessity in performing the judicial function.** The test must be applied with due consideration for equally important executive and legislative functions. (Emphasis added.)

## **PROVIDING BAILIFFS AND JURY ATTENDANTS**

The county board and the sheriff have responsibility for providing bailiffs to the court system. The county provides the budget and sets compensation for bailiffs. The sheriff is responsible for the appointment of bailiffs. The term “bailiff” can refer to a full-time deputy or to a temporary employee serving in the capacity of a jury attendant. Assignment of a person to bailiff duty should be based upon a risk-assessment of the nature of the assignment. The ability to respond and the necessity of possible response should be carefully considered when making an appointment. In a case where the sheriff is of the opinion that special deputies are required (“...riot or impending violations of the law...”) the sheriff may apply to the district court for their appointment and fixing their compensation. The relevant statutes are:

### **MINN. STAT. § 387.14. DEPUTIES**

The county board shall determine the number of permanent full time deputies and other employees and fix the compensation for each position. The county board shall also budget for special deputies, jailers, matrons, bailiffs and other temporary employees and shall fix their rates of compensation. The sheriff shall appoint in writing the deputies and other employees, for whose acts the sheriff shall be responsible and whom the sheriff may remove at pleasure. Before entering upon official duties, the oath and appointment of each shall be filed with the county recorder.

### **MINN. STAT. § 387.15. TEMPORARY JURY BAILIFFS**

If the sex of any juror is different from the sex of all available jury bailiffs, the presiding judge of any district court at any time before the return of a verdict by a petit jury serving upon a case pending therein, by order issued to the sheriff and entered upon the minutes of the court, may direct the sheriff to appoint a person of the juror's sex who is a legal voter of the county as special deputy sheriff or bailiff to serve until the discharge of such jury from further service upon the pending case. The appointment shall forthwith be made and entered upon the minutes of the court and before entering upon the performance of duties, the person so appointed shall take and subscribe the oath by law required of deputy sheriffs and file the same with the court administrator.

## **MINN. STAT. § 387.16. CHARGE OF PETIT JURIES**

Upon taking the oath by law required by officers in charge of petit juries the person so appointed may be directed by the court to have charge of such jury conjointly with a deputy sheriff or bailiff of the other sex performing such duty. Special deputy sheriffs and bailiffs so appointed shall in all things perform the duties and be subject to the penalties by law prescribed for other officers having charge of petit juries.

## **MINN. STAT. § 487.11. ADDITIONAL EMPLOYEES**

**Subdivision 1. Bailiffs.** The sheriff of a county within a county court district shall furnish to the county court deputies to serve as bailiffs within the county as the court may request. The county board may, with the approval of the chief county court judge, contract with any municipality, upon terms agreed upon, for the services of police officers of the municipality to act as bailiffs in the county district court.

Nothing contained herein shall be construed to limit the authority of the court to employ probation officers with the powers and duties prescribed in section 244.19.

## **MINN. STAT. § 488A.06. BAILIFFS**

**Subdivision 1. Appointment; duties.** The sheriff with approval of a majority of the judges shall assign to the court a sufficient number of deputy sheriffs who shall act as bailiffs of the court. A bailiff shall be in attendance at all sessions of the court involving traffic or criminal matters, and serve all process and warrants and perform such other duties as may be directed by the judges of the court. The county board may with the approval of a majority of the judges contract with any municipality upon such terms as agreed upon for the services of police officers of the municipality to act as bailiffs at all sessions of the court in the municipality. Provided, however, and notwithstanding the provisions of any law to the contrary, the county board and the governing body of any town or city within the county shall have authority to contract for the service of such process and warrants by the police officers of such town or city within their respective boundaries upon such terms and conditions as may be agreed upon between the parties and approved by a majority of the judges of the court. Upon execution of such agreements, a copy thereof shall be delivered to the sheriff who may thereafter deliver for service the process and warrants to the local police officers for service pursuant to the terms of such agreement.

**Subd. 2. Service of papers.** No bailiff shall serve or receive for service any summons or other paper in any forcible entry, unlawful detainer or civil action until the complaint has been filed with the court administrator. The bailiff to whom a summons or other paper is delivered for service shall make a prompt return to the court administrator showing whether or not it has been served and if not served the reason therefor.

**Subd. 3. Fees and mileage.** The fees and mileage of bailiffs in civil actions and actions of forcible entry and unlawful detainer are the same as those payable to the sheriff of Hennepin county for like services for district court actions. The fees and mileage for all other services of bailiffs shall be fixed by rules promulgated by a majority of the judges. The fee provided for by

chapter 349 of the Laws of 1953 is not payable. No fees or mileage are payable by the state, county or city to bailiffs for their services, except that the county may pay bailiffs for automobile mileage within the limits provided by law when the bailiffs furnish automobiles for use in the performance of their duties. Bailiffs shall make returns showing their fees and mileage after performing such services. The amount of the bailiffs' fees and mileage is payable to the sheriff in advance.

**Subd. 4. Compensation; gratuities.** Except as provided in subdivision 3 above, such bailiffs shall be paid for their services only the compensation payable to them by the county as bailiffs. If any fee, gratuity, or reward is paid to any bailiff for services while on duty as a bailiff of the court, the bailiff shall forthwith pay it over to the court administrator for the use of the county. Failure to do so is a misdemeanor and is punishable by a fine not exceeding \$100, or by imprisonment in the county jail or city workhouse for not more than 30 days.

**Subd. 5. Transportation of defendants.** The sheriff of Hennepin county shall transport defendants pursuant to rules promulgated by the court and orders of the court.

**MINN. STAT. § 488A.119. BAILIFFS, DEPUTY COURT ADMINISTRATORS AND LAW CLERKS; APPOINTMENT, TENURE; OATH AND BOND; SALARIES (HENNEPIN COUNTY)**

A majority of the judges may appoint an individual or individuals to perform the function of court room bailiff, deputy court administrator and law clerk or any combination thereof. The appointment may be terminated by a majority of the judges without hearing or notice. A majority of the judges may establish requirements as to oath and bond. The salary or salaries of said individual or individuals shall be set by the Hennepin county board of commissioners and shall be paid by the Hennepin county treasurer.

**MINN. STAT. § 488A.20. ADMINISTRATOR; OTHER EMPLOYEES (RAMSEY COUNTY)**

**Subdivision 1. Appointment, term, removal, suspension.** (a) A majority of the judges shall appoint an administrator of the court.

(b) The court shall have employees, consisting of those persons employed in the municipal courts of the cities of New Brighton, Roseville, Maplewood, North Saint Paul, White Bear Lake and Saint Paul, as of December 31, 1974.

(c) Additional employees may be appointed by the administrator with the approval of the majority of the judges when the county board consents to the creation of such new positions.

(d) The administrator and other employees of the court, exclusive of court reporters, shall each be appointed for a term of six years from the date of appointment. At any time within six months from the date of initial appointment, each may be removed and the appointment terminated, with or without cause and without notice or hearing, by the appointing official or officials. At any time, each may be suspended by the appointing official or officials without pay

for a period not to exceed 30 days with or without cause pending a hearing for removal and termination of appointment for cause before the appointing official or officials.

(e) The administrator and all other employees of the court shall be in the unclassified service of the county of Ramsey.

NOTE: The 1969 amendment deleted specified number of deputy and assistant clerks, substituting "employees and other necessary employees as are presently employed", eliminated "bailiffs", and added clause (e) in subd. 1; eliminated "bailiffs" and substituted "other necessary employees", added clause (d) in subd. 3; added clause (d) in subd. 4; added clause (c) in subd. 5; equated salary to that of the clerk of Ramsey district court but not to exceed \$17,000, relettered former clause (c) as (b), deleted provision that bailiffs' salaries be same as city patrolmen, authorized clerk to set deputy and assistant clerks' salaries with council approval and deleted provision that even though council designated assistant clerks by different title, they continued to act as assistant clerks of court in subd. 6.

## **CONTROL OF THE COURTROOM**

The judge and the bailiff share joint responsibility for maintaining order in the courtroom. This responsibility extends to all aspects of courtroom behavior and all persons within the courtroom, and the judge and bailiff should be aware of their responsibilities and trained in exercising proper control. In particular, when exercising extraordinary means of control, such as criminal contempt, or binding or gagging obstreperous defendants, the judge must be very aware of the limitations on the use of such authority. The judge should review Chapter 11 of the Criminal Benchbook for such things as restrictive orders on public presence and control of the media prior to trial, in addition to contempt, obstreperous defendants and witnesses and separation and sequestration of juries..

### **MINN. GEN. R. PRAC., TITLE I. RULES APPLICABLE TO ALL COURT PROCEEDINGS, RULE 2.01. BEHAVIOR AND CEREMONY IN GENERAL**

**(a) Acceptable Behavior.** Dignity and solemnity shall be maintained in the courtroom. There shall be no unnecessary conversation, loud whispering, newspaper or magazine reading or other distracting activity in the courtroom while court is in session.

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**(c) Formalities in Opening Court.** At the opening of each court day, the formalities to be observed shall consist of the following: court personnel shall direct all present to stand, and shall say clearly and distinctly:

Everyone please rise! The District Court of the \_\_\_\_\_ Judicial District, County of \_\_\_\_\_, State of Minnesota is now open. Judge \_\_\_\_\_ presiding. Please be seated.

(Rap gavel or give other signal immediately prior to directing audience to be seated.)

At any time thereafter during the day that court is reconvened court personnel shall give warning by gavel or otherwise, and as the judge enters, cause all to stand until the Judge is seated.

(The above rule (to) or (to not) apply to midmorning and mid-afternoon recesses of the court at the option of the judge.)

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**(e) Court Personnel.** Court personnel shall maintain order as litigants, witnesses and the public assemble in the courtroom, during trial and during recesses. Court personnel shall direct them to seats and refuse admittance to the courtroom in such trials where the courtroom is occupied to its full seating capacity.

**MINN. R. GEN. PRAC. TITLE II, PART H. MINN. CIV. TRIALBOOK. SECTION 10.**

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**(k) Policy Against Indication as to Testimony.** Persons in the courtroom shall not indicate by facial expression, shaking of the head, gesturing, shouts or other conduct disagreement or approval of testimony or other evidence being given, and counsel shall so instruct parties they represent, witnesses they call, and persons accompanying them.

**(l) Policy on Approaching the Bench.** Except with approval of the court, persons in the courtroom shall not traverse the area between the bench and counsel table, and counsel shall so instruct parties they represent, witnesses they call, and persons accompanying them.

**MINN. R. GEN. PRAC., TITLE VIII, RULES RELATING TO CRIMINAL MATTERS, RULE 704. TIMELY APPEARANCES**

Once the non-felony arraignment court calendar has convened, no lawyer shall approach the courtroom clerk or the court. Any lawyer appearing late must notify the bailiff in the courtroom of his or her presence. The bailiff will then transmit the information to the court and the case will be called by instruction of the presiding judge.

**MINN. STAT. § 588.01. CONTEMPTS**

**Subdivision 1. Kinds.** Contempts of court are of two kinds, direct and constructive.

**Subd. 2. Direct.** Direct contempts are those occurring in the immediate view and presence of the court, and arise from one or more of the following acts:

(1) Disorderly, contemptuous, or insolent behavior toward the judge while holding court, tending to interrupt the due course of a trial or other judicial proceedings;

(2) A breach of the peace, boisterous conduct, or violent disturbance, tending to interrupt the business of the court.

## MINN. STAT. § 588.20. CRIMINAL CONTEMPTS

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**Subd. 2. Misdemeanor contempt.** Every person who commits a contempt of court, of any one of the following kinds, is guilty of a misdemeanor:

(1) disorderly, contemptuous, or insolent behavior, committed during the sitting of the court, in its immediate view and presence, and directly tending to interrupt its proceedings, or to impair the respect due to its authority;

(2) behavior of like character in the presence of a referee, while actually engaged in a trial or hearing, pursuant to an order of court, or in the presence of a jury while actually sitting for the trial of a cause, or upon an inquest or other proceeding authorized by law;

(3) breach of the peace, noise, or other disturbance directly tending to interrupt the proceedings of a court, jury, or referee;

(4) willful disobedience to the lawful process or other mandate of a court other than the conduct described in subdivision 1;

(5) resistance willfully offered to its lawful process or other mandate other than the conduct described in subdivision 1;

(6) contumacious and unlawful refusal to be sworn as a witness, or, after being sworn, to answer any legal and proper interrogatory;

### **Comment on Direct Contempt**

**[With thanks to Judge Bernard Boland and Judge Bruce Christopherson]**

#### ***ELEMENTS OF DIRECT CONTEMPT:***

- ? **Intentional Misbehavior** - Disorderly, contemptuous or insolent behavior directly tending to interrupt the court's proceedings or the respect due its authority, or unlawful refusal to be sworn as a witness or testify. Contemnor may invoke the Fifth Amendment right against self-incrimination. Estate of Stollmeyer, 580 N.W.2d 58 (Minn. Ct. App. 1998)
- ? **Before the Court** - The act or refusal to act must be committed in the physical presence of the judge.
- ? **Witnessed by the Judge** - All of the relevant facts must be witnessed by the judge.
- ? **Criminal Offenses** - In Minnesota, all direct contempts are recognized as criminal contempt.

**EXAMPLES:**

- ? **Direct** - Disorderly conduct in court; refusal to testify. State v. Tatum, 556 N.W.2d 541 (Minn. 1996).
  
- ? **Not direct** - Attorney's tardiness was not a direct contempt because the excuse was not within the personal knowledge of the judge. Knadjek v. West, 278 Minn. 282, 153 N.W.2d 846 (1967). Nor was the act of perjury, Welfare of E.J.B. 466 N.W.2d 768 (Minn. Ct. App. 1991) or lying at sentencing, State v. Garcia, 481 N.W.2d 133 (Minn. Ct. App. 1992).

**SUMMARY PUNISHMENT PROCEDURE:**

- ? Where disruption or disorderly conduct occurs in the courtroom during trial or hearings the court may summarily punish. (Note that the court may elect to proceed by summary punishment or treat the contempt as a constructive punitive (criminal) contempt. If the court treats the matter as constructive punitive, the judge must recuse and the matter must be heard before another judge.) Disruption is not an essential element for summary punishment. Refusal to testify is sufficient for a finding of direct contempt and summary punishment. See In re Armentrout, 480 N.W.2d 685 (Minn. Ct. App. 1992).
  
- ? Use of summary punishment must be restrained and only those punitive measures necessary to restore or maintain in the courtroom may be used. State v. Laarhoven, 90 Wis. 2d 67, 279 N.W.2d 488 (1979). Warnings or other sanctions should be considered before proceeding to summary proceedings. Multiple refusals to testify at a single trial may be a basis for only a single punishment. In re Armentrout, *supra*.
  
- ? The decision should usually be made immediately, or as soon as order is restored, but no later than immediately after the end of the trial. State v. Martin, 555 N.W.2d 899 (Minn. 1996). If the courts waits until a time after the trial, the court must recuse itself and the defendant is entitled to a trial before another judge on the contempt issue as a constructive contempt. Mayberry v. Pennsylvania, 400 U.S. 455, 91 S.Ct. 499, 27 L.Ed.2d 532.
  
- ? When imposing summary punishment, the judge should excuse the jury and read the pertinent facts into the record using dispassionate and unemotional language. There is no requirement for a fact hearing.
  
- ? The contemnor need not be allowed to speak and the judge should not enter into an exchange with him or her. If the contemnor is an attorney and the contempt may be subject to future disciplinary proceedings, the contemnor should be given the opportunity to make a record, but not until the court has imposed sentence.

- ? A contempt sentence, like any other criminal sentence, may be stayed or suspended until the conclusion of the trial. This is an option that should be strongly considered, especially if immediate execution of the sentence would compel a mistrial.
- ? The maximum presumptive penalty is 90 day in jail and a \$700.00 fine. The appellate court will review all contempt orders to insure that they are not arbitrary, capricious, or oppressive.

## **MINN. RULES CRIM. PROC., RULE 26.03. PROCEDURES DURING TRIAL**

### **Subd. 1. Presence of Defendant.**

(1) *Presence Required.* The defendant shall be present at the arraignment, at the time of the plea, at every stage of the trial including the impaneling of the jury and the return of the verdict, and at the imposition of sentence, except as otherwise provided by these rules. If the defendant is handicapped in communication, a qualified interpreter for that defendant shall also be present at each of these proceedings.

(2) *Continued Presence Not Required.* The further progress of a trial to and including the return of the verdict shall not be prevented and the defendant shall be considered to waive the right to be present whenever:

1. A defendant voluntarily and without justification absents himself or herself after trial has commenced; or
2. A defendant after warning engages in conduct which is such as to justify being excluded from the courtroom because it tends to interrupt the orderly procedure of the court and the due course of the trial. As an alternative to exclusion, the court may use all such methods of restraint as will ensure the orderly procedure of the court and the due course of the trial.

(3) *Presence Not Required.* A defendant need not be present in the following situations:

1. A corporation may appear by counsel for all purposes;
2. In the case of felonies and gross misdemeanors, on defendant's motion, the court may excuse the defendant from attendance at any proceeding except arraignment, plea, trial, and imposition of sentence; and
3. In prosecutions for misdemeanors, the court shall permit arraignment and plea in the defendant's absence if the court is satisfied that the defendant has knowingly and voluntarily waived the right to be present. The court with the written consent of the defendant, or the defendant's oral consent in open court, may permit trial, and imposition of sentence in the defendant's absence.
4. The court in its discretion and upon agreement of the defendant may allow the participation by telephone of one or more parties, counsel, or the judge in any proceedings in which the defendant would otherwise be permitted to waive personal appearance under these rules.

### **Subd. 2. Custody and Restraint of Defendants and Witnesses.**

- a. During the trial the defendant shall be seated so as to effectively consult with defense counsel and to see and hear the proceedings.

b. An incarcerated defendant or witness shall not appear in court in the distinctive attire of a prisoner.

c. Defendants and witnesses shall not be subjected to physical restraint while in court unless the trial judge has found such restraint reasonably necessary to maintain order or security. A trial judge who orders such restraint, shall state the reasons on the record outside the presence of the jury. Whenever physical restraint of a defendant or witness occurs in the presence of jurors trying the case, the judge shall on request of the defendant instruct those jurors that such restraint is not to be considered in assessing the proof and determining guilt.

**Subd. 3. Use of Courtroom.** Whenever appropriate in view of the notoriety of the case or the number or conduct of news media representatives present at any judicial proceeding, the court shall ensure the preservation of decorum by instructing those representatives and others as to the permissible use of the courtroom and other facilities of the court, the assignment of seats to news media representatives on an equitable basis, and other matters that may affect the conduct of the proceeding.

### **Comment on Binding, Gagging, and Removal of Criminal Defendants** **[Judge's Criminal Benchbook]**

**GENERALLY:** The accused has the right to be present at every stage of the trial. U.S. Const. amend. VI, XIV; Minn. Const. art. 1, § 6; Illinois v. Allen, 397 U.S. 337 (1970). The accused, however, does not have the right to disrupt the trial. Therefore, appropriate steps may be taken to assure that orderly process of trial. State v. Stewart, 276 N.W.2d 51 (Minn. 1979).

- ? **Every Stage of Trial** - The right to be present extends to every stage of trial: arraignment, omnibus hearing, impaneling the jury, trial, and sentencing. Minn. R. Crim. P. 26.03, subd. 1(1); State v. Terrell, 283 N.W.2d 529 (Minn. 1979); State v. Grey, 256 N.W.2d 74 (Minn. 1977). The right to be present at every critical stage of the trial does not include in-chamber conferences on matters of law. State v. Holmes, 374 N.W.2d 457 (Minn. Ct. App. 1985).
- ? **Freedom From Restraint** - Encompassed in the right to a fair trial is the right to be present free of physical restraints. State v. Stewart, *supra*; State v. Coursolle, 255 Minn. 384, 97 N.W.2d 472 (1959).
- ? **Waiver** - Both the right to be present and the right to be unrestrained may be waived by the defendant. Minn. R. Crim. P. 26.03, subd. 1(2). Conduct may be the equivalent of waiver. Illinois v. Allen, *supra*; State v. Coursolle, *supra*. A defendant can waive the right to be present at closing argument, through absence. State v. Del Castillo, 411 N.W.2d 602 (Minn. Ct. App. 1987).
- ? **Reinstating the Rights** - Once these rights have been waived, the defendant may regain them by giving assurance of willingness to behave consistently with the decorum and respect inherent in the concept of courts and judicial proceedings. Illinois v. Allen, *supra*.

NOTE: The Minnesota Supreme Court has adopted the majority view that a defendant's disruptive conduct is not grounds for a mistrial. State v. Shiue, 326 N.W.2d 648 (Minn. 1982) (no mistrial required after defendant attacked witness in court, cutting her face with a knife).

### ***OBSTREPEROUS DEFENDANT***

- ? **Preferred practice** - The trial court issues a warning before instituting any sanctions. If the warning is not effective, the court should then use sanctions of increasing severity. (Restraints and gagging are considered the most severe sanctions.) State v. Stewart, *supra*; State v. Ware, 498 N.W. 2d 454 (Minn. 1993).

CONTEMPT WARNING: Recalcitrant defendants should be warned that they may be criminally liable for contumacious behavior. Criminal contempt is a misdemeanor. Minn. Stat. § 588.20.

- ? **Options** - There are three constitutionally permissible ways to handle an obstreperous defendant:

- (1) Contempt (See above);
- (2) Removal (See below);
- (3) Physical restraints. Illinois v. Allen, *supra*; State v. Stewart, *supra*.

- ? **Removal** - If a defendant, after warning, engages in conduct which interrupts the orderly procedure of the court and due course of the trial, the defendant may be removed from the courtroom. Minn. R. Crim. P. 26.03, subd. 1(2) 2. State v. Jones, 247 N.W.2d 427 (Minn. 1976); State v. McRae, 371 N.W.2d 66 (Minn. Ct. App. 1985) (continuous interruption of prosecutor's argument is ground for removal).

#### THE DEFENDANT SHOULD:

- ◆ Be required to be present in the court building while the trial is in progress;
- ◆ Be given the opportunity of learning of the trial proceedings through defense counsel at reasonable intervals; and
- ◆ Be given a continuing opportunity to return to the courtroom during the trial upon assurance from the defendant of good behavior. The defendant should be summoned to the courtroom at appropriate intervals and invited to remain, with the offer to remain repeated in open court each time.

See IABA Standards for Criminal Justice, 6-38 (2nd ed. 1980).

? **Physical Restraints** - The court may use all such methods of restraint as will ensure the orderly procedure of court and the due course of the trial. Minn. R. Crim. P. 26.03, subd. 1(2)2.

PROCEDURE: The defendant shall be subject to physical restraint only if the trial court has found such restraint reasonably necessary to maintain order or security. If the trial judge orders restraints, the judge should state the reasons on the record outside the presence of the jury. State v. Hogetvedt, 488 N.W. 2d 487 (Minn. Ct. App. 1992). State v. Lehman, 511 N.W.2d 1 (Minn. 1994). Whenever physical restraint of a defendant or witness occurs in the presence of jurors trying the case, the judge shall on request of the defendant instruct the jurors that such restraint is not to be considered in assessing the proof and determining guilt. Minn. R. Crim. P. 26.03, subd. 2c. State v. Stewart, 276 N.W.2d 51 (Minn. 1979), states the Minnesota Supreme Court's position:

- (1) Restraints should not be ordered unless eminently necessary (shackling should be virtually a matter of last resort), and
- (2) Once this necessity has been shown, only those restraints which are reasonable and least coercive under the circumstances should be imposed.

FACTORS: In State v. Stewart, supra, the Supreme Court stated the following factors should be weighed:

- (1) The seriousness of the present charge against the defendant;
- (2) Defendant's character and temperament;
- (3) Defendant's age and physical attributes;
- (4) Past escapes or attempts and evidence of a present plan to escape;
- (5) Defendant's past record;
- (6) Threats to harm others or cause a disturbance;
- (7) Self-destructive tendencies;
- (8) The risk of mob violence or of attempted revenge by others;
- (9) The possibility of rescue by other offenders still at large;
- (10) The size and mood of the audience;
- (11) The nature and physical security of the courtroom; and
- (12) The adequacy and availability of alternative remedies.

#### **APPLICATIONS:**

- (1) Immediate necessity for the shackling is required. State v. Coursolle, supra.
- (2) Actual misconduct is unnecessary: threat of misconduct is sufficient. State v. Jones, 311 Minn. 176, 247 N.W.2d 472 (1976).
- (3) Where security measures require it, there is no impropriety in bringing a defendant to court in manacles, provided appropriate steps are taken to minimize the defendant's exposure to the jury's view and the handcuffs are removed before entering the courtroom. State v. Klinkert, 271 Minn. 548, 136 N.W.2d 399 (1965); see State v. Scott, 323 N.W.2d 790 (Minn. 1982) (trial court justified in requiring defendant to wear leg restraints, except when testifying, where the restraints were not visible to jury).

**DISRUPTIVE WITNESS:** The right to a fair trial includes the right to have witnesses appear unmanacled. State v. Coursolle, supra. However, this right may give way to interests of security and an orderly presentation of trial.

? **Restraining Witnesses** - The considerations listed above for restraining the defendant have equal force with respect to restraining witnesses. Minn. R. Crim. P. 26.03, subd. 2c; State v. Stewart, supra.

? **Transporting Witness** - Incarcerated witnesses may be brought to court in manacles. Appropriate steps must then be taken to minimize the jury's exposure to the restraint. The cuffs should be removed before the witness enters the jury's presence. State v. Klinkert, supra; accord, State v. Coursolle, supra.

**CAVEAT: SECURITY MEASURES:** The use of special security measures such as metal detectors and frisks of people could prejudice a defendant's right to a fair trial by creating an atmosphere indicative of guilt or inconsistent with the presumption of innocence. Thus, where there is a possible threat to the security of the courtroom, the trial court should, after consulting with counsel: 1) Take a particular course of action only if it is reasonably necessary; and 2) should do everything possible to minimize the danger of prejudice. State v. Aguilar, 352 N.W.2d 395, 397 (Minn. 1984) (defendant searched in presence of jury; no prejudice where jurors also searched, cautionary instruction given, and evidence of guilt strong). The presence of uniformed state troopers at a criminal trial (to supplement the regular security force) in the front row of the spectators' section is not necessarily unconstitutional. Holbrook v. Flynn, 475 U.S. 560, 106 S.Ct. 1340 (1986) (issue is prejudice-whether inherent or actual; not shown in this case).

## CONTROL OF THE JURY

### MINN. GEN. R. PRAC., RULE 2.01. BEHAVIOR AND CEREMONY IN GENERAL

\*\*\*

**(d) The Jury.** Jurors shall take their places in the jury box before the judge enters the courtroom. Court personnel shall assemble the jurors when court is reconvened.

When a jury has been selected and is to be sworn, the presiding judge or clerk shall request everyone in the courtroom to stand.

\*\*\*

**(g) Manner of Administration of Oath.** Oaths and affirmations shall be administered to jurors and witnesses in a slow, clear, and dignified manner. Witnesses should stand near the bench, or witness stand as sworn. The swearing of witnesses should be an impressive ceremony and not a mere formality.

**MINN. R. GEN. PRAC. TITLE II, PART H. MINN. CIV. TRIALBOOK. SECTION 12. EXHIBITS**

\*\*\*

**(f) When Exhibits to be Given to Jurors.** Exhibits admitted into evidence, subject to cursory examination, such as photographs and some other demonstrative evidence, may be handed to jurors only after leave is obtained from the court.

Other exhibits admitted into evidence, not subject to cursory examination, such as writings, shall not be handed to jurors until they retire to the jury room upon the cause being submitted to them. If a party contends that an exhibit not subject to cursory examination is critical and should be handed to jurors in the jury box during the course of the trial, counsel shall request leave from the court. Such party shall be prepared to furnish sufficient copies of the exhibit, if reasonably practicable, for all jurors in the event such leave is granted; and upon concluding their examination, the jurors should return the copies to the bailiff. In lieu of copies, and if reasonably practicable, enlargements or projections of such exhibits may be utilized. The court may permit counsel to read short exhibits or portions of exhibits to the jury.

**(g) Exhibits Admitted in Part.** If an exhibit admitted into evidence contains some inadmissible matter, e.g., a reference to insurance, excluded hearsay, opinion or other evidence lacking foundation, the court, outside the hearing of the jury, shall specify the excluded matter and withhold delivery of such exhibit to the jurors unless and until the inadmissible matter is physically deleted.

Such redaction may be accomplished by photocopying or other copying which deletes the inadmissible portions, and in such event, the proponent of such exhibit shall prepare and furnish a copy.

If redaction by such copying is not accomplished, the parties shall seek to reach a stipulation as to other means; and failing so to do, the admissible matter may be read into evidence with leave of the court.

**(h) Evidence Admitted for a Limited Purpose.** When evidence is received for a limited purpose or against less than all other parties, the court shall so instruct the jury at the time of admission and, if requested by counsel, during final instructions.

**MINN. STAT. § 631.09. HOW AND WHERE THE JURY MUST BE KEPT WHILE DELIBERATING; REQUIRING SEPARATE ACCOMMODATIONS FOR JURORS**

At the close of the evidence and after the court has charged the jury, the jury may decide the case in court or retire for deliberation. If the jury cannot agree on a verdict without retiring, the court shall swear one or more officers to take charge of the jury. The jury must be kept together in some private and convenient place without food or drink except water unless ordered by the court. No person may be permitted to speak or communicate with any juror, unless by order of court, nor may a person listen to its deliberations. The jury must be returned to court upon agreeing on a verdict or when so ordered by the court. In case of mixed juries counties

shall provide adequate, separate quarters for male and female jurors with proper accommodations. If the county fails to provide proper accommodations, the court shall order the jurors to be housed in a suitable hotel for the night.

This section applies only if the jury has failed to agree.

## **MINN. RULES CRIM. PROC., RULE 26.03. PROCEDURES DURING TRIAL**

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### **Subd. 5. Sequestration of the Jury.**

(1) *In the Discretion of the Court.* During the period from the time the jurors are sworn until they retire for deliberation upon their verdict, the court, in its discretion, may either permit them and any alternate jurors to separate during recesses and adjournments or direct that they be continuously kept together during such period under the supervision of proper officers. With the consent of the defendant the court, in its discretion, may allow the jurors to separate over night during deliberation. The officers shall not speak to or communicate with any juror concerning any subject connected with the trial nor permit any other person to do so, and shall return the jury to the courtroom at the next designated trial session.

(2) *On Motion.* Either party may move for sequestration of the jury at the beginning of trial or at any time during the course of the trial. Sequestration shall be ordered if it is determined that the case is of such notoriety or the issues are of such a nature that, in the absence of sequestration, highly prejudicial matters are likely to come to the attention of the jurors. Whenever sequestration is ordered, the court in advising the jury of the decision shall not disclose which party requested sequestration.

### **Comment on Jury Separation [Judge's Criminal Benchbook]**

**SEPARATION:** Once the case is submitted to the jury, the jury must be kept together under the charge of an officer of the court and separated from others until returned into court when they have agreed upon a verdict or when ordered by the court. Minn. Stat. § 631.09. The officer should be charged as provided in Minn. Stat. § 358.07(5).

? **Separation Upon Consent of Defendant** - With the consent of the defendant, the court in its discretion may allow the jurors to be sent home overnight during deliberations. Minn. R. Crim. P. 26.03(5); State v. Harris, 333 N.W.2d 873 (Minn. 1983), State v. Sanders, 355 N.W.2d 200 (Minn. Ct. App. 1984). The jury should be sequestered if it recesses overnight during deliberations unless the defendant consents to separation. However, a violation of this rule does not raise a presumption of prejudice. State v. Anderson, 379 N.W.2d 70 (Minn. 1985); State v. Sanders, 376 N.W.2d 196 (Minn. 1985).

**VOIR DIRE:** Where jurors are allowed to separate, the trial court should conduct a brief voir dire of the jury the next morning to determine if there was any information

concerning the case conveyed to jurors by any means. If any information was transmitted, the court should weigh its effect on that juror or jurors. State v. Sanders, supra.

CAVEAT: The presence of counsel is required at all critical stages of a criminal proceeding; voir dire has been held to be a critical stage. See State v. McGath, 352 N.W.2d 36 (Minn. Ct. App. 1984) (exclusion of defense counsel during questioning of juror to determine possible actual bias is reversible error).

PRESUMPTION OF PREJUDICE: Mere separation of the jury during deliberations does not raise a presumption of prejudice. Prejudice will be presumed, however, upon a showing of any private communication or contact or any other circumstances suggestive of improper influence or jury tampering. Once this presumption arises, the state bears the burden of overcoming the presumption even though defense counsel consented to the separation. State v. Sanders, 376 N.W.2d 196 (Minn. 1985); State v. Anderson, supra (no Sanders- type prejudice found).

### **Comment on Jury Communication [Judge's Criminal Benchbook]**

**COMMUNICATIONS TO JURY:** No communications to the deliberating jury may be made by anyone other than the officer in charge of the jury and then only upon order of the court. Minn. Stat. § 631.09.

- ? **Judges are included within Minn. Stat. § 631.09** - In a criminal case, any communication relating to the case occurring during the trial judge's uninvited entry into the jury room during deliberations and in the absence of defendant and counsel constitutes reversible error. State v. Mims, 306 Minn. 159, 235 N.W.2d 381(1975). Substantive communication by a court officer to jury without the trial court's consent is presumptively prejudicial and reversible error. State v. Jurek, 376 N.W.2d 233 (Minn. Ct. App. 1985) (bailiff answered deliberating jury's question regarding re-reading of testimony; found to be improper).
  
- ? **Inquiry Regarding Deliberations** - If practical considerations make it necessary for the court to determine how much longer the jury will deliberate (i.e., overnight, through a meal, etc.), the court should recall the jury to the courtroom and direct the jury foreperson to poll the jury in private in the jury room, and return and inform the judge whether a majority does or does not believe a verdict can be reached by a certain time. State v. Mims, supra; State v. Olson, 258 N.W.2d 898 (Minn. 1977). Coercion of jury to reach a verdict is a ground for reversal of conviction. State v. Holly, 350 N.W.2d 387 (Minn. Ct. App. 1984); State v. Vann, 372 N.W.2d 750 (Minn. Ct. App. 1985) (no coercion; solicitous concern for jury demonstrated). It is improper for a judge upon inquiring into deliberations, to comment negatively on the failure of a juror to vote. See Holmes v. State, 394 N.W.2d 818 (Minn. Ct. App. 1986) (jury not coerced to reach a verdict).

CAVEAT: The above inquiry could result in reversible error if the answer discloses the numerical division of the jury. One court's solution is to explain to the jury foreperson that the court is asking questions the answer to which might reasonably be expected to disclose the numerical division of the jury and direct the foreperson to advise the court only that a majority of the jury believes a verdict can be reached or a majority does not. See People v. Luther, 53 Mich. App. 648, 219 N.W.2d 812 (1974) cited with approval in State v. Mims, supra. But see Holmes v. State, supra, in which judge was told numerical count of verdict; appeals court did not address issue.

? **Possibility of Sequestration** - Comments alerting jury to the possibility of sequestration are proper. State v. True, 378 N.W.2d 45 (Minn. Ct. App. 1985) (permissible to tell jurors that if case ends tomorrow, they will be sequestered tomorrow); State v. Vann, 372 N.W.2d 750 (Minn. Ct. App. 1986).

? **Presence of Parties** - All communication must be done in the courtroom and in the presence of the attorneys and the defendant. State v. Mims, supra. This right may be waived by the defendant. Minn. R. Crim. P. 26.03, subd. 1(2).

NOTE: All notes from the jury and all response of the court to the jury should be made a part of the record.

? **Information After Retirement**

ADDITIONAL INSTRUCTIONS: After beginning deliberations, the jury may request additional instruction by the court. If so, the jurors, after notice to the prosecutor and defense counsel, shall be conducted to the courtroom and be given appropriate instructions. Minn. R. Crim. P. 26.03, subd. 19(3)1. The judge should be available for questions from the jury during deliberations. State v. Jurek, supra. **(Note that the recommended procedure for jury requests is for the jury foreperson to submit the request in writing to the bailiff who shall pass it on to the judge.)**

DISCRETION TO BALANCE INSTRUCTIONS: The court need not give additional instructions beyond those specifically requested by the jury, but in its discretion the court may give or repeat other instructions to avoid giving undue prominence to the requested instructions. Minn. R. Crim. P. 26.03, subd. 19 (3)2. See, e.g., State v. Dodis, 314 N.W.2d 233, 238-239 (Minn. 1982) (court responded to jury's specific questions regarding the defense of mental illness by rereading the instruction it had given earlier).

AT COURT'S MOTION: The court, after notice to the prosecutor and defense counsel, may recall the jury after it has retired and give any additional instructions as the court deems appropriate. Minn. R. Crim. P. 26.03, subd. 19(3)3.

? **Deadlocked Jury** - Partial verdicts and discharge of jury are discussed in VERDICT, 8-32, supra.

- ? **Preventative Instruction** - The trial court should give the instruction approved in State v. Martin, 297 Minn. 359, 211 N.W.2d 765 (1973), as part of its original instructions, thereby forewarning the jury how it should proceed to forestall a deadlock.
- ? **After Apparent Deadlock** - The Minnesota Supreme Court has expressly disapproved the Allen "dynamite" charge, Allen v. United States, 164 U.S. 492 (1896), or instructions designed solely to coax the undecided jury toward a verdict. State v. Martin, *supra*. The court has, however, held that it was not prejudicial error to give the Martin instruction for the first time when the jury appeared to be deadlocked where the instruction was balanced and was neither intended to nor likely to coerce a verdict. State v. Packer, 295 N.W.2d 266 (Minn. 1980).
- THE MARTIN CHARGE: Before the jury retires for deliberation, the court may give an instruction which informs the jury that:
- (1) in order to return a verdict, each juror must agree thereto;
  - (2) jurors have a duty to consult with one another and to deliberate with a view to reaching an agreement, if it can be done without violence to individual judgment;
  - (3) each juror must decide the case, but only after an impartial consideration of the evidence with fellow jurors;
  - (4) in the course of deliberations, a juror should not hesitate to reexamine own views and change opinion if convinced it is erroneous; and
  - (5) no juror should surrender an honest conviction as to the weight or effect of the evidence solely because of the opinion of fellow jurors, or for the mere purpose of returning a verdict.
- ? **Jury Requests to Review Evidence** - The court may respond to a jury's request to review certain testimony. Minn. R. Crim. P. 26.03, subd. 19(2). Whether or not to grant a jury's request for a reading of trial testimony is within the discretion of the trial court [State v. Daniels, 332 N.W.2d 172 (Minn. 1983) (rejecting the ABA rule that requires that any reasonable request be granted); State v. Scott, 277 N.W.2d 659 (Minn. 1979)], but a categorical refusal to honor any such request is an abuse of discretion. State v. Spaulding, 296 N.W.2d 870 (Minn. 1980).
- ? **Narrowing a Request** - The court, instead of denying a request, may attempt to narrow the request to an acceptable level of testimony. See State v. Scott, *supra*; State v. Spaulding, *supra*.
- ? **Balancing Testimony** - The court need not submit evidence to the jury for review beyond that specifically requested by the jury, but in its discretion the court may also have the jury review other evidence relating to the same factual issue so as not to give undue prominence to the evidence requested. Minn. R. Crim. P. 26.03, subd. 19(2)2. Note, however, that it has been held that it is impermissible and prejudicial to omit portions of the selected testimony during the reading to the jury where the portions

omitted were those supporting defendant's case. See State v. Lubenow, 310 N.W.2d 52, 58 (Minn. 1981).

? **Procedures** - The jurors shall be conducted to the courtroom. The court, after notice to the prosecutor and defense counsel, may have the requested parts of the testimony read to the jury and permit the jury to re-examine the requested materials admitted into evidence. Minn. R. Crim. P. 26.03, subd. 19(2)1. State v. Krauschaar, 470 N.W.2d 509 (Minn. 1991).

CAVEAT: STRICKEN TESTIMONY: The reading of testimony to the jury has been held impermissible and prejudicial where it contained testimony which was stricken from the record. See State v. Lubenow, supra.

**State of Minnesota**

**District Court**

County \_\_\_\_\_

Judicial District: \_\_\_\_\_

Time and Date of Incident \_\_\_\_\_ (a.m.) (p.m.) \_\_\_\_\_, \_\_\_\_\_

Location: \_\_\_\_\_

**Court Security Incident Reporting Form**

- A. Was there a weapon involved?     \_\_\_ Yes   \_\_\_ No
- B. Were any threats made?           \_\_\_ Yes   \_\_\_ No
- C. Was anyone in fear of being harmed? \_\_\_ Yes   \_\_\_ No
- D. Was an assault committed?       \_\_\_ Yes   \_\_\_ No
- E. Was anyone injured?             \_\_\_ Yes   \_\_\_ No
- F. Was law enforcement notified?   \_\_\_ Yes   \_\_\_ No
- G. Were any hostages involved?     \_\_\_ Yes   \_\_\_ No
- H. Were any arrests made?          \_\_\_ Yes   \_\_\_ No

Statement of Facts: (Please explain any "yes" answers. Attach additional sheets if necessary.) \_\_\_\_\_

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

Persons Involved in the incident: \_\_\_\_\_

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

Witnesses to the Incident: \_\_\_\_\_

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

\_\_\_\_\_  
Name of Person Preparing Report

\_\_\_\_\_  
Date of Report

Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Copies of this form should be sent to the local sheriff's department and to:

Special Agent in Charge  
Judicial Security Incident Reporting  
Minnesota Bureau of Criminal Apprehension  
1246 University Avenue  
St. Paul, Minnesota 55104

# ***JUDICIAL PERSONNEL PROFILE***

Full Name:	
Title:	
Office Address:	Office Telephone:
Home Address:	Home Telephone:
Regular Work Hours:	Days:
Number of Persons Residing at Home:	
<b>PHYSICAL DESCRIPTION</b>	
Height:	Weight:
Hair:	Eyes:
Scars, Glasses, Facial Hair, and Other Special Identifying Marks:	
Medical Conditions/Allergic Reactions:	
Medication Required/Intervals:	
Blood Type:	
<b>CONFIDENTIAL INFORMATION - RESTRICTED ACCESS</b>	
Page 1 of 3	

<i>PERSONAL/FAMILY PHYSICIANS</i>		
Doctor's Name:	Address:	Telephone:
Doctor's Name:	Address:	Telephone:
Languages Spoken:		
Regularly Scheduled Activities:		
Locations:		
Do You Own a Firearm?   YES   NO		
Location(s)?   Office   Residence   Cabin   Other		
<i>PERSONALLY OWNED VEHICLES</i>		
VEHICLE #1	VEHICLE #2	VEHICLE #3
Primary Driver(s):	Primary Driver(s):	Primary Driver(s):
License Plate/State:	License Plate/State:	License Plate/State:
Make:	Make:	Make:
Model:	Model:	Model:
Year:	Year:	Year:
Color:	Color:	Color:
Style:	Style:	Style:
<b>CONFIDENTIAL INFORMATION - RESTRICTED ACCESS</b>		Page 2 of 3

<b>RESIDENTIAL INFORMATION / FLOOR PLANS</b>	
Address:	Telephone:
Type of Residence: Single Family Residence Townhouse/Duplex Multi-Family Residence Apartment Other	Type of Neighborhood: Urban Suburban - <i>populated</i> Suburban - <i>secluded</i> Rural/Farm Resort/Vacation Other
Number of Floors:	Garage Door Opener: Yes No
Number of Entrances:	Number of Windows/Skylights:
Basement Access: Yes No	Roof Access to Residence: Yes No
<b>RESIDENTIAL ALARM SYSTEM</b>	
TYPE OF ALARM SYSTEM:	
Is it Operational?	YES NO
Does it Secure All Entrances?	YES NO
Does it Have Back-up Power?	YES NO
Does it Detect Smoke?	YES NO
Does it Detect Heat?	YES NO
Does it Alert the Police?	YES NO
Does it Alert the Fire Department	YES NO
Type(s) of Doors: Solid Wood Hollow Wood/Metal Screen Glass	
Type(s) of Door Locks: Dead-Bolt Dead-Latch Cylinder Chain Bar	
Miscellaneous Residential-Related Information:	
<b>CONFIDENTIAL INFORMATION - RESTRICTED ACCESS</b>	
Page 3 of 3	

# ***CHAPTER 2***

## ***COURT SECURITY MANAGEMENT AND DEVELOPMENT***

# ***COURT SECURITY COMMITTEES***

The Conference of Chief Judges has established a standing Court Security Committee for each district or county within the State of Minnesota.

***Court Security Committees should consist of the following persons or their designees:***

- Sheriff (*principal coordinator and co-chair*)
- Judicial Representative (*co-chair*)
- Court Administration Representative
- County Administration Representative
- Building Services Representative
- County/City Attorney
- Public Defender
- Probation Office Representative

***The Responsibilities of the Committee Include but Are Not Limited to:***

- Develop a Strategic Security Plan
- Assist in Developing Security Recommendations for Courthouse Renovation
- Ensure the Proper Dissemination of Court Security Information
- Develop Security Policies and Procedures (*see below samples re: Photographic, Telephonic and Recording Equipment and Court Order*)
- Recommend Site Appropriate Security Awareness Training
- Review and Assess Court Security Incidents
- Ensure the Uniform Reporting of Court Security Incidents
- Assist in the Determination and Allocation of Security Personnel
- Ensure that Facility, Staff and Equipment Surveys/Audits Are Conducted on a Regular Basis
- Ensure that Safety and Evacuation Plans are Properly Disseminated

**Photographic, Telephonic and Recording Equipment.** A judge of this court may authorize still or video photography of a ceremonial procedure in the courthouse. Cameras intended for *personal use*, that remain inoperative and unobtrusive at all times, may be brought into the courthouse. No other cameras, whether film, video, or any other photographic means, shall be permitted in the courthouse.

Sound recording devices, including telephonic devices, such as pagers and other sound receiving, transmitting or enhancement devices, may be brought into a courthouse, but must be inoperative and unobtrusive at all times they are in a courtroom or in any adjacent area where their operation could be disruptive to any judicial proceeding. The Sheriff or designee Court Security Officers are authorized to exclude from any courtroom, prohibit from any courthouse, or confiscate any devices the Sheriff has reason to believe violates this rule.

All electronic devices shall be subject to visual and/or electronic inspection by the Sheriff or designee Court Security Officers at any time, and such inspection may include a required demonstration by the person in possession that the item is functional.

# ***COURT ORDER***

**For the purpose of assisting in providing security in courthouses, offices situated therein, and courtrooms.**

IT IS HEREBY ORDERED that the Sheriff, Deputy Sheriff's, Police Officers, Court Security Officers, and contract security guards are hereby authorized to conduct searches of all bags, parcels, packages, sacks, valises, briefcases, or any other container attempted to be transported within any courthouse in this Judicial District, or within the areas of any other building where court or grand proceedings are conducted.

IT IS FURTHER ORDERED that anyone refusing to submit to such search shall be refused admission to the premises.

IT IS FURTHER ORDERED that no packages, bags, sacks, or other containers of any kind shall be allowed in any courtroom or other room where court or grand jury proceedings are being conducted at any time by anyone not in attendance on official business.

IT IS FURTHER ORDERED that except when to be used as an exhibit in an official proceeding, or when law enforcement officers are producing prisoners for appearances or providing court security services that no firearm or weapon (i.e. impact or edged weapons, chemical spray, etc.) shall be taken into a courtroom, except by the Sheriff and/or Police Officials and their Court Security Officers.

Firearms and other weapons to be used as exhibits shall be rendered safe by the case agent and checked for safety by the Sheriff or Police Officials before they are taken in a courtroom. Where the Sheriff or Police Officials are not available, the presiding judge may designate a suitable person to confirm that the exhibit has been rendered safe.

Dated: \_\_\_\_\_

BY THE COURT:

\_\_\_\_\_  
Chief Judge

# ***BUILDING SECURITY COMMITTEES***

Other than all courthouse agencies being represented, the responsibilities and goals of a *Building Security Committee* are considered identical to those of the *Court Security Committee*.

On June 28, 1995, the Department of Justice (DOJ) released the report *Vulnerability Assessment of Federal Facilities* which provided recommended minimum security standards and application to security levels of federal facilities (*i.e. federal buildings that house court operations are rated as Level IV facilities*), survey profiles of existing security conditions at federal facilities, and conclusions and recommendations. Recommendations center on the establishment of ***Building Security Committees*** to evaluate existing security at federal facilities and recommend and make improvements to meet the minimum standards identified in the reports.

*Building Security Committee Meetings* should be coordinated by the Courthouse Property Manager using the existing *Designated Official* and *Occupant Emergency Plan* (*see page 2.5*) organizational structures. These committees include but are not limited to those representative of non-court-related agencies. They should be considered critical to the security evaluation process and the implementation of long term enhancements designed to meet the minimum standards as identified and outlined in the report *Vulnerability Assessment of Federal Facilities*.

Where the courts and court support agencies are the sole occupants of a building, the district's *Court Security Committee* can serve the dual role/purpose of a *Building Security Committee*.

**It is recommended that the federal policy and procedures concerning *Building Security Committees* be adopted by county officials.**

It is extremely important that *Building* and *Court Security Committees* are aware of the others' planning and implementation schedules and how their interaction significantly affects courthouse security. A representative of the Sheriff and/or Police Department should be a regular attendee at all *Building Security Committee* meetings to ensure that the interests of security and the judiciary are being represented.

# ***COURTHOUSE PHYSICAL SECURITY CHECKLIST***

<b>LIGHTING</b>	Is the entire perimeter lighted?	YES	NO
	Are lights on all night?	YES	NO
	Lights are controlled:		
	■ <i>Automatically</i>	YES	NO
	■ <i>Manually</i>	YES	NO
	Are control switches secured?	YES	NO
	Do exterior/perimeter lights have an auxiliary power source?	YES	NO
	Excluding parking areas describe the lighting conditions of building grounds areas?		
	■ <i>Fully illuminated</i>	YES	NO
	■ <i>Partially illuminated</i>	YES	NO
■ <i>Not illuminated</i>	YES	NO	
Is the building exterior sufficiently lighted to discourage and observe unlawful entry and placement of explosive devices?	YES	NO	
Are public areas sufficiently lighted to discourage and detect assaults on persons?	YES	NO	
<b>PARKING AREAS</b>	Are parking area entrances and exits controlled by:		
	■ <i>Guard</i>	YES	NO
	■ <i>Controlled Access System</i>	YES	NO
	■ <i>Other</i> _____	YES	NO
	Is a courthouse parking area provided?	YES	NO
	Do reserved parking spaces block courthouse access to emergency vehicles?	YES	NO
	Is there reserved parking for judges?	YES	NO
	Is there reserved parking for jurors and witnesses?	YES	NO
	Does anyone else have reserved parking? Specify: _____	YES	NO
	Are parking spaces reserved by name?	YES	NO
Are parking spaces reserved by number?	YES	NO	
Is there direct judicial access from parking areas to restricted or security elevators and corridors?	YES	NO	

<b>LANDSCAPING</b>	Do landscaping features provide places for intruders to conceal themselves?	YES	NO
	Are there items such as bricks, stones, and wooden fence posts which could be used by intruders to gain courthouse access and/or commit assaults?	YES	NO
	If so, describe items: _____		
<b>DOORS, WINDOWS AND OTHER OPENINGS</b>	Are all exterior doors and windows equipped with cylinder locks, dead bolts, dead latches, or quality padlocks and latches?	YES	NO
	Are all hinge pins internally located, welded, or otherwise secured from easy removal?	YES	NO
	Are all unused doors permanently locked?	YES	NO
	Are windows that could be entered secured with:		
	■ <i>Locking Devices</i>	YES	NO
	■ <i>Metal Bars</i>	YES	NO
	■ <i>Mesh</i>	YES	NO
	■ <i>Intrusion Alarms</i>	YES	NO
	■ <i>Other:</i> _____	YES	NO
	Are roof/penthouse openings secured?	YES	NO
	Is internal access to the roof/penthouse secured?	YES	NO
	Is the roof accessible by means of:		
	■ <i>Fire Escape</i>	YES	NO
	■ <i>Adjacent Building</i>	YES	NO
	■ <i>Utility Pole or Tree</i>	YES	NO
■ <i>Other:</i> _____	YES	NO	
Do roof/penthouse openings have intrusion alarms?	YES	NO	
Are other openings to the courthouse (tunnels, service ports, culverts, utility/sewer manholes) secured?	YES	NO	
Has a quality control key system been implemented?	YES	NO	
Are building master keys secured and issued solely on a controlled basis?	YES	NO	
Is the number of public entrances reduced to the minimum number necessary?	YES	NO	

	Do judicial and court officers have a private entrance to the courthouse?	YES	NO
<b>CEILING AND WALLS</b>	Do interior walls extend to the decking?	YES	NO
	Are drop or removable ceiling tiles used?	YES	NO
	List Locations: _____		
<b>ELEVATORS</b>	Are private elevators provided for judges?	YES	NO
	Are certain elevators exclusively used to move prisoners?	YES	NO
	Are prisoner elevators controlled and marked for non-public use?	YES	NO
	Are prisoner elevators key controlled?	YES	NO
	Are prisoner elevators programmed to bypass floors?	YES	NO
	Are prisoners placed in the elevator in a separate holding area secured by metal bars or grilles?	YES	NO
	Are judicial and prisoner elevators equipped with:		
	<input type="checkbox"/> <i>Panic Alarms</i> <input type="checkbox"/> <i>Telephones</i> <input type="checkbox"/> <i>CCTV</i> <input type="checkbox"/> <i>Intercoms</i> <input type="checkbox"/> <i>Other:</i> _____	YES YES YES YES YES	NO NO NO NO NO
<b>STORAGE AREAS FOR WEAPONS AND AMMUNITION</b>	Which of the following materials are stored in the courthouse?		
	<input type="checkbox"/> <i>Firearms</i>	YES	NO
	<input type="checkbox"/> <i>Intermediate Weapons (stun guns, mace, riot batons, pepper spray, etc.)</i>	YES	NO
	<input type="checkbox"/> <i>Ammunition</i>	YES	NO
	<input type="checkbox"/> <i>Chemical Munitions (tear gas)</i>	YES	NO
	<input type="checkbox"/> <i>Hazardous Materials</i>	YES	NO
	<input type="checkbox"/> <i>Flammable Materials</i>	YES	NO
	<input type="checkbox"/> <i>Explosive Materials</i>	YES	NO
How are said materials secured: _____ _____			
<b>EMERGENCY POWER SYSTEM</b>	Is the main power source dependable?	YES	NO
	Is there a dependable auxiliary power source for emergencies?	YES	NO

	When was the last documented record of the system being tested? _____		
<b>PERIMETER ALARM SYSTEMS</b>	Does the courthouse have an intrusion alarm system?	YES	NO
	Is the system tested on a monthly basis?	YES	NO
	Who conducts and documents testing procedures? _____		
	Where does the system report:		
	■ <i>Sheriff's Department</i>	YES	NO
	■ <i>Police Department</i>	YES	NO
	■ <i>Central Station Monitoring</i>	YES	NO
	■ <i>Local Annunciation</i>	YES	NO
	■ <i>Other: _____</i>	YES	NO
	Is there an emergency power source for courthouse alarm systems?	YES	NO
<b>FIRE PROTECTION</b>	Does the courthouse comply with local fire codes?	YES	NO
	Does the courthouse have fire alarms?	YES	NO
	Does the courthouse have smoke detectors?	YES	NO
	Does the courthouse have a fire sprinkler system?	YES	NO
	Does the courthouse have fire extinguishers?	YES	NO
	Are courthouse fire evacuation drills conducted and actively participated with?	YES	NO
	Are emergency exits and fire escapes prominently identified and marked?	YES	NO
<b>COURTHOUSE COMMUNICATIONS</b>	Are communications considered adequate?	YES	NO
	What courthouse communications are available?		
	■ <i>Telephone</i>	YES	NO
	■ <i>Interoffice Mail</i>	YES	NO
	■ <i>Radio</i>	YES	NO
	■ <i>Teletype</i>	YES	NO
	■ <i>E-mail</i>	YES	NO
	■ <i>Public Address System</i>	YES	NO
Is there more than one communications system used exclusively by security personnel?	YES	NO	

	Who operates the Public Address System? _____		
	Communications in the courthouse consist of: <ul style="list-style-type: none"> <li>■ <i>Sheriff's or Security Base Station</i></li> <li>■ <i>Hand-Held Portable Radios</i></li> <li>■ <i>Cellular and/or Hard-Wired Telephones</i></li> </ul>	YES	NO
		YES	NO
		YES	NO
	Can communications network with: <ul style="list-style-type: none"> <li>■ <i>Local Police</i></li> <li>■ <i>State Police</i></li> <li>■ <i>Other Sheriff's Departments</i></li> <li>■ <i>Other:</i> _____</li> </ul>	YES	NO
		YES	NO
	Do base stations have auxiliary emergency power?	YES	NO
	Does the courthouse have a main switchboard?	YES	NO
<b>PUBLIC AREAS</b>	Are public waiting areas routinely searched?	YES	NO
	Are waiting rooms next to courtrooms?	YES	NO
	Are drop ceiling tiles used in waiting areas?	YES	NO
	Are public restrooms routinely searched?	YES	NO
	Are restrooms next to courtrooms?	YES	NO
	Are drop ceiling tiles used in restrooms?	YES	NO
	Do trash receptacles allow easy access and concealment to contraband and illegal items?	YES	NO
	Are directions (as appropriate - floor plans and directories) clearly posted?	YES	NO
<b>COURTHOUSE POLICIES AND PROCEDURES</b>	Are there security procedures manuals (OEP and Contingency Plans) for the courthouse?	YES	NO
	Are all plans updated and current?	YES	NO
	Are all plans subject to periodic review?	YES	NO
	Is responsibility for declaring an emergency clearly and appropriately designated?	YES	NO
	Is the authority and chain of command in emergency plans clearly delineated?	YES	NO
	Are there procedures for responding to medical emergencies?	YES	NO

	<p>Are there procedures for responding to natural disaster and weather emergencies?</p>	<p>YES      NO</p>
	<p>Is there a specific person in the Sheriff's Department designated as the Court Security Coordinator?</p>	<p>YES      NO</p>
	<p>Is there a security presence after-hours?</p>	<p>YES      NO</p>
	<p>If so, when: _____ and what hours: _____.</p>	
	<p>Are there procedures for daily inspections or security sweeps of the courthouse?</p>	<p>YES      NO</p>

## COURTROOM AND RELATE AREAS

<b>DOORS, WINDOWS and OTHER OPENINGS</b>	Are secondary courtroom doors secured?	YES	NO
	Are the keys to courtroom doors strictly controlled?	YES	NO
	Are there separate courtroom entrances/exits for:	YES	NO
	■ <i>Judges</i>	YES	NO
	■ <i>Jurors</i>	YES	NO
	■ <i>In-custody Defendants</i>	YES	NO
	■ <i>General Public</i>	YES	NO
	Do the judge and prisoner courtroom entrances permit visual observation ( <i>door viewers</i> ) prior to entering?	YES	NO
	Are all windows tinted or draped to prevent viewing courtroom proceedings from the outside?	YES	NO
	Are metal detectors available for use?	YES	NO
	Are fluoroscopes (x-ray machines) available for use?	YES	NO
<b>LIGHTING</b>	Is there emergency lighting?	YES	NO
	Are emergency lights positioned so they do not silhouette the judge?	YES	NO
	Are emergency lights positioned so they silhouette exits and the gallery?	YES	NO
	Are courtroom lights key controlled or activated from multiple switches (i.e. <i>no one or two switches will turn off all courtroom lights</i> )?	YES	NO
<b>COURTROOMS</b>	Are routine checks conducted of/for:		
	■ <i>Duress/Panic Alarms</i>	YES	NO
	■ <i>Emergency Lighting</i>	YES	NO
	■ <i>Metal Detectors</i>	YES	NO
	■ <i>Controlled Access Systems</i>	YES	NO
	■ <i>Door Hardware</i>	YES	NO

	<ul style="list-style-type: none"> <li>■ <i>Communication Systems</i></li> <li>■ <i>Tampering/Vandalism</i></li> <li>■ <i>Contraband</i></li> <li>■ <i>Weapons</i></li> </ul>	YES	NO
		YES	NO
		YES	NO
		YES	NO
	Is the judge's bench reinforced with ballistic resistant material?	YES	NO
	Are there policies and procedures for firearms carried in the courtroom by:		
	<ul style="list-style-type: none"> <li>■ <i>Court Security Officers</i></li> <li>■ <i>Case Agents</i></li> <li>■ <i>Law Enforcement Witnesses</i></li> <li>■ <i>Law Enforcement Spectators</i></li> </ul>	YES	NO
		YES	NO
		YES	NO
		YES	NO
	Are Court Security Officers armed in the courtroom?	YES	NO
	Are Court Security Officers uniformed?	YES	NO
	Are prisoners kept in restraints except in the presence of jurors or while in the courtroom?	YES	NO
	Are there emergency evacuation procedures for:		
	<ul style="list-style-type: none"> <li>■ <i>Judicial Officers</i></li> <li>■ <i>Jurors</i></li> <li>■ <i>Prisoner Defendants</i></li> </ul>	YES	NO
		YES	NO
		YES	NO
	Are courtrooms secured and locked when not in use?	YES	NO
<b>CHAMBERS and RELATED OFFICE SPACE</b>	Are judicial chambers routinely searched for contraband?	YES	NO
	Are controlled access systems utilized?	YES	NO
	Are judicial chambers locked and secured when not occupied?	YES	NO
	When judicial chambers are occupied are the doors usually:		
	<ul style="list-style-type: none"> <li>■ <i>Open</i></li> <li>■ <i>Closed and Unlocked</i></li> <li>■ <i>Closed and Locked</i></li> </ul>	YES	NO
		YES	NO
		YES	NO

<b>VICTIM/WITNESS WAITING AREAS</b>	Are victim/witness rooms provided?	YES	NO
	Is it possible to separate prosecution and defense witnesses?	YES	NO
	Is public access to victim/witness areas restricted?	YES	NO
	Are victim/witness areas secured when not in use?	YES	NO
<b>JURY DELIBERATION ROOMS</b>	Is the jury deliberation room adjacent to the courtroom or accessible through a secured corridor?	YES	NO
	Is the deliberation room routinely searched prior to use and secured/locked when not in use?	YES	NO

## PRISONER AREAS

<p style="text-align: center;"><b>PRISONER PRODUCTION</b></p>	<p>Are prisoners brought to the courthouse and courtroom by:</p> <ul style="list-style-type: none"> <li>■ <i>Vehicles</i></li> <li>■ <i>On Foot</i></li> <li>■ <i>Elevator</i></li> <li>■ <i>Stairwell</i></li> <li>■ <i>Tunnel</i></li> <li>■ <i>Bridge/Skyway</i></li> </ul>	<p>YES YES YES YES YES YES</p>	<p>NO NO NO NO NO NO</p>	
	<p>Are these area secured or restricted?</p>	<p>YES</p>	<p>NO</p>	
	<p>Do prisoners enter the courthouse through:</p> <ul style="list-style-type: none"> <li>■ <i>Public Entrances</i></li> <li>■ <i>Private Entrances</i></li> <li>■ <i>Secured Sallyport</i></li> </ul>	<p>YES YES YES</p>	<p>NO NO NO</p>	
	<p>Are prisoners' entrances restricted from public contact and view?</p>	<p>YES</p>	<p>NO</p>	
	<p style="text-align: center;"><b>TEMPORARY HOLDING AREAS</b></p>	<p>Are temporary prisoner holding facilities located in the courthouse? If not, where are prisoners secured: _____</p>	<p>YES</p>	<p>NO</p>
		<p>Do holding cell areas directly access the courtroom? Or, are restricted corridors used?</p>	<p>YES</p>	<p>NO</p>
		<p>Is at least one holding cell area equipped with audio video coverage of the courtroom?</p>	<p>YES</p>	<p>NO</p>
<p>Are holding cells areas regularly searched for weapons and contraband?</p>		<p>YES</p>	<p>NO</p>	
<p>Are additional prisoner restraining devices available?</p>		<p>YES</p>	<p>NO</p>	
<p>Are there written policies and procedures for evacuating prisoners from holding cell areas?</p>		<p>YES</p>	<p>NO</p>	
<p style="text-align: center;"><b>GENERAL PROCEDURES</b></p>	<p>Are there written policies and procedures for responding to prisoner medical emergencies?</p>	<p>YES</p>	<p>NO</p>	
	<p>Are prisoner arrival/departure times made known to other agencies and available to the general public?</p>	<p>YES</p>	<p>NO</p>	

# ***COURTHOUSE CONTINGENCY PLANS***

In the event of a critical incident and/or crisis situation occurring within a courthouse the *Sheriff and/or Police Department* should implement the Courthouse Contingency Plan which consists of the following:

- ? The immediate response (inclusion of those areas of specifically required coverage) to an incident by law enforcement and security personnel. Assignment of an on-site supervisor to coordinate and ensure implementation of the plan.
- ? Direct critical incident review and assessment.
- ? Emergency notification telephone numbers of pre-designated officials. Notification itself will be conducted by senior management or personnel previously authorized. In absence of senior management officials, responding personnel must initiate notification procedures.
- ? Additional emergency notification telephone numbers of State of Minnesota and Federal Law Enforcement Agencies. Information stating response times and the provision of specialized emergency services (i.e. *SWAT, Medical Support, Urban Recovery Teams, Tactical Teams, etc.*) is included.
- ? State of Minnesota Hostage Negotiators Directory listing the respective agency, address, city, 24 hour contact number, and name/title of the negotiator.
- ? Activation procedures and operational requirements for security Command Posts.
- ? Maps, diagrams, blueprints, and floor plans of all ingress/egress locations for the courthouse.
- ? Names, addresses, and 24 hour contact numbers of respective facility management, utility, and maintenance personnel. Exact locations of Utility, Telecommunications, Electrical, HVAC, Boiler, and Maintenance rooms are to be noted on facility blueprints and floor plans.
- ? Roster containing names, addresses, telephone and pager numbers of all Sheriff and/or Police Officials. Individual *Emergency Locator Forms* are secured at respective facilities.
- ? Facility parking assignments of the judiciary, support staff, and other agency personnel.
- ? Evacuation procedures, to include designated areas of refuge, for judicial officers, staff, employees, and the general public. Security personnel assignments are contained within this section.

- ? Photographs (*aerial, exterior, and interior*) of the courthouse facility and adjacent grounds.
- ? Copies of the Courthouse *Occupant Emergency Plan* (OEP).

## SITUATIONAL CONTINGENCIES

**SITUATION** - This plan outlines the procedures, policies, and responsibilities for the safety of all members of the judiciary as well as securing those areas used for conducting judicial proceedings. The effectiveness of normal security operations could be disrupted and hampered by incidents requiring emergency or security operational response.

- ? **Un-Friendly Forces** - Composition of persons involved in civil disturbances, terrorist activities, bomb threats, demonstrations, prisoner escapes, threatening behavior, hostage situations, assaults, etc. *In many cases they cannot be identified prior to their actions.*
- ? **Friendly Forces** - Composition of local, state, and federal law enforcement agencies and support groups. *These agencies may be requested and required to provide assistance based on situational aspects.*
- ? **Assumption** - It is assumed that civil disturbances, bomb threats, demonstrations, hostage situations, terrorist acts, etc. could be directed against courthouses and government facilities due to the types of cases generated and agencies located there. It must also be assumed that some incidents could be undertaken in opposition to government policies and practices. This assumption is commonly referred to as the *Inherent Risk Factor* for courthouse and government facilities.

**EXECUTION** - The Sheriff and/or Police Officials are primarily responsible for the protection of personnel and property assigned to the judiciary and support staff. They are responsible for all security functions involving the courts and will be in direct control of all forces committed to supporting this plan to the extent of determining specific assignments for operational personnel.

- ? **Main Forces** - (1) *County Sheriff's Department*, (2) *City Police Department*, (3) *Other State and Local Law Enforcement Agencies*, (4) *Federal Law Enforcement Agencies*, (5) *Emergency Response Personnel*, and (6) *Military Assistance Personnel*
- ? **Support Forces** - (1) *County/City Attorney*, (2) *Courthouse Property Manager*, (3) *Other State and Local Agencies*, (4) *Federal Agencies*, (5) *Telecommunications Providers* (6) *Utility Companies*, and (7) *Courthouse Elevator Service Contractors*.

***TASKS OF MAIN FORCES*** - Responsible for incident operations as outlined in the *Building Contingency Plan*.

- ? **Sheriff and/or Police Officials** - Direct control of all forces committed to proper execution of this plan to include delegating assignments appropriate to the situation and the apprehension of suspects.
- ? **FBI and other Federal Law Enforcement Agencies** - Furnish investigative support, incident response teams, apprehend suspects, and provide intelligence information on situational aspects effecting (assessed and actual) the operation.
- ? **State and Local Law Enforcement Agencies** - Support assignments as determined by the Sheriff and/or Police Officials.. Provide personnel to secure and control areas adjacent to the operation site. Apprehend suspects under their jurisdictional authority.
- ? **Emergency Response Personnel** - First responders in providing medical care and treatment. Sheriff and/or Police Officials to determine levels of security and safety prior to organized response. Serve as technical advisors to Sheriff and/or Police Officials on Biological and Chemical Agents.
- ? **Military Assistance** - As determined by Sheriff and/or Police Officials and governed by situational conditions, provide support services in the areas of tactical considerations, special equipment considerations, and personnel reinforcements.

***TASKS OF SUPPORT FORCES*** - Provide support services outlined as follows:

- ? **County and City Attorney** - Legal Assistance, guidance, and specific information.
- ? **Courthouse Property Management** - Knowledge of building electrical, mechanical, plumbing, construction, and site specific space design features.
- ? **Other Federal Agencies** - Support services as required by main forces.
- ? **State and Local Agencies** - Support services as required by main forces.
- ? **Telecommunication and Utility Companies** - Support services as required.
- ? **Elevator Contractors** - Support services as required.

## COURTHOUSE HOSTAGE SITUATIONS

Certain specific policies and procedures will be implemented in event of a hostage situation occurring in courthouses, judicial facilities and leased space.

Upon activation of any duress/panic alarm, an appropriate number of law enforcement and security personnel will be immediately dispatched to investigate and conduct a preliminary assessment.

If it is determined that the alarm is real and a hostage situation exists, the following will be carried out by responding security personnel:

- ? Immediately establish a security perimeter for the affected area. The perimeter should extend in scope to provide for all ingress/egress points (i.e. stairwells, doors, elevators, windows, etc.) that the hostage taker(s) have access to.
- ? If not equipped initially, perimeter personnel should be outfitted with communications and other essential equipment as soon as practical.
- ? Request the assistance of those agencies and officials responsible for tactical responses and hostage negotiations. Prior contact with these agencies and officials should have been initiated to confirm their assistance during hostage and emergency situations.

Security personnel can expect to be utilized as *technical advisors* for the duration of incident. Consequently, it is incumbent upon and the responsibility of all personnel to continually familiarize themselves with their areas of responsibility and layouts of all courthouse space.

These ***areas of responsibility*** include, but are not limited to (1) *familiarization of prisoner court appearances*, (2) *ability to access prisoner background information from computer databases*, (3) *acquired proficiency on the general design layout of courthouses and facilities housing court components*, and (4) *knowledgeable on the type, location, and operation of courthouse security systems*.

- ? If necessary, provide for and organize the systematic evacuation of courtrooms, chambers, and other areas within the courthouse. Employees other than those of court agencies may also be affected by decisions to evacuate the building.
- ? The Sheriff and/or Police Officials may designate call signs or codes to responding personnel. This will provide personnel with a means to confirm identity upon being challenged and/or replaced by responding tactical units. The designated Command Post is responsible for notifying other agency personnel of these assigned call signs.
- ? Security personnel assigned to security perimeters are to remain on post until replaced by responding tactical units. When replaced, security personnel will either (1) *establish and*

*maintain an outer security perimeter while providing support, as directed, to tactical units, or (2) report to the Command Post for a tactical debriefing.*

- All materials contained within the Courthouse Contingency Plan will be made readily available to responding authorities.

## **NBC (Nuclear, Biological, and Chemical) INCIDENTS**

The Federal Bureau of Investigation has prepared incident contingency plans for each of these situations. Designated as the lead federal law enforcement agency to respond to threats or acts of domestic and international terrorism, the FBI has assumed primary responsibility for preparing these plans.

Private companies such as Tempest Publishing (#703-370-2962) in Alexandria, Virginia, specialize in NBC Incident Response Plans. Information available from them include “*First Responder Chem-Bio Handbook (FR-CBH)*” a practical manual for first responders and “*Chem-Bio Frequently Asked Questions (CB-FAQ)*” a guide to better understanding of Biological and Chemical weapons.

### ***ANTHRAX CONCERNS CARD***

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It is unlikely that you have been exposed to Anthrax, however, it is important to be alert to possible signs of infection. The following signs are symptoms of Anthrax exposure:

**Fever / Malaise / Fatigue / Cough / Mild Chest Discomfort followed by Severe Respiratory Distress**

While these are not absolute signs of infection, you should call the below number immediately

*(insert ph# of Sheriff and/or Police Department)*

### ***ANTHRAX FACTS SHEET***

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- Clothing and other items worn at the time should be placed in plastic bags.
- Upon arriving home, shower with soap and water.
- If medication is prescribed it should be taken until you are instructed otherwise.
- Symptoms usually occur within 1-6 days.
- Initial symptoms are often followed by a short period of improvement (ranging in hours to 2-3 days).
- If severe symptoms are present, seek immediate medical attention.
- Anthrax can be successfully treated.
- There has not been any documented cases of human-to-human transmission.

## **CHEM-BIO: QUICK RESPONSE CARD (CB-QRC)**

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Chemical Weapon (CW) Indicators	Biological Weapons (BW) Indicators
<p><b>Suspicious Devices/Packages</b> - <i>unusual metal debris - abandoned spray devices - leaking packages - unexplained munitions</i></p> <p><b>Unusual Liquid, Spray or Vapor</b> - <i>droplets - oily film - unexplained odor - low lying clouds or fog unrelated to weather</i></p> <p><b>Dying or Dead Animals</b> - <i>lack of insects</i></p> <p><b>Unexplained Conditions or Casualties</b> - <i>serious illnesses - nausea - disorientation - difficulty breathing - convulsions - definite casualty patterns - multiple victims</i></p>	<p><b>Unusual Liquid, Spray or Vapor</b> - <i>spraying dispensers - suspicious devices or packages</i></p> <p><b>Unusual Conditions or Casualties</b> - <i>unusual illness for region/area – definite pattern inconsistent with natural diseases - human casualties</i></p> <p><b>Dying or Dead Animals</b> – <i>sick/dying animals or fish</i></p> <p><b>Unusual swarms of insects</b></p>
<b>INCIDENT RESPONSE KEY CONTACT NUMBERS</b>	
U.S. Public Health Service #1-800-872-6367	U.S. Army Ops Center #1-800-851-8061
Domestic Preparedness #1-800-368-6498	National Response Center #1-800-424-8802
<b>INITIAL ACTIONS</b>	<ul style="list-style-type: none"> <li>◆ Remain Calm</li> <li>◆ Don Protective Equipment</li> <li>◆ Maintain Safe Position - Reassure Victims</li> <li>◆ Await Properly Equipped Response</li> </ul>
<b>NOTIFICATION ESSENTIALS</b>	<ul style="list-style-type: none"> <li>◆ Wind Direction and Weather Conditions</li> <li>◆ Direction of Cloud or Vapor</li> <li>◆ Number/Location of Victims - Types of Injuries – Symptoms</li> <li>◆ Recommended Safe Access Route and Staging Area</li> <li>◆ Witness Statements and Observations</li> </ul>

## **COURTHOUSE ESCAPE CONTINGENCIES**

In the event of a prisoner escape(s) or attempted escape(s) emergency security procedures as outlined in the Courthouse Escape Contingency Plan should be immediately implemented.

### **A general listing of Courthouse Escape Contingency Plan considerations include:**

- ? *Sheriff and/or Police response instructions*
- ? *Securing Ingress and Egress Points*
- ? *Systematic utilization of courthouse security systems*
- ? *Search and Arrest procedures*
- ? *Investigation and Evidence procedures*
- ? *Witness Interview and Prisoner Interrogation procedures*
- ? *Notification procedures for other State and Federal Law Enforcement Agencies*
- ? *Judicial and Courthouse Employee notification procedures*
- ? *Available assistance from resource agencies*
- ? *Public announcements and Media news releases*
- ? *Security and Threat Advisories*
- ? *Determination and Procedures for Courthouse Evacuation*

## **JUDICIAL PERSONNEL PROFILES**

Extensively completed *Judicial Personnel Profiles* should be maintained for each member of the Judiciary. The information contained within each profile is an integral part of courthouse contingency plans. Consequently profile copies are secured in the same manner and locations as contingency plans. A *Judicial Personnel Profile Form* is provided on page 1.4 of this manual.

## **GENERAL INFORMATION**

Each identified court facility should have an individual building contingency plan that covers all established considerations and features unique to that facility. The completed plan should be secured in a location that is readily accessible to security personnel during emergency and crisis situations. Communication/Dispatch Centers are recommended for this location as they are centrally located, secured, and monitored.

It is strongly advocated that copies of the plan be secured off-site in the event of a terrorist act/tragedy similar to the ones experienced at the World Trade Center in New York and the Murrah Federal Building in Oklahoma City. In the event of such an incident, a copy of the contingency plan and the essential information contained within would only be available to responding personnel if it were previously secured at an off-site location.

*Building Contingency Plans* should explicitly cover and provide for the planned and organized responses of law enforcement and emergency personnel to duress alarms, threats, hostage situations, assaults, vandalism, dangerous individuals, prisoner escapes, etc. Areas of contingency responsibilities (*individual and shared*) for the Sheriff, Police Department, and Building Management should be clearly defined and outlined.

**In addition to the policy and procedural guidelines previously stated in this section, the following are also recommended for plan inclusion:**

<i>Videos of Courthouse Interior and Exterior</i>	<i>State, City, and County Maps</i>	<i>Description and Location of Security Systems</i>	<i>Key Control Registers</i>
<i>Concurrent Interagency Jurisdiction Agreements</i>	<i>Annual Crime Statistical Summaries</i>	<i>Courthouse Threat and Risk Assessments</i>	<i>Operations Security (OPSEC) Assessments</i>
<i>Availability of Military Assistance/Specialization</i>	<i>Local Infrastructure and Transportation Support</i>	<i>Courthouse Security Surveys</i>	<i>Emergency Medical Center Locations.</i>

**Example:** *Courthouse photographs and videos can be effectively used by law enforcement personnel and emergency responders who have never been inside the courthouse or are unfamiliar with the courthouse design and layout.*

# ***OCCUPANT EMERGENCY PLANS***

Facility Occupant Emergency Plans (OEP) are developed in order to minimize the danger to life and property arising from the effects of attack, fire, flood, explosion, serious weather conditions, demonstrations, and other disasters affecting courthouse facilities.

The prescribed policies, procedures, and methods for the establishment of an OEP by agencies in court controlled space should be implemented in accordance with recognized state and local property management regulations.

Generally, the ***Prime Tenant*** of a building, the agency with the largest number of employees in the building, is responsible for developing the OEP with assistance and involvement from other tenant agencies. The ***Designated Official***, usually a management employee of the prime tenant, is responsible for approving the development of the OEP, to include conducting test drills for natural disasters, fires, and weather emergencies.

The Sheriff and/or Police Department responsible for courthouse security should be listed as a ***Technical Advisor*** for courthouse OEP's. Sheriff and/or Police officials should make themselves available to assist with the coordination and design of a site comprehension OEP.

**The OEP itself is considered to be primarily a *Life Safety Plan* that supplements Sheriff and/or Police prepared Contingency, Operational, Threat Specific, Evacuation, and Prisoner Escape Plans.**

# **OCCUPANT EMERGENCY PLAN**

- COURTHOUSE EMERGENCY INFORMATION
- AGENCY RESPONSIBILITIES
- OEP ORGANIZATION
- DUTIES and RESPONSIBILITIES
- SUCCESSION OF COMMAND
- WARNING, SIGNAL, and EMERGENCY INSTRUCTIONS
- EVACUATION PROCEDURES
- ORGANIZATIONAL CHART
- FLOOR TEAM DESIGNATIONS and ASSIGNMENTS
- EMPLOYEE BOMB THREAT ACTION PLAN
- EMPLOYEE FIRE ACTION PLAN
- EMPLOYEE MEDICAL ACTION PLAN
- EMERGENCY EVACUATION ROUTES
- COURTHOUSE UTILITIES DIAGRAM
- OPERATIONAL FORMS
- LISTING OF ADDITIONAL RESOURCES

## OCCUPANT EMERGENCY PLAN INCIDENT CHECKLIST

**1. What is the nature of the emergency?**

- Bomb Threat       Explosion     Biological/Chemical Agent       Chemical Spill  
 Airborne Toxin     Dangerous Individual       Weather       Natural Disaster  
 Medical       Hostage Situation     Weapons Fire       Fire       Power Outage  
 Flood       Other: \_\_\_\_\_

<b>2. Is there immediate danger to other building areas?</b>	YES	NO	Where?
--	-----	----	--------

<b>3. What other facility areas are in danger?</b>	Personnel:  Infrastructure:
--	-----------------------------------

<b>4. Are there any reported (or any risks of) injuries?</b>	YES	NO	Where?
--	-----	----	--------

<b>5. Is medical assistance required or present?</b>	YES	NO	Where?
--	-----	----	--------

<b>6. Has building evacuation been ordered?</b>	YES	NO	State Area of Refuge:
---	-----	----	-----------------------

<b>7. Have the Sheriff and Police Department been notified?</b>	YES	NO	Contact Info:
---	-----	----	---------------

<b>8. Are OEP officials on-site?</b>	YES	NO	Who?
--------------------------------------	-----	----	------

<b>9. Who reported the emergency?</b>	Name: Title: Telephone:
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### EVACUATION and SECURITY SWEEPS INFORMATION

<b>10. Floor Evacuations and Security Sweeps</b>	Time Evacuation/Sweep Ordered:  Time Evacuation/Sweep Completed:
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# ***COURTHOUSE RENOVATION AND PROSPECTUS PROJECTS***

## **RENOVATION vs. REBUILDING**

The fundamental question which needs to be addressed during an analysis of existing court facilities is: “***Should the facility be replaced or renovated?***” In deciding whether to renovate an existing structure or replace it, you should consider the following:

- ◆ Desired outcome;
- ◆ Costs; and
- ◆ Occupancy during renovation.

A study of comparisons between building new or renovating needs to be made. Once the decision to renovate has been made, the specific design process should leverage existing, positive features of the courthouse. In renovating a court facility, you should use a comprehensive approach to resolve as many issues as possible as they relate to the overall strategies of improving the court facility. The following are eight basic design issues which need to be addressed:

- ◆ Functionality
- ◆ Security
- ◆ Test of Time
- ◆ Technology
- ◆ Flexibility
- ◆ Judicial Image/Preservation
- ◆ Environmental
- ◆ Accessibility

The process for design and renovation should consider master-planning for an ideal outcome when embarking on the design and renovation of court facilities. When funds are not available for total renovation, then a ***phased approach*** to accomplishing the total master plan is effective. Phased implementation occurs as funds are available.

## ***USING A PHASED APPROACH TO RENOVATION***

These factors should be considered in using a ***phased approach*** to renovation of a court facility:

- ◆ Existing structural or physical features that will not allow significant change;
- ◆ Historical features;
- ◆ Area and size of the court floors;
- ◆ Multiple entries due to the facilities urban location;
- ◆ Accessibility; and
- ◆ Feasible changes and alterations.

## **PRIORITIZING IMPLEMENTATION OF SECURITY MEASURES**

The design process will need to prioritize what can be accomplished given the challenges of existing facilities and the ability to fund comprehensive renovation. From a *security standpoint*, the following priorities are often effective:

- ◆ Providing a singular building entry;
- ◆ Providing separate and controlled access to judges and staff;
- ◆ Providing duress buttons;
- ◆ Separate waiting areas for the public, including attorney/client conference rooms;
- ◆ Bullet-resistant materials in judge, reporter, witness and clerk benches; and
- ◆ Providing controlled detainee movement.

### ***THE DESIGN PROCESS***

The design process for renovation should involve judiciary, court personnel, county property management, and architectural, engineering and security consultants familiar with the issues. The **design process** will generally accomplish the following tasks:

- ◆ Setting goals and objectives
- ◆ Survey of existing facilities
- ◆ Development of space, function and security needs
- ◆ Design options
- ◆ Implementation of desired option
- ◆ Construction and renovation

The renovation of a court facility is best accomplished when the court's operation can move out during construction. If this is not feasible, a *Renovation Occupancy Plan* needs to be developed for the construction phase(s). Specifications need to address all aspects of this Security Manual for the construction process in a manner that outlines the desired court operation and security needs during construction. Periodic meetings with the Contractor(s) are necessary to review the upcoming construction process, and to ensure safe and secure court operation during construction of the court facility.

# ***SPACE DESIGN AND LAYOUT***

The past has provided many excellent examples of elements of good court facility design. Changes in basic operations and evolving functional requirements for these facilities are the focus of the changing environment for new court facilities. Changes in the legal process, litigation procedures, technology, security consciousness, protocol and changes in the perceived nature of the courts' work have created the need for a re-definition of this significant building type.

***JUDICIAL DESIGN FACTORS*** - These factors, outlined on the following list of eight design objectives, should be considered in the design of the modern courthouse.

- **Functionality:**
  - User orientation through lobbies and organization;
  - Design for efficient court operations;
  - Allow for flexibility; and
  - Ample waiting/conference areas.
  
- **Security:**
  - Single securable entry;
  - No blind spots;
  - Zoning to separate judicial, public, jury and detainee circulation;
  - Direct, secure detainee delivery to the courtrooms;
  - Special victim/witness waiting areas; and
  - Multiple waiting areas for separation of conflicting parties.
  
- **Test of Time:**
  - Durable materials;
  - Generalized litigation spaces rather than over-specialization; and
  - Provide appropriate symbolism in the facility image.
  
- **Technology:**
  - Provisions for the "virtual" courtroom;
  - Computerization of record-keeping and access to all courtroom and court functions;
  - Provide for the future, even if it cannot be afforded now;
  - Video court reporting provisions; and
  - Video arraignment provisions.
  
- **Flexibility:**
  - Equal access to all courtrooms by the judges;
  - Multiple use of courtrooms and court-related spaces;
  - Modular workstation approach for furniture and office layout;
  - Standardization of judicial quarters; and
  - Generalized litigation spaces rather than over-specialization.

- **Judicial Image:**
  - Appropriate ceiling height and room volumes and spaces;
  - Provide traditional dignity in courtrooms while reducing excessive informality;
  - and
  - Appropriate courtroom sight lines and heights of judicial positions, encouraging judicial process and protocol.
  
- **Environmental:**
  - Acoustical control;
  - Lighting appropriate to tasks; and
  - Ventilation appropriate to the assembly occupancy.
  
- **Accessibility:**
  - Design for equal access to all positions in courtrooms/courthouse.

***SPACES & DESIGN FROM A SECURITY POINT OF VIEW*** - Space design and layout of new court facilities from a security point of view is the emphasis of this security manual. A more detailed list of spaces and their design from a security point of view is as follows:

- **Courtroom security** - Security may be provided with architectural barriers, technology, and operational methods. Architecturally, security is provided through the clear separation of circulation routes for participants in the proceedings and the elimination of spaces where a weapon or bomb might be placed. The public should enter the courtroom from the public zone, prisoners should enter through a secure zone, and judges and court staff should enter through a restricted or private zone.

Technologically, the courtroom can be made more secure through the use of magnetometers at the entrance, bullet-absorptive materials along the judge's bench, and duress alarms connected to security stations to transmit an audio or visual depiction of the action occurring in the courtroom. Operationally, bailiffs or court deputies should be stationed in the courtroom during proceedings, and an emergency response plan should be developed by facility users in the event that a situation arises.

- **Judge's Bench Security** - The front panel of the judge's desk should be made of bullet-absorptive materials. Care should be taken not to use steel-plated, bullet-resistant materials, as this may cause bullets to ricochet through the courtroom.

The judge's bench should have a concealed, silent, positive-action duress alarm that will directly alert the courthouse security station or an employee trained in emergency notification procedures. While care should be taken to avoid placement of the alarm where it could be accidentally activated, the alarm should be within easy reach of the judge, and its activation should be as inconspicuous as possible.

The button should also activate an audio or, preferably, video system within the courtroom, which transmits to the security station. This will enable security personnel to determine what is occurring in the courtroom and plan an appropriate response.

- **Clerk's Station Security** - The court clerk's station may have the same duress alarm/intercom system as the judge, providing direct linkage with central security through a foot- or knee-activated button under the work surface.
- **Court Reporter's Station Security** - As a court reporter could be sitting near a potentially hostile and violent witness, the court reporter's station should allow for an easy escape.
- **The Witness Stand Security** - The witness chair should be affixed to the floor to ensure control of prisoners who must testify.
- **The Jury Box Security** - The jury box should incorporate a modesty panel and shelf area to provide some distance from trial participants. A bailiff or court deputy may be stationed between the jury box and the spectators to prevent any communication or intimidation.
- **Attorney Tables Security** - The tables should not have drawers or concealed recesses where a weapon or bomb may be placed.
- **The Bailiff's Station Security** - The bailiff must have access to a duress button, which is connected to the main security office.
- **Spectator Seating Security** - Security may be provided by placing magnetometers at the public entrance to the courtroom, or, better, at the building entrance. It is also desirable to separate opposing parties seated in the courtroom.

***SECURITY SCREENING*** - Although incorporating all aspects of a recommended five stage court security program (*Deterrence, Prevention, Detection, Response, and Training*), security screening systems are primarily considered deterrence systems. It is conservatively estimated that a minimum of ten times the number of weapons and/or contraband actually detected at a screening system would have entered that facility if it had not established security screening.

Architectural space design and system integration proposals for security screening must evolve around the required association between security personnel/equipment and operational policies and procedures relating to judicial security. A proper design layout also recognizes and acknowledges the absolute necessity of providing security screening personnel with unobstructed sight lines of persons entering the screening area. This *Visual Assessment and Reaction Zone* affords personnel an opportunity to observe, assess, and appropriately respond to suspicious persons exhibiting threatening behavioral characteristics.

As screening equipment and conditions vary, it is not possible to depict exactly where personnel will be positioned. It is far more beneficial to generally state screening objectives and position responsibilities which should provide sufficient information as well as desired flexibility in finalizing a system design. **Magnetometers** (*Walk-Thru Metal Detectors*) are designed to detect all metal objects, subject to programmed sensitivity levels, that persons attempt to pass through the detector frame. A majority of the magnetometers in use today do not indicate where the metal object is located other than on the person and/or article being screened. ***It is noted that recently- designed magnetometers will provide general, and in some models, exact locations of the detected metal object.*** On a contemporary basis, a hand-held metal detector must be used in combination with the magnetometer in order to determine the exact location of the metal object in question. Consequently, a discreet area of sufficient size (*increases security and limits public obtrusiveness*) must be conveniently located in which to screen persons for such items.

To facilitate the screening process by eliminating alarms on commonly-carried items, persons are directed to place all metal objects on an adjacent counter-top area. For each magnetometer, the counter-top area should be a minimum of 36 inches wide in order to adequately provide for this routine and continuous procedure.

Placement of the magnetometer(s) may be dictated by surrounding areas, or the location of a second magnetometer, that interfere with its sensitivity readings. It may be necessary to slightly reposition or even relocate the magnetometer(s) altogether if this is the case. In attempts to eliminate this problem, it is recommended that preliminary site tests be conducted on all proposed magnetometer locations.

**Fluoroscopes** (*X-Ray Machines*) are used primarily to enhance the abilities of security personnel in detecting firearms, weapons, explosives, and contraband. Their use also facilitates the screening of packages, boxes, personal items, etc., so as not to cause any unnecessary public inconvenience or delay. Fluoroscope conveyor belts (*to place and retrieve screened items*) require specific attention during architectural design to address the need for aesthetic attachments or tables to prevent multiple screened items from amassing at the end of the belt and falling to the floor.

The main responsibility for security screening personnel is to ensure all visitors, employees (as determined by security committee), and belongings are screened prior to entering the building. Personnel must be able to verbally and visually instruct persons on screening procedures. For each screening system, a total of two officers will be routinely assigned. However, any system design should also incorporate features to accommodate operation by an individual officer. Simultaneously, this officer should be able to issue instructions, operate the fluoroscope, and read the magnetometer display panel.

**Additional Questions to be Considered by Deciding Officials**  
***Include But Are Not Limited To:***

- What type and level of ballistic-resistant material (*kevlar, armotex, etc.*) and/or glazing (*mylar, steel mesh, etc.*) will be installed in adjacent walls and the side and front panels?
- To what extent (*height, width, borders, etc*) will this material be installed?
- Will mail screening also be conducted at a separate remote location?
- Is there an adequately-sized area (*egress route*) for persons to exit the building without interfering with screening operations?
- If it is determined that employees will be exempt from screening, what type of policies and procedures (*agency or building identification, separate entrance, familiarity, etc.*) will be implemented for security to identify employees?
- What sensitivity levels will be programmed for the magnetometers?
- What type and number of courthouse signs are required to advise persons of screening policies and procedures?
- Where should these and other courthouse signs or directories be located?
- Will weapons and/or contraband be seized and confiscated? Will weapons and/or contraband be held and secured (*gunlockers and lock boxes*) at the screening point?
- It is universally understood that if you screen for weapons - - you may actually detect them! Consequently, will armed personnel be assigned to security screening? or will they be available on a response basis?

# ***REHABILITATION OF MINNESOTA'S HISTORIC COURTHOUSES***

## **IDENTIFICATION AND EVALUATION**

Minnesota's courthouses are among its most recognizable and prominent testaments of civic pride. These proud buildings have historically been regarded as the heart of government, providing a spectrum of services in addition to their role as a seat of justice. In some cases, the range of services range from county to municipal to public agencies as well as shelter for non-profit organizations and programs. As such, the courthouse has an important place in the state's history. A significant number of Minnesota's courthouses have been designated as historic resources included in the *National Register of Historic Places*, a federal program enabled by the National Historic Preservation Act of 1966.

The *National Register of Historic Places* is the nation's official list of properties deemed worthy of preservation. The Register is maintained by the National Park Service in the U.S. Department of the Interior and is administered by a State Historic Preservation Office [SHPO] in each state. The National Register recognizes properties that have local, state, or national significance. Properties may be listed on the Register because of their association with significant persons and events, because of their architectural or engineering significance, or because they contain important information about our history or prehistory. In addition, the Register also lists important groupings of properties as historic districts. (A number of Minnesota's courthouses are located within districts.)

The National Register process begins with research to establish the basis for a property's significance. This information is recorded on a nomination form which is presented to the Minnesota Historical Society's State Review Board, a volunteer group of citizens and professionals with expertise in history, architecture, and archaeology. If the nominated property is found to meet Register criteria, it is sent to the State Historic Preservation Officer for signature and then to the Keeper of the National Register in Washington, D.C., for final review. If the nomination is approved, the property is placed on the National Register of Historic Places.

Listing on the National Register constitutes an official recognition that certain properties are significant places in Minnesota and are worth preservation. Their preservation may be encouraged through certain federal tax benefits and state and federal grant funds. An environmental review process also protects properties that may be affected by state projects or federally funded or licensed undertakings. National Register listing often changes the way communities perceive their historic properties and gives credibility to efforts to preserve them. Listing, however, does not interfere with a private property owner's right to alter, manage, or dispose of the property.

In the more than thirty years since passage of the National Historic Preservation Act, the State Historic Preservation Office of Minnesota has been engaged in an ongoing effort to identify significant properties throughout the state. During that time, more than 45,000 properties in all

87 counties have been inventoried. Currently there are 1497 listings in Minnesota, representing more than 6830 individual properties. Courthouses listed on the National Register and those considered of special interest are listed on the *Inventory of Currently Functioning Courthouses*, included in the Appendix.

## HISTORY OF DEVELOPMENT

Minnesota's earliest courthouses represented the Greek Revival and Italianate styles of architecture. These "first generation" buildings date from the late 1860's through the 1870's. Although several of these buildings are extant, only one continues in its original function, the Dodge County Courthouse [1871] in Mantorville. Three other early courthouses, no longer used by the courts, the Washington County Courthouse [1869] in Stillwater, the Dakota County Courthouse [1869] in Hastings, and the old Sibley County Courthouse [1879] in Henderson, now serve as a community center and city halls, respectively. The only remaining wooden courthouse from this early period, the Chisago County Courthouse [1876] formerly located in Center City, has been moved from its original location and is no longer eligible as an historic property. The above factors make the Dodge County Courthouse extremely significant, and although the building has been expanded by a modern addition to the east, the historic courthouse remains intact.

The years from 1880 through the turn of the century saw a major building boom in Minnesota's communities. County seats were particularly impacted. Courthouses erected during this period represented the popular Richardsonian or Romanesque Revival style. Prominent features included towers, distinctive round arches, and massive stone or brick masonry walls. This was also a period in which landscape design played an important part in the setting of the courthouse, many such buildings being prominently sited on a public square, which could also include a jail, formal walkways and plantings, and monuments. Prime examples of courthouse from this period include the Hennepin County Courthouse/Minneapolis City Hall [1889-1905] in Minneapolis, the Winona County Courthouse [1889] in Winona, and the Douglas County Courthouse [1895] in Alexandria.

Following the Columbian Exposition of 1893, stylistic preference in civic architecture changed from the Richardsonian to the Neo-classic, a style based upon the architecture of ancient Greece and Rome. These classically inspired buildings often incorporated colonnades or porticoes, and were placed on high foundations approached by monumental staircases. The interiors often were arranged around a central light court of atrium, crowned by either a skylight or dome. Most of these "classic" courthouses are considered "second generation" courthouses as they replaced a number of older, functionally obsolete, buildings in early county seats and were the first choice for counties which were experiencing development in the years prior to World War I. Noteworthy examples of this style are the Cottonwood County Courthouse [1904] in Windom, the Sibley County Courthouse [1916] in Gaylord, the Stearns County Courthouse [1921] in Saint Cloud, and the Lake County Courthouse [1906] in Two Harbors.

The final stylistic phase of courthouse design considered in this report includes the Modern or Art Deco of the WPA era of the 1930's. These buildings incorporate fine building materials both

on exteriors and interiors in a manner which is distinctive to their particular style. They are often rectilinear in massing, reminiscent of stacked cubes comprising floors and wings. They represent the beginning of the modern era of courthouse design, in which many of the standard elements of planning found today are introduced. As in previous phases, the Modern courthouses continue to occupy prominent positions within their communities and remain as symbols of civic pride. Significant examples of this period include the Ramsey County Courthouse/Saint Paul City Hall [1932] in Saint Paul, the Rice County Courthouse [1932-34] in Faribault, and the Goodhue County Courthouse [1931-32] in Red Wing.

## STANDARDS FOR REHABILITATION

A guide to sensitive treatment of historic buildings is the *Secretary of the Interior's Standards for Rehabilitation*, a chapter of a larger technical reference publication issued by the National Park Service of the U.S. Department of the Interior entitled *The Secretary of the Interior's Standards for the Treatment Historic Properties*. These standards are used by every State Historic Preservation Office in reviewing the impact of work on historic buildings, and as guidance in the recognition of significant features and the determination of sensitive treatment to respect and retain such features.

The *Standards* define “rehabilitation” as “the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.” The *Standards* focus on ten major areas ranging from use and historic character, to retention and replication of features, to impacts of additions and new construction. When considering the intent of the definition, it is important to recognize the broad interpretation of such words as “utility,” “alteration,” “contemporary,” and “preserving.” Together they promote treatments which will continue the usefulness of the property, with sympathetic changes, to provide for a use which will satisfy the demands of today while retaining those qualities which are important to its past.

Guidance in the *Standards* is provided by a fairly extensive outline of recommended and not-recommended approaches. The following comments have been paraphrased from the “guidelines.”

Basic to the treatment of all historic buildings is the identifying, retaining and preserving of the form and detailing of the architectural materials and features that are important in defining the historic character of the property. The *Standards* list recommendations as well as types of activities which would result in the diminution or even loss of this historic character. Loss of character is often caused by the cumulative effect of a series of actions which would be considered minor at the time of their individual undertaking. As such, all activities must be considered in a larger context as they apply to the total impact on the property.

After identifying those materials and features that are important and must be retained in the process of rehabilitation work, protecting and maintaining them must be addressed. Protection generally involves the least degree of intervention and is preparatory to other work. It may include maintenance of historic material through treatments such as caulking, selective paint removal, and re-application of protective coatings, the cyclical cleaning of gutters, or installation of temporary protective systems. An overall evaluation of the physical condition of the property should begin at this level.

When the physical condition of character defining materials and features requires additional work, repairing rather than replacing is recommended. Such repairs may include work on masonry, wood or metal elements, and requires the least amount of intervention such as patching, consolidating, or upgrading to recognized preservation methods. Repairing also includes the limited replacement in kind or which a compatible substitute material of extensively deteriorated or missing parts of features. Although using the same kind of material is the preferred option, substitute material is acceptable if the form and design as well as the material itself convey the visual appearance of the original treatment.

In this hierarchy, replacement is the next level of treatment if repair is determined infeasible. If the essential form and detailing are still evident so that the physical evidence can be used to reestablish the feature as a part of the rehabilitation project, replacement is appropriate. As in repair, the preferred option is replacement of the feature with the same material. However, this approach may not always be technically or economically feasible; a compatible substitute material may then be acceptable.

Finally, if an entire feature is missing, it no longer plays a role in physically defining the historic character of the building unless it can be accurately recovered in form and detailing. If this feature can be accurately documented, its reconstruction is recommended as the preferred course of action. If adequate historical, pictorial, and physical documentation exists so that the feature may be accurately reproduced and if it is determined desirable to recreate the feature, then designing and constructing a new feature is appropriate.

A second option for replacement is a new design which is compatible with the remaining character-defining features of the building. The new design should always take into account the size, scale, and material of the historic building and should be clearly differentiated so that a false historical appearance is not created.

Some exterior and interior alterations are generally needed to assure continued use of an historic building. It is imperative that such alterations do not radically change, obscure, or destroy character-defining spaces, materials, features, or finishes. Alterations may include providing additional parking space on the site, creating new windows or entries of secondary elevations, insertion of new mechanical systems, or rearrangement of interior spaces and functions. Alteration may also include the selective removal of buildings features or portions of

the environment of building site that are intrusive and therefore detract from the overall historic character.

The construction of an addition to an historic building may be essential for new or expanded use, but it should be emphasized that such additions should be considered only after it is determined that those needs cannot be met by altering secondary or non-character-defining spaces. If it is determined that an addition is the only viable solution, it should be designed such that the character-defining features of the historic building are not radically changed, obscured, damaged, or destroyed.

**CONCERNS:** The Secretary of the Interior's Standards for Rehabilitation may apply in the following work areas:

*Building Exterior*

Masonry: Brick, Stone, Terra Cotta, Concrete, Stucco, Mortar

Wood: Clapboard, Shingles, Wooden Siding, Decorative Elements

Architectural Metals: Cast Iron, Steel, Pressed Metal, Copper, Aluminum, Zinc

Roofs: Slate, Tile, Cement Asbestos, Metal, Asphalt Composition

Windows: Double Hung, Casement, Fixed Plate Glass, Stained Glass

Entries: Porches and Porticoes, Vestibules, Surrounds and Entablatures

*Building Interior*

Structural Systems: Wood-Timber, Iron, Steel, Hollow Tile, Concrete

Spaces: Lobbies and Vestibules, Atriums, Public Hallways, Courtrooms, Reception Areas, Libraries

Features: Woodwork, Light Fixtures, Flooring, Glass, Built-in Furniture, Ornamental

Metalwork Finishes: Wood, Metal, Plaster, Terrazzo, Marble, Paint

Mechanical Systems: Heating, Air Conditioning, Electrical, Plumbing, Elevators

*Building Site*

Landscape: Site Plan, Plantings Walkways, Monuments, Lighting, Parking, Ancillary Structures

*Additions*

Physical Connection, Location, Design

*Accessibility*

A.D.A. Compliance, Ramps, Signage, Doors and Passageways

*Health and Safety Considerations*

Code Compliance, Fire, Egress, Hazardous Materials

Determination of eligibility for historic designation in accordance with National Register Criteria is the responsibility of the State Historic Preservation Office [SHPO] of the Minnesota Historical Society. The SHPO also reviews proposed work on historic properties to determine compliance with the *Secretary of the Interior's Standards*. In either case, early notification is the key to cooperation and a successful project.

*The Secretary of the Interior is responsible for establishing standards for all national preservation programs under Departmental authority and for advising federal agencies on the preservation of historic properties listed in or eligible for listing in the National Register of Historic Places.*

*The Standards for Rehabilitation address the most prevalent historic preservation treatment today: **rehabilitation**. Rehabilitation is defined as the process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its historic, architectural, and cultural values.*

### **The Secretary of the Interior's Standards for Rehabilitation**

The Standards that follow were originally published in 1977 and revised in 1990 as part of Department of the Interior regulations (36 CFR Part 67, Historic Preservation Certifications). They pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and the interior of historic buildings. The Standards also encompass related landscape features and the building's site and environment as well as attached, adjacent or related new construction.

The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be recognized as a

Physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

# ***CHAPTER 3***

## ***COURTHOUSE SECURITY CONSIDERATIONS***

# ***FIVE-STAGE PROGRAM of COURT SECURITY***

A fundamental consideration in the development of any court security program is the principle that all action taken be designed with a stated objective of (1) **Deterrence** - *includes limiting opportunities for acts to occur*, (2) **Prevention**, and (3) **Detection**. These program areas should be supplemented with two additional areas of consideration - (4) **Response**, and (5) **Training**. Supporting one another, each of these significant elements represents an integral part of the recommended five-stage program of courthouse and judicial security.

Unlike traditional law enforcement, which can be classified as *Re-active*, court security should be considered a *Pro-Active* measure. This means the stated five-stage security program is driven by the elements of *Deterring* and *Preventing* criminal and/or prohibited incidents. A court security program that effectively utilizes *Pro-Active* measures will undoubtedly realize a substantial increase in both security and safety levels.

However, these same measures lead to artificially-deflated numbers when compiling statistics on actual security incidents - What incidents were in fact averted by pre-established *Pro-Active* measures? Consequently, officials should not solely rely on this type of statistical data as a basis for rendering decisions on funding, policies, procedures, personnel and systems acquisition. Doing so embodies a perspective of not fully understanding the stated objective of security, as well as supporting or declaring a particular position without being completely informed.

Concentrated within this five-stage security program are the “to be determined” categories of *reasonableness* and *practicality*. Since courthouses and most government facilities cannot and should not be secured like Fort Knox, the significant test of what is reasonable and practical must be enacted with reference to all proposed security measures. The scope of these site-specific determinations (*What is practical?* and *What is reasonable?*) differs from facility to facility, is quite extensive, and therefore is dependant upon a number of factors upon which a greater degree of validity should be placed:

Judicial Acceptance	Employee Safety	Public Safety
Threat Assessments	Operations Security	Site Surveys
Risk Assessments	Facility Operations	Space Design/Layout

The issue of whether increased levels of security have become acceptable in today’s society can be responded to by stating that security enhancements at certain facilities (*i.e. courthouses, airports, government buildings, schools, etc.*) have not only become an expectation, but also a coveted sense of reassurance.

When facility surveys and assessments dictate that enhanced levels of security are necessary, appropriate security measures need to be implemented to ensure the safety and security of all persons who have cause (*For courthouses: judges, staff, employees, defendants, visitors and the general public*) to enter that facility. Reasons justifying this position are self-evident, with the consequences of not doing so being potentially tragic.

There is an inherent risk factor associated with government facilities (*federal, state and local*) that is certainly apparent where courthouses are concerned. Whether this is based on the multiple types of high-threat, profile, and emotional proceedings conducted in these buildings, or the fact that courthouses represent both the American Judicial and Governmental Systems, threat and risk levels are substantially increased.

Acceptance of this principle does not mean officials should resign themselves to the too often stated premise that “*persons intent on carrying out criminal or terrorist acts cannot be stopped.*” On the contrary, do we not lock our homes and cars because experienced burglars and thieves can break in if they want to? Do we not educate our children on personal safety because they could be abused or abducted at any time? Of Course Not! Even the thought of such non-action is considered ridiculous and irresponsible. Unfortunately, present society trends tell us the days where we can actually rely on others to live up to the favored slogan “*Minnesota Nice*” have all but disappeared. Consequently, elected officials and leaders responsible for courthouse security must recognize, acknowledge and provide the appropriate predetermined response.

**Being Responsible for Courthouse Security Requires a Thorough Understanding of the Inner-Relationships and Resulting Effects Between the Following:**

- Implementing a Five-Stage Courthouse Security Program
- Reviewing Site-Specific Factors - Emphasizing The Elements of *Reasonableness* and *Practicality*
- Considering Security and Safety Vulnerabilities Addressed in Facility Surveys and Threat and Risk Assessments
- Addressing Issues Brought Forward by Court and Building Security Committees
- Initiating Program Review and Established Quality Control Measures

# MAIL SCREENING

Depending upon the available resources, a mail screening program should be implemented for courthouses. It is a current assumption that in a majority of Minnesota courthouses fluoroscopes (*x-ray machines*) are not readily available to screen courthouse mail and deliveries. That being the case, it is recommended that courthouse personnel be trained in *Letter and Parcel Bomb Recognition Points* and *General Responses to Suspicious Letter and Packages*. These areas are covered in detail under **Chapter 8: Bomb Threat Response Plan**. Employees would then be empowered to conduct the initial or preliminary assessment of mail and deliveries.

Due consideration should also be given to having a central receiving mail station where agencies would pick up their mail. The main advantage to this is the person assigned to mail station duties would be thoroughly trained in all aspects in reference to suspicious packages and letters; the result being you now would have established a pre-screening program which directly supports the assessments as conducted by individual agencies and employees.

**The specific section of the Courthouse Bomb Threat Response Plan that addresses those agencies and persons to be contacted to further investigate a suspicious package or letter needs to be disseminated to all courthouse employees**

**Assessing the contents of a suspicious package with a fluoroscope requires that each x-ray image be evaluated and classified in one of four categories:**

- **NO THREAT** - Defined as no identifying monitor image (*shape, density, and/or color*) that could be part of a weapon or improvised explosive device.
- **CONTRABAND ITEM** - Defined as a suspicious or confirmed monitor image (*shape, density, and/or color*) indicating an item as been pre-identified as contraband.
- **POSSIBLE THREAT** - Defined as a suspicious monitor image (*shape, density, and/or color*) that indicates a likelihood of weapons or an improvised explosive device.
- **OBVIOUS THREAT** - Defined as a confirmed monitor image (*shape, density, and/or color*) that indicates the presence of weapons or an improvised explosive device.

Shipped items that cannot be screened through a fluoroscope should require an agency contact to verify the shipping contents before the item will be allowed into the courthouse. Items that either meet threat profiles or are still deemed suspicious (*per mail bomb indicators*) may require the Sheriff and/or Police Department to implement the courthouse bomb-threat response plan.

# ***PRISONER SECURITY***

*Prisoner Security is Court Security* - It is recognized that any time a prisoner enters a courthouse it becomes a judicial and courthouse security matter. Prisoners should never be allowed access to judicial chambers. This includes visitations, conferences, consultations, plea bargains, etc. If a judge orders the appearance of a prisoner to her chambers, the Sheriff and/or department designated Court Security Coordinator should be immediately notified so they can address the situation. Judicial contact with prisoners should only occur within a secure environment such as the assigned courtroom.

Policies regarding handcuffed prisoners in courtrooms should be proposed. It is recommended that when the courts have ruled that a defendant(s) is a *risk for flight* and/or a *danger to the community*, consequently being detained, a minimum application of restraints be applied to all prisoners appearing in non-juror proceedings. A variation of this proposed policy would be that ***“A minimum application of restraints can be applied on a case-by-case basis as approved by the presiding judge.”***

Deputy Sheriff's assigned to *“Control”* prisoners should not be armed with a firearm whenever they are in a courtroom or holding cell area. This is dictated by the fact that deputies in direct control of prisoners will be the first to physically come in contact with the prisoner during any type of disturbance or escape attempt. By not carrying firearms, deputy concerns of weapon retention and real threats of the firearm being used against them and others are effectively negated. Now efforts can be concentrated on regaining control of the prisoner, preventing the escape, curtailing the disturbance, etc. Armed deputies maintain a position of support to prisoner control deputies rather than close contact with a prisoner(s).

Department determination will need to be made as to the <i>“Intermediate Weapon”</i> (i.e. <i>stun gun, mace, baton, etc.</i> ) that may be issued to sheriff's deputies. Policies, guidelines, and training governing the usage of the selected intermediate weapon will need to be implemented
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The proper placement and positioning of Sheriff's personnel in courtrooms is essential when securing prisoners. Considerable attention should be given to this integral component of prisoner security. Deputies assigned to secure prisoners should not only be positioned within direct proximity but also between the prisoner and any potential target (i.e. *escape routes and judges*). This will allow personnel to intercept instead of reacting and pursuing a prisoners actions.

# ***GENERAL COURTROOM SECURITY CONSIDERATIONS***

To eliminate the possibility of an accidental or intentional *blackout condition*, standard light switches should be changed to a key-activated variety. Another option is to have separate banks of lights controlled by multiple light switches in varied locations.

Well/Gallery and Courtroom Participant/Observer circulation areas should be clearly defined. Ideally, this is done during the design stage of courthouse construction or renovation projects. It can still be incorporated into existing facilities, as even unobtrusive separation allows judicial officers and security personnel to instantly self-assess a person's intentions, manifested or otherwise, while subsequently allowing them to respond with the appropriate challenge.

Courtroom exits leading to judge-controlled access areas should be secured to prevent any unauthorized entry. Those exits designated for *emergency use* can be equipped with delayed exiting panic hardware. This type of door hardware satisfies fire codes and will prevent anyone from entering a designated security area for a pre-programmed period of time.

Only fixed seating (*benches or individual chairs clamped together*) should be allowed in courtrooms. As documented and reported by the news media, a number of times during the past few years, chairs not secured are potential weapons and have been used in such a manner to create courtroom disturbances.

As witnesses are occasionally admonished, hostile, and in-custody prisoners, an aesthetic barrier or partition should be installed between the judges immediate bench area and the witness stand. The result is you have effectively increased security by limiting or removing the opportunity for an incident to happen.

# ***OPERATIONS SECURITY***

It is extremely important that the Sheriff's Department be immediately advised of any new arrest, preliminary hearing, and/or trial involving threat groups. This information is essential in due preparation of security operational plans, judicial protection, and ensuring building security integrity.

Immediate notification allows the Sheriff time to plan, gather intelligence, conduct threat and risk assessments, and consult with the judiciary. Consequently, the County/City Attorney, Task Forces and Law Enforcement Agencies should be contacted and their cooperation requested in providing the Sheriff with timely notification and information on any arrest involving High Profile Criminal and Civil Cases and the following identified threat groups:

<i>Street Gangs</i>	<i>Prison Gangs</i>	<i>White Extremists</i>	<i>Tax Protesters</i>	<i>Militias</i>
<i>Drug Cartels</i>	<i>Biker Gangs</i>	<i>Terrorists</i>	<i>Organized Crime</i>	<i>Skinheads</i>

# ***GENERAL COURTHOUSE SECURITY CONSIDERATIONS***

It is recommended that Pre-Employment Background Investigations be conducted on courthouse custodial and maintenance staff personnel. They usually have unrestricted facility access and, appropriately, should undergo investigations similar to law enforcement officers. All courthouse contractors should be issued and identified by courthouse-specific identification cards. These “temporary credentials” are to be prominently displayed for easy recognition by the judiciary, courthouse employees, and security.

Employees responsible for the collecting and depositing of monies received during daily business transactions should be trained to practice sound fiscal security procedures. Routes and times of deposits should be varied, with departure and arrival times documented. Funds held overnight and on weekends should, at a minimum, be secured in a Class III level, fire-rated file safe.

## **COURTHOUSE DURESS ALARM OPERATION and RESPONSE PROCEDURES**

- Agency personnel will be provided training on the duress alarm use, and are encouraged to become familiar with the location of office and courthouse duress alarms.
- Agency personnel are encouraged to become familiar with office and courthouse public, employee, and emergency entrances, exits, elevators, and stairwells.
- Duress alarms should be used whenever a situation has escalated beyond control. Minor incidents are to be reported to pre-designated personnel. However, if courthouse personnel are unable to call they should not hesitate to activate the nearest duress alarm.

Courthouse employees need to be aware that until an “enhanced 911 system” (*locks onto exact origin of call*) is installed in the courthouse, the caller must state the exact location of the emergency (i.e. *room #*). It is assumed that most courthouse 911 systems currently identify emergency calls originating only by the courthouse address.

Quality control standards should be implemented concerning courthouse security and master keys. All persons issued courthouse keys are to be listed in documentation registers and noted in building contingency plans. Concentrated efforts must be made to confirm the return of these keys immediately upon the transfer, retirement, or termination of any courthouse employee.

All courthouse utility/maintenance closets and circuit-breaker housings are locked and secured from the general public. All courthouse HVAC or plumbing valves, levers and switches are secured with tamper-resistant locking devices.

The June 28, 1995, Department of Justice “*Vulnerability Assessment of Federal Facilities*” examined the security of day care centers by stating: (1) A thorough review of security and safety policies in evaluating whether to locate day care facilities in buildings with high-threat activities should be conducted, and (2) If a facility is being considered for a day care center, an evaluation should be made based on the risk factors associated with that facility’s occupants, operations, type and locale. The study did not address any implementation of these standards or specific recommendations resulting from their determination.

While arguments have been made for day care programs in buildings where security is enhanced, the more appropriate consideration or question is - *Why has building security been increased?* Based on inherent, self-evident and assessed courthouse threat and risk levels, the housing of day care centers in courthouses, while in some cases is convenient, is not recommended.

It is recommended that Hostage Situation Exercises be conducted in all courthouses to familiarize police and emergency responders with procedures/requirements and the respective facilities design/layout. Realizing that Sheriff and/or Police Department personnel may be called upon to take command (*temporarily or permanently*), said personnel should be directed to familiarize themselves with the courthouse’s (1) design/layout, (2) contingency plan, (3) security systems, and (4) security-related policies and procedures.

The June 28, 1995, Department of Justice “*Vulnerability Assessment of Federal Facilities*” also recommended that an employee identification or badging system be implemented for courthouse employees. However, badges that are required to be worn or prominently displayed are more suitable for a headquarters or corporate environment (*where access is controlled and all persons and visitors are required to wear identification*), not a courthouse-type environment (*where in the badging scenario the only persons not wearing identification would be the public*).

The position against this type of display is supported by the same reasons that judicial parking spaces should be numbered instead of individually identified, not to mention the increased probability of court employees becoming personally known targets of threatening behavior.

Courthouse Identification Badges do Provide a Uniform Way to Identify Court Employees and Judicial Officers, and are Encouraged to be Taken for that Reason, but they Should be Kept Secured until Required for Identification
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**Note: *This is a perfect example where all security policies and procedures need to be reviewed to determine those best suited for a courthouse - not all security-recommended policies and procedures are right for every situation.***

# ***COURTHOUSE ADJACENT PARKING CONSIDERATIONS***

Assessing the threat probability of an improvised explosive device (IED) or vehicle bomb and whether to restrict or eliminate street-side parking adjacent to the courthouse can be addressed by answering three questions:

- If the courthouse is located in a downtown urban or rural environment does the same threat exist across the street with on-street parking, ramps, or lots?
- Do the realized security and safety benefits justify a ban on contiguous street-side parking?
- What is ultimately gained and lost by the elimination or continuance of street-side parking?

Attempting to justify a restriction or ban on street-side parking solely on the basis of a vehicle bomb or IED will likely be opposed for convenience and fiscal reasons. However, incorporating additional site-specific aspects to the courthouse will ensure that final assessments and proposals are comprehensive. (*See related table on page 3.7.1*)

## SITE-SPECIFIC CONSIDERATION FACTORS

<b>Prisoner Custody, Control, and Detention</b>	<ul style="list-style-type: none"> <li>■ <i>Where do prisoners enter/exit the courthouse?</i></li> <li>■ <i>Does the close proximity to parked vehicles increase the real potential of prisoner escapes?</i></li> <li>■ <i>If a prisoner escape occurs, is there an increased public risk because of street-side parking?</i></li> </ul>
<b>Perimeter Security Patrols</b>	<ul style="list-style-type: none"> <li>■ <i>Are challenges issued by security personnel rebutted by the simple placement of a coin in a parking meter - thereby giving persons a legitimate reason to be in the area, security sensitive or otherwise?</i></li> <li>■ <i>Does contiguous street-side parking conceal criminal activity or the placement of small and large IED's?</i></li> </ul>
<b>Judicial and Executive Operations</b>	<ul style="list-style-type: none"> <li>■ <i>What are the courthouse-specific operational requirements that dictated enhanced levels of security?</i></li> <li>■ <i>Where are the secured parking areas of the facility?</i></li> <li>■ <i>Does the proximity of street-side parking increase the likelihood (provides an opportunity) of planned attacks?</i></li> </ul>
<b>Assessments and Survey Audits</b>	<ul style="list-style-type: none"> <li>■ <i>How far is the courthouse offset from adjacent streets?</i></li> <li>■ <i>Are there skyway and/or tunnel connections?</i></li> <li>■ <i>Do completed threat and risk assessments support enhanced security measures?</i></li> <li>■ <i>Do site surveys support added security measures?</i></li> <li>■ <i>Do after-hours security concerns (assaults, stalking, vandalism, threats, etc.) for employees and the public increase with street-side parking?</i></li> </ul>

# ***CREDENTIALS AND BADGES***

As with any branch of government, whether it be civilian or military, executive or judicial, there is a need for identification. For judges, the need for this security measure is made apparent as judges become more and more prone to attack by disgruntled participants. All judges of the United States District Court, Circuit Court of Appeals, and justices of the Supreme Court of the United States are issued double-window credentials for identification. (These credentials also facilitate taking advantage of travel discounts when traveling on government business.)

Identification for trial and appellate judges must be official and authentic in appearance and must clearly identify the holder and the authority. It should command instant recognition by security officers and get the attention of those who would question the holder. It must identify the authority of the individual seeking restricted access to the courthouse, courthouse complexes and in areas of needed sensitive information.

**IDENTIFICATION CARDS** - Identification cards, at a minimum, should be convenient, the size of a credit card or driver's license, without disclosing personal information. They should include a colored seal of the court in which the holder serves, together with an embossing seal for authentication. The holder's name and title, photograph, signature and judge's number, along with the signature and title of the authenticating official, should appear thereon.

**CREDENTIALS** - Credentials should be in a suitable leather case with double windows clearly identifying the court, name and title of the holder, with signatures of the holder and authenticating officer, the judge's registration number or trial court information system number; the judge's photograph, and should have the authority and colored court seal imprinted thereon. The seal of the court should be in color so that it is less susceptible of forgery, duplication or copying on contemporary copiers or scanners.

**BADGES** - Badges are an optional form of identification. They should bear the seal of the State of Minnesota, the court in which the judge serves, and the title of the holder. They should never be used or recognized alone, but only as an adjunct to credentials. It is preferable not to look like a police or sheriff's badge, but one that will draw instant attention if the judge is in trouble and in need of assistance.

Occasionally judges may find a need to carry firearms for their own personal protection or defense. In such cases, it is absolutely essential that judges have the proper permits to carry concealed weapons so that they may be properly identified instantly. The badge serves as instant identification, and the credentials, which **must have** a photograph of the holder, quickly confirms authenticated identify. Badges should be carried in the same leather case, recessed on the inside of the case, and should only be displayed when necessary.

# ***CHAPTER 4***

## ***COURTHOUSE PERIMETER SECURITY***

# ***SECURED and CONTROLLED PARKING***

Ideally, courthouse-assigned parking spaces should be located in both a Secured and Controlled (*see below stated definitions*) underground parking ramp. If this is not possible, the farther the spaces are located from ground level the better. In designating assigned parking spaces, numeric plates should be used instead of titles and name - *reduce and eliminate opportunities*.

**SECURED PARKING** - *Security coverage based on an integrated system of CCTV Cameras, Panic or Call Stations, Monitors, Security Personnel, Intrusion Detection Devices, Emergency and Standard Lighting, Loop Detectors, etc.*

**CONTROLLED PARKING** - *Controlling access into the parking facility through Space Design and Layout, Door and Stairwell Locking Hardware and Contacts, Passive and Active Vehicle and Pedestrian Ground Barriers, Card Key Access, etc. Contract Parking can be considered an initial step in documenting and controlling access into a parking facility.*

<p>In Order to Reach the Highest Level of Parking Ramp Security both Secured and Controlled Parking Considerations Need to be Implemented</p>
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## **Open Courthouse Parking Lot Recommendations and Considerations:**

- *Control Access into the Parking Lot*
- *Designate Separate Parking Areas for the Public*
- *Clearly Define Employee, Visitor, and Public Circulation Areas in and Adjacent to the Parking Lot Area*
- *Install Passive and/or Active Barriers - for Public Sight and Physical Restrictions*
- *Add Site-Appropriate Outside Security and Safety Lighting*
- *Provide an Enhanced Security Presence*
- *Install Site-Appropriate Security Systems*
- *Establish Policies and Procedures for the Immediate Removal of Unauthorized Vehicles*
- *Promote Employee Security Awareness*
- *Consider Security-Oriented Landscaping Designs and Grounds Maintenance*
- *Review Neighboring Crime Statistics*
- *Actively Investigate Crimes Committed in Parking Lot Areas*

# ***EXTERIOR SECURITY SYSTEMS***

In most cases, *Active Barriers* are hydraulically-operated devices that are designed to stop a vehicle from penetrating an entrance. They can be of a bollard-type construction, surface mounted, or wedge-type. Courthouse barrier specification levels must be able to stop a 4,000 pound vehicle traveling at 30 MPH.

*Passive Barriers* are fixed-in-place and designed to restrict vehicles or pedestrian access in close proximity to the courthouse. Typical structures include concrete planters, bollards, and fences. When possible, a minimum setback of fifty (50) feet should be maintained. For new courthouse design and construction, a setback of one hundred (100) feet is recommended as a standard. Passive barriers can be counted or measured in linear feet for fences or quantities for bollards or planters.

## **RECOMMENDED EXTERIOR SECURITY SYSTEM COMPONENTS:**

<b>TYPE</b>	<b>DESCRIPTION</b>
<b>Barrier Gates</b>	<i>Series/Manufacturer: BB10M, TT212, TT212E/Delta or Sheriff Approved Equal</i>
<b>Bollard Systems</b>	<i>Series/Manufacturer: TT203, TT210/Delta or Sheriff Approved Equal - Height: 24" Diameter: 8.63"</i>
<b>Crash Gates</b>	<i>Series/Manufacturer: SGC1000, SC3000S, TT280, MTC31/Delta or Sheriff Approved Equal - Height: 108" Opening: 144"-396"</i>
<b>Rising Barricades</b>	<i>Series/Manufacturer: TT224, TW107, TW108, TT205, TT205S, TT207, TT207S, TT107S/FM/Delta or Sheriff Approved Equal Height: 24" Opening: 20"-157"</i>

# ***COURTHOUSE INGRESS and EGRESS POINTS***

**The Number of Public Entrances to Courthouses Should be Kept to the Minimum Number Practical to Provide for Court Operations**

**Areas of *Ingress* and *Egress* consideration include, but are not limited to:**

- *Security Screening Systems*
- *Mail and Delivery Screening Programs*
- *Door Locking Hardware*
- *Intrusion-Detection Systems*
- *Controlled-Access Systems*
- *ADA Requirements*
- *Fire Code Regulations*
- *Courthouse Historical Design Features - see manual, Chapter 2: Court Security Management and Development, section 2.8: Historical Preservation Status*
- *Courthouse and Agency Operations*
- *Judicial and Employee Entrances and Exits*
- *Courthouse Security Personnel*
- *Threat and Risk Assessments*
- *High-Threat/Profile Trials*
- *Criminal Statistics*
- *Civil Disturbances, Protests and Demonstrations*
- *Building Management*
- *Building Signs and Directories*

# ***CRIMINAL STATISTICAL SUMMARIES***

**Criminal Statistical Summaries, considered a Pro-Active Measure, should be Conducted on a Quarterly Basis, within a Four-Block-Square Radius of the Courthouse. Documented Criminal Acts can then be Reviewed, Assessed, and Responded to regarding their Direct Effect on Court Security Operations.**

**Depending upon the *Numbers, Locations and Types* of criminal activity, the following are a number of available response actions:**

- *Threat and Risk Assessments*
- *Threat Advisories*
- *Security Alerts*
- *Facility and Area Surveys*
- *Increased Security Presence and Patrols*
- *Increased Police Presence and Patrols*
- *Installation of Additional Security Systems*
- *Enhanced Security Lighting*
- *Employee Security Awareness Training*
- *Promoted and Coordinated Neighboring Efforts and Networking*

**NOTE: Statistics are Only as Reliable as the Raw Data Reported and Collected.** Security review and assessments need to consider not only the statistics themselves, but questions such as: *Why was there an increase in crimes of this type?* and *Why was this specific or larger area effected?*

# ***DEMONSTRATIONS and PROTESTS***

**Public Demonstrations and Protests are a Constitutionally-Protected Right. Court Security Efforts must be Balanced and Concentrated to both Respect this Right and Simultaneously Provide for Courthouse Security.**

In the event of a planned demonstration or protest, personnel responsible for court security must assess, determine, and respond to a number of different situations - prior planning is essential when doing so. Efforts should be made to identify the protest organizer or leader in an attempt to determine the protest objective, and thereafter reach a mutually beneficial accord on dealing with agitators and disturbances.

**The following are a number of areas and concerns that will likely require action on the part of court security personnel:**

- *Multiple Arrests*
- *Medical Emergencies*
- *Disorderly Conduct*
- *Acts of Vandalism and Arson*
- *Criminal Assaults*
- *Interfering with Courthouse Operations*
- *Attempts to Barricade Courthouse Entrances and Exits*
- *Civil Disobedience*

## **SECURITY PLANNING CONSIDERATIONS:**

- *Intelligence Information*
- *Demonstration Size and Cause*
- *Staffing Requirements*
- *Inter-Agency Jurisdictional Agreements*
- *Officer Conduct*
- *Assembly Locations*
- *Court Orders and Resulting Enforcement*
- *Arrest Procedures, Locations, and Holding Facilities*
- *Medical Facilities*
- *Chemical Munitions Deployment and Protocol*
- *Contingency and Occupant Emergency Plans*

# ***CHAPTER 5***

## ***SECURITY EQUIPMENT***

# ***SECURITY EQUIPMENT***

<p><b>METAL DETECTORS - Hand-Held</b></p>	<p>Hand-Held Metal Detectors are highly mobile and relatively inexpensive. They are designed to determine the exact location of a metal substance, usually on a person. They can be used as single detection devices, with a disadvantage being the reduction in the volume of persons being screened, or preferably, in conjunction with a Walk-Thru Metal Detector.</p> <p>It is recommended that, at minimum, the number of detectors of this type be purchased on a ratio comparable to the number of courtrooms and/or screening systems located within your facility. Policies will need to be outlined and implemented which reference procedures to follow when using this metal detector. For example: the proper technique to use is not a jabbing motion but one with a steady motion that outlines the body from a distance of 2-3 inches (<i>subject to programmed sensitivity levels</i>).</p> <p>If your stated objective is the detection of firearms and explosive devices, it may not be necessary to subject persons to complete screening. The professional and recurrent training of security staff personnel will allow them to initially, visually assess persons, then concentrate the detector on those areas where firearms and explosives can be concealed. If, however, you desire detection of smaller edged weapons, completed all-encompassing screening of a person is required.</p>
<p><b>MAGNETOMETERS - Walk-Thru</b></p>	<p>Magnetometers are designed to detect all metal objects (<i>subject to programmed sensitivity levels</i>) persons attempt to carry through the detectors frame. Metal objects that are carried past the immediate outside of the magnetometer frame will also be detected.</p> <p>A majority of the magnetometers in use today DO NOT indicate where the metal object is located other than on the person and/or article being screened. The use of a Hand-Held Metal Detector in combination with these magnetometers will assist in confirming the exact location of the metal object in question. Of note, recent technology has brought about the design of detectors that will provide general and, in some models, the exact location(s) of metal objects. This is accomplished through a Lighted Electronic Display (<i>LED</i>) located on the entire length of the side panel or through a monitor designed with computer graphics.</p> <p>Placement of magnetometers may be dictated by surrounding areas that potentially interfere with magnetometer readings. It may be necessary to reposition or even relocate the magnetometer altogether if this is the case. Preliminary site testing of the magnetometer at various intervals of your screening operations point will identify a suitable location. Even though the magnetometer is typically considered a detection device, its initial and believed continuous value, whether incorporated with a fluoroscope (<i>x-ray machine</i>) or not, is one of deterrence. A primary advantage of magnetometers is their desired ability to efficiently handle high traffic volume areas.</p>

<p><b>FLUOROSCOPES – X-ray Machines</b></p>	<p>A fluoroscope provides “x-ray” imaging or viewing of weapons, explosives, contraband, etc. Depending on the system operator, this equipment is considered as effective a screening and detection device as is currently available.</p> <p>Fluoroscopes range in cost from a few thousand dollars (<i>smaller portable designs with individual inspection</i>) upward towards \$30,000 (<i>fixed designs with conveyor belts for mass volume inspection and color scanning for dense, organic and in-organic materials</i>).</p> <p>It should be expected that registration of ionizing radiation sources (i.e. x-ray machines) will be required by the State of Minnesota Health Department. Information required will consist of (1) Manufacturer, (2) Serial Number, (3) Unit Location, (4) Tube Type, (5) Tube Status, and (6) Systems Radiation Leakage Report as required by 14 CFR 108, 17, and 14 CFR 129, 26.</p>
<p><b>DURESS ALARMS – Panic Devices</b></p>	<p>Duress Alarms register (<i>via simultaneous relay</i>) a silent, non-visual signal from the point-of-origin to a central monitoring station where an audio/visual alarm is sounded.</p>
<p><b>CCTV CAMERAS - Closed-Circuit Television</b></p>	<p>CCTV’s provide security with an operationally inherent ability to visually monitor pre-identified areas of coverage. CCTV’s have a number of different available features that include:</p> <ul style="list-style-type: none"> <li>◆ Fixed (<i>Set Field of Coverage</i>) Video Imaging</li> <li>◆ PTZ (<i>Pan, Tilt, and Zoom</i>) Capabilities</li> <li>◆ Fixed Lenses (<i>Non-Adjustable Focal Points</i>)</li> <li>◆ Variable Lenses (<i>Adjustable Focal Points</i>)</li> <li>◆ Fixed (<i>Indoor Use</i>) Iris Lenses</li> <li>◆ Auto (<i>Exterior or Extreme Lighting Conditions</i>) Iris Lenses</li> <li>◆ Black and White or Color (<i>Higher Clarity</i>) Imaging</li> </ul> <p>CCTV’s can provide video to a central location or multiple monitors and locations. They can also be set up for “point-to-point” coverage (<i>One CCTV Interfaced to a Single Location</i>) as intentionally designed for a Judicial Chambers Controlled Access System. CCTV Video Signals are relayed via coaxial cable connection or wireless technology. Power to a CCTV is supplied through a separate power source or coaxial cable connection.</p>
<p><b>CCTV HOUSINGS Enclosures</b></p>	<p>Housings/Enclosures are designed to secure CCTV’s and provide a certain degree of equipment protection from adverse environmental conditions, vandalism, or tampering. They are also designed and often intended to provide CCTV’s with operationally enhanced and/or aesthetically unobtrusive concealment. There are numerous types of housings and enclosures available from which to meet your specific application and operational requirements. They include:</p> <p><i>Corner / Quarter and Half Domes / Ceiling Wedge / Environmental Ceiling Recessed Pressurized / Surface Mounted Mini-Dome Suspended Pendant Domes / Tamper Proof / Institutional / Scanner Impact Resistant / Pan-Tilt / Liquid Cooled / Infrared Illuminator</i></p>

<b>CCTV MOUNTS</b>	In lieu of housing or enclosure, secures a CCTV to a fixed location. Different types include:  Wall / Ceiling / Column / Universal / Pedestal
<b>SECURITY MONITORS</b>	Depending on the type of CCTV and Monitor, provides black and white or color video image from a CCTV camera. Security monitors can accommodate Dedicated ( <i>fixed image</i> ), Sequencing ( <i>multiple CCTV video images shown at pre-programmed intervals</i> ), Single ( <i>one video image at a time</i> ), Dual ( <i>two video images</i> ), or Quad ( <i>four images</i> ) Video Imaging.  Standard Sizing includes: 9 - 12 - 13 - 14 – 15 - 17 - 19 - 20 Inch Models
<b>INTERCOMS</b>	Provides point-to-point audio communication and identification. An <i>Intercom Remote</i> can only send and receive audio from a single point connection or location. An <i>Intercom Master</i> is able to send and receive audio from multiple point locations and connections.
<b>NUMERIC PIN PADS</b>	Electronic or Mechanical device that allows authorized individuals to enter a numeric code to gain access into a secured area. Pin Pads are designed for ease of operation in facilitating employee access.  Numeric displays that are either vertically or horizontally designed ( <i>numbers up and down or side to side</i> ) are usually mechanical devices ( <i>open doors with a door latch</i> ) while those similar to touch tone phones are usually electronic devices ( <i>open doors with an electronic strike</i> ).  High security areas may require a Scrambling Pin Pad which automatically “scrambles” ( <i>code is less likely to be compromised</i> ) the location of each number after each use.
<b>CARD KEY READERS - Bio-Metrics</b>	Readers allow security doors to be accessed via use of an authorized Card Key. Either <i>Pass Through</i> or <i>Proximity</i> type readers are currently available. Bio-Metric ( <i>retina, thumb, hand, etc.</i> ) Scanners are recent technical advances.
<b>ELECTRIC STRIKES</b>	Enables security doors in Controlled Access Systems to be electronically released. The release action can be controlled remotely by a strike release, use of a reader, or entering a numeric code into the electronic pin pad. Electric Strikes are designed to be installed in door frames - In Reference to New Construction: final decisions to use electric strikes should be made early in the design phase so door frames can be “prepped” prior to their being installed.
<b>ELECTRIC STRIKE RELEASES</b>	Individual <i>Remote</i> and/or <i>Local</i> release buttons or readers that activate the release of an electric strike allowing access through a specific door that has been equipped with controlled access.
<b>MAGNETIC LOCKS</b>	Used for Controlled Access Systems that do not accommodate electric strikes or lock sets. Ideally suited for double door applications. Access is controlled by electronic pin pads, readers, and release buttons.
<b>ELECTRIFIED MORTISE LOCKS</b>	The door hardware itself ( <i>lever, internal mechanisms and latch</i> ) is wired electronically for access control. Access is controlled by electronic pin pads, readers, and release buttons.

<b>SECURITY LIGHTING</b>	<p><b>Seven Primary Types of Protective Lighting:</b></p> <ul style="list-style-type: none"> <li>◆ Continuous - <i>series of continuous fixed lighting</i></li> <li>◆ Controlled - <i>lighting adjusted to meet protective requirements</i></li> <li>◆ Area - <i>illumination of all open areas</i></li> <li>◆ Surface - <i>illuminates priority structures and building surfaces</i></li> <li>◆ Standby - <i>supplemental lighting system that automatically or manually activates on alarms or suspicious activities</i></li> <li>◆ Moveable - <i>manually operated floodlights or searchlights</i></li> <li>◆ Emergency lighting - <i>limited to times of power failure or other emergencies. Battery Powered or Hard Wired</i></li> </ul> <p><b>Five Types of Lamps:</b></p> <ul style="list-style-type: none"> <li>◆ Incandescent - <i>common type of glass light bulb</i></li> <li>◆ Mercury Vapor - <i>emits a blue/green light (interior/exterior lighting)</i></li> <li>◆ Sodium Vapor - <i>emits a golden/yellow light (i.e. streets and garages)</i></li> <li>◆ Metal Halide - <i>emits a harsh yellow light</i></li> <li>◆ Fluorescent - <i>supply high light output</i></li> </ul>
<b>BALLISTIC GLAZING</b>	<p>Ballistic glazing is designed to stop, dependant on rated levels, ballistic rounds from completely penetrating its layered shell. A glazings rating level will indicate which ballistic rounds it is designed for. Rating levels and ballistic test requirements are set forth by Underwriters Laboratories (UL) and the National Institute of Justice.</p> <p>Bullet Resistant Glazing and Detention Type Glazing is available in several different configurations. Laminated glass glazing can weigh between 2.5 lbs. and 26.0 lbs. per square foot. Tinting, wire, and one-way mirrors may be incorporated into glazing materials.</p> <p>Fiberglass ballistic resistant glazing (<i>a fiberglass woven reinforced plastic</i>) materials are used to fortify judges benches, witness stands, jury boxes, walls, doors, counters, or virtually any surface area requiring a relatively lightweight ballistic resistant material.</p> <p>Common brand names associated with these glazing materials are <i>Kevlar</i> and <i>Armotex</i>.</p>
<b>DOOR VIEWERS</b>	<p>Door Viewers, or <i>peepholes</i>, allow observation of pre-identified areas prior to entering. The brand name door viewer “<i>Big Eye</i>” is an optical instrument that provides a 180 degree viewing angle that has exceptional visual clarity - in essence modern door viewers make traditional peepholes obsolete.</p> <p>Door Scopes allow persons to stand up to seven feet away and see a wide angle visual image with little distortion. Door scopes are larger than door viewers and their use should be examined when aesthetics are a consideration.</p>
<b>VEHICLE BARRIERS</b>	<p>Vehicle barriers operate exactly as their name indicates - a barrier to vehicles. Different types include: Bollards (<i>high impact solid construction</i>), Drop Arms (<i>impact resistant crash beams</i>), and Electro-Hydraulic Powered Barriers (<i>high impact - standard for controlled access - rapid deployment models available</i>).</p>

# ***INTERCOM SYSTEMS***

Intercom systems should enable the judge to communicate with the court security staff, coordinator, or dispatcher in an emergency. Telephones on the bench enable the judge to call for help for a medical emergency, for court security officer backup, or for assistance during any exigency or emergency. To do so subtly and without jeopardizing the safety of anyone, the judge may use a telephone that is capable of connecting to a dispatcher on the push of a button.

**THE NORTEL SYSTEM** - Certain telephones or intercoms are capable of transmitting voice while the handset is still in the phone cradle. One such system is *Nortel*. The advantage of the *Nortel* system is that the sheriff's dispatcher can hear and record conversations without alarming the perpetrator or others at the calling end — either in chambers or in the courtroom. It also enables the judge to continue, hands-free, to control the situation or to leave the courtroom if a hostile environment is developing.

**NOTE:** At the present time, there is only one such system in operation. That is in Dakota County in Hastings, Minnesota, in the Government Center. It is presently employed on a *Nortel* telephone system. It is not known whether it would work on a different telephone network.

## **HOW IT WORKS:**

- It is absolutely essential that the telephone system be connected directly to the sheriff's dispatcher or police dispatcher. With that connection in place, a phone card is inserted into the system that can accommodate up to 16 telephones on the *Nortel* telephone system.
- Since the wiring and connections are already in place, all that remains to be done is to install a button which is connected to the telephone, but not necessarily located on the phone. It may be connected to the telephone by wires from a location on or beneath the bench in the courtroom. It also may be located in the court reporter's area, in the court security officer's area or station (or bailiff's box), and at or beneath the court clerk or court attendant or law clerk's desk.
- Once the button is pushed and the system is activated, a red light, LED, or pilot jewel is illuminated to indicate the button has been pushed. This does not, however, indicate whether the dispatcher has picked up the receiver.
- Once the dispatcher picks up the phone in the dispatch center, a number of things can happen: The audio can be recorded, the dispatcher can hear the conversation and audible circumstances in the courtroom or chambers, and assistance can be dispatched.

The *Nortel* system functions as a silent alarm with a listening device. That listening device is the very mouthpiece or microphone in the telephone handset that is on the bench, on the clerk's

desk, in chambers, or in an anteroom just outside a judge's chambers. This technology is not a *Nortel* accessory; it was developed by information technicians in Dakota County, Minnesota, at Hastings, when the need became apparent for a way to monitor the Treasurer's office in the Government Center. There is no reason why it would not work in a courtroom or courthouse complex setting. With one phone card controlling or connecting 16 telephones at a cost of approximately \$100.00 per telephone, it is a very inexpensive adaptation of a telephone system already in place, and it has distinct advantages over and above that of merely having a button with a silent alarm in place.

#### **ADVANTAGES OF THE SYSTEM:**

- It allows the dispatcher or court security officer monitoring the telephones to have the same direct contact with the courtroom to alert to trouble.
- It has the greater advantage of allowing the monitor to hear what is going on and direct assistance to the courtroom or chambers immediately.
- It affords the monitor to select the kind of assistance that is necessary — medical, security, fire, or whatever may be needed.
- It allows the dispatcher or court security officer to continue the audible proceedings while being undetected so as to communicate with emergency responders while en route, without alerting an assailant that help is on the way.
- It also allows the dispatcher or court security officer monitoring to hear what may be displayed on a video monitor in a dispatching center or court security control room.

#### ***OTHER INTERCOM SYSTEMS***

If such a system is not workable or available, it is still possible (with some telephone systems) to use the telephone on the bench as an intercom. It can be done very simply. With a push-button telephone console and a RELEASE button, some systems allow the handset to be removed from the telephone and the RELEASE button to be pressed, thus causing the line to go dead. This should be tried to make sure that after some period of time a dial tone does not automatically become activated. The purpose is to assure that once the handset is removed from the phone cradle and the release button is pushed, the phone is deactivated until an outgoing line button is pushed and an outgoing line is activated.

#### **PROCEDURE:**

- Remove the phone from the cradle;
- Press the RELEASE button;
- Make certain there is no dial tone;

- Punch in the number "911" or the extension for the sheriff's dispatcher or court security officer's dispatcher;
- With the handset off the phone cradle, the call is placed, and the line is activated much like an intercom.

The advantage of having the telephone handset off of the console is that it enables you to use the telephone that is already in place at the bench of the clerk's desk to summon emergency assistance without picking up the telephone handset and alerting an assailant. If there is no physical threat, the judge or clerk can have the number already inserted to the emergency extension, and all that needs to be done is to press the OUTDIAL button or any phone line extension that appears on the telephone console. If, at the end of a court session, no 911 or emergency call is necessary, the judge merely pushes the RELEASE button and the telephone is available for calls. With the number pre-dialed but not activated, the telephone can still receive any incoming calls to the chambers or courtroom.

The disadvantage of a telephone without buttons, but with a direct line to the sheriff's dispatcher or court security officer monitoring calls, is that the handset needs to be removed from the telephone console in order to be activated. This movement may alert an assailant or unstable individual who could pose an immediate threat to the judge, jurors, parties, court staff, or others.

# ***GLOSSARY OF DEFINITIONS***

## ■ **CENTRAL STATION MONITORING**

A contract or proprietary system (*i.e. Communication Center*) that monitors a facility's security systems (*CCTV, Duress, Intercom, Contacts, etc.*)

## ■ **CONTACTS**

Surface mounted or concealed magnetic switches that activate a remote and/or local alarm when moved apart. Typical application for alarming doors and windows.

## ■ **DEADLATCH**

Detention type lockset designed for use on frequently used security doors. They automatically lock whenever the door is closed. A paracentric or mogul key unlocks the deadlatch by retracting a beveled bolt. Can be keyed on one or both sides. Electric lock versions will allow access to be controlled from central station monitoring.

## ■ **DEADLOCKS**

Detention type lockset designed for use on security doors, access panels, plumbing closets, or electrical panels. They are locked or unlocked with a paracentric key retracting or extracting a single squared bolt. Can be keyed on one or both sides. They are not intended for use on prison or holding cells. Electric lock versions will allow access to be controlled from central station monitoring.

## ■ **DEDICATED RECORDING**

Continuous video recording of a single CCTV. **Note:** *Time lapse programmed VCR's do not have the capability of taping on a dedicated basis. If your system is entirely time lapse you will have to integrate a separate VCR for dedicated taping.* Recommended for recording demonstrations, security screening, high threat/profile proceedings, prisoner and other high threat activities.

## ■ **DELAYED EXITING**

The programmed time interval from when a door lever or panic (*crash bar*) hardware is turned or pushed until it opens. Ideal application for security doors that must also be designated, per fire code, as an emergency exit.

## ■ **DIALER**

A device that telephones an alarm to single or multiple preselected telephone numbers.

## ■ **DOOR POSITION SWITCHES**

Monitoring devices for hollow metal, plated, or grilled security doors. Designed for use in Minimum or Maximum security applications.

## ■ **ELECTROMAGNETIC LOCKS**

Provides instant door release point for controlled access systems. Does not require or incorporate dead latches or dead-bolt while conforming to building and fire codes. Securing double doors is an example where this lock type would be typically used.

■ **ENTRY CONTROL PACKAGE (ECP)**

Integrated security systems to control access to designated area. Standard equipment includes: CCTV and Housing, Numeric Pin Pad (*Electronic or Mechanical*), Intercom Remote, Electric Strike or Magnetic Lock, Manual Over-Ride (*Key*), and Local and/or Remote Annunciators.

■ **FAIL SAFE CONDITION**

Instantly unlocks ECP or other Controlled Access System when electricity is cut off, during a power failure, fire panel deactivation, or emergency sprinkler systems are activated. Enhanced courthouse security measures may require a single or combination of these events to occur before certain systems go Fail Safe.

■ **FAIL SECURE CONDITION**

Controlled Access Systems will stay locked during power failures, fire panel deactivation, electricity cut off, and/or emergency sprinkler systems activation.

■ **FIRE SAFE RATING**

Underwriters Laboratories (UL) certification of an identified item's fire resistance

■ **INFRARED MOTION SENSORS**

Senses heat sources that move into protected areas, simultaneously triggering an alarm.

■ **INSTITUTIONAL TYPE DEVICE**

Accessory equipment (*i.e. sprinkler heads, fastening devices, vents, toilets, sinks, enclosures, etc.*) rated and approved (*secured and tamper proof*) for use in detention facilities and prisoner circulation areas.

■ **LASER SENSORS**

Similar to photoelectric sensors - exception being laser beams replace light beams.

■ **LOCAL ALARM**

Annunciates at point of alarm.

■ **MICROWAVE MOTION SENSORS**

Activate an alarm mode when motion is detected in designated protected areas.

■ **MOGUL KEY**

Detention type key generally used for prisoner circulation area security doors (*i.e. sallyports, interview rooms, prisoner property rooms, etc.*)

■ **PARACENTRIC KEY**

Detention type key generally used for prison or holding cells and/or interfaced cuff ports (*also known as food-pass ports*).

■ **PHOTOELECTRIC SENSORS**

These sensors project a light or infrared beam that triggers an alarm or action (*i.e. door opening*) when an object or person passes through it.

■ **PROPRIETARY SYSTEM**

Owned and/or operated by a specific company or agency

■ **REMOTE ALARM**

Annunciates at pre-designated location such as a central monitoring station.

■ **SYSTEM INTEGRATION**

The final step in incorporating a facility design that connects and integrates security equipment through a central station monitoring point (*communication center*) with computers, radionics, monitors, intercom masters, time lapse and dedicated VCR's, video printers, multiplexers, matrix switchers, etc. to create an operationally efficient and complete security system.

■ **TIME LAPSE RECORDING**

Simultaneous video recording of multiple CCTV's. **Note:** The number of cameras integrated into a time lapse-ready VCR will affect the frequency and interval of the video images you see. For example: *Sixteen cameras are programmed for time lapse recording, each camera is allotted a 16th of a second, which results in one second passing before you view that same video image again - similar to a strobe effect*

# ***CHAPTER 6***

## ***COURT SECURITY OFFICERS (CSO S)***

# ***Highlights of U.S. Marshals Services CSO Contracts***

There are a number of issues to consider and address if it is determined that CSO guard services will be contracted out to a private vendor. The United States Marshals Service (USMS) currently uses private vendors to provide contract guard services for CSO's. The following highlights those areas (*Parts* and *Sections*) included in USMS CSO contracts and will assist persons in developing similar-type contracts as determined by each agency.

## **PART I - THE SCHEDULE**

- 1. Section A - Solicitation / Contract Form**
- 2. Section B - Supplies or Services and Prices / Costs**
  - B-1. Description of Services
  - B-2. Estimated Quantities
- 3. Section C - Description / Specifications / Statement of Work**
  - C-1. Background
  - C-2. General Scope
  - C-3. Contractors Purchasing System
  - C-4. Government Reimbursements
  - C-5. Contractor Personnel
  - C-6. CSO Qualification Standards
  - C-7. Training Standards
  - C-8. Minimum Medical Standards
  - C-9. Physical Standards
  - C-10. Weapons Proficiency Standards
  - C-11. Other General Standards
  - C-12. CSO Dress Standards
  - C-13. CSO Performance Standards
  - C-14. Alternate Locations and Special Assignments / Temporary Duty
  - C-15. Work Restrictions
  - C-16. Unforeseen Government Closures
  - C-17. Additional Security Coverage
  - C-18. Emergencies
  - C-19. Overtime and Holidays
  - C-20. Changing the Number of Authorized CSOs
  - C-21. Contractor Continuing Responsibility to Provide Suitable CSOs
  - C-22. Authority and Jurisdiction
  - C-23. Orientation
  - C-24. Contractor Personnel Applications
  - C-25. Background Investigations

- C-26. Contractor Responsibility to Provide Full-Protective Coverage with Qualified CSOs
  - C-27. Government-Furnished Equipment
  - C-28. Contractor-Furnished Personnel Identification Cards
  - C-29. Mandatory CSO Reports
  - C-30. Turnover
- 4. Section D - Packaging and Marking**
- D-1. Preservation, Packing and Marking
  - D-2. Marking
- 5. Section E - Inspection and Acceptance**
- E-1. Inspection and Acceptance of Contractors Services and Reports and Other Required Data
  - E-2. Clauses Incorporated by Reference
- 6. Section F - Deliveries or Performance**
- F-1. Liquidated Damages - Supplies, Services, or Research and Development
  - F-2. Deliverables
  - F-3. Period of Performance
  - F-4. Option to Extend the Term of the Contract
  - F-5. Extension of Services
  - F-6. Work Week
  - F-7. Clauses Incorporated by Reference
- 7. Section G - Contract Administration Data**
- G-1. Roles and Responsibilities of Government Personnel
  - G-2. Contract Administration
  - G-3. Task Orders
  - G-4. Overtime Services (*Category 5*)
  - G-5. Invoice Payments
  - G-6. Invoice Requirements
  - G-7. Price Adjustment Procedures Resulting from Wage Determination Increases
- 8. Section H - Special Contract Requirements**
- H-1. Subcontracting Restriction
  - H-2. Indemnification
  - H-3. Removal of CSOs and Other Contractor Personnel
  - H-4. Insurance Coverage
  - H-5. Licenses
  - H-6. Facility Survey Prior to Assuming and Commencing Contract Performance
  - H-7. Recording Presence
  - H-8. Wage Determination
  - H-9. Liability for Start-Up Costs
  - H-10. Quantities for Minimum and Maximums
  - H-11. Department of Justice Deadly Force Policy

- H-12. Notice Regarding Firearm Possession and Domestic Violence
- H-13. Notice Regarding Blood-Borne and Air-Borne Pathogens Exposure

## **PART II - CONTRACT CLAUSES**

- 1. Section I - Contract Clauses**
  - I-1. Ordering
  - I-2. Order Limitations
  - I-3. Statement of Equivalent Rates for Federal Hires
  - I-4. Availability of Funds for the Next Fiscal Year
  - I-5. Subcontracts for Commercial Items and Commercial Components
  - I-6. Indefinite Quantity
  - I-7. Clauses Incorporated by Reference

## **PART III - LIST OF DOCUMENTS, EXHIBITS, and OTHER ATTACHMENTS**

- 1. Section J - List of Attachments**

## **PART IV - REPRESENTATIONS and INSTRUCTIONS**

- 1. Section K - Representations, Certifications, and Other Statements of Offerors**
  - K-1. Certificate of Independent Price Determination
  - K-2. Taxpayer Identification
  - K-3. Certification Regarding Debarment, Suspension, Proposed Debarment, and Other Matters
  - K-4. Type of Business Organization
  - K-5. Small Business Program Representations
  - K-6. Previous Contracts and Compliance Reports
  - K-7. Affirmative Action Compliance
  - K-8. Clean Air and Water Certification
  - K-9. Certification of Toxic Chemical Release Reporting
  - K-10. Contractor Establishment Code
  - K-11. Clauses Incorporated by Reference
- 2. Section L - Instructions, Conditions, and Notices to Offeror's or Respondents**
  - L-1. Submission of Proposals
  - L-2. Content of Technical Proposal
  - L-3. Content of Past Performance Proposal
  - L-4. Content of Business Proposal
  - L-5. Information Statement of Wages and Fringe Benefits
  - L-6. Type of Contract

- L-7. Service of Protest
- L-8. Freedom of Information Act
- L-9. Notice of Award
- L-10. Disposition of Proposals
- L-11. Site Visit
- L-12. Requests for Site Visits
- L-13. Acceptance of Offers
- L-14. Receipt of Proposals
- L-15. Solicitation Copies
- L-16. Written Inquiries
- L-17. Solicitation Provisions Incorporated by Reference
- L-18. Listing of Solicitation Provisions Incorporated by Reference

**3. Section M - Evaluation Factors by Award**

- M-1. Award Basis
- M-2. Award Selection
- M-3. Evaluation Options
- M-4. Technical Evaluations
- M-5. Technical Evaluation Criteria
- M-6. Evaluation of Past Performance
- M-7. Evaluation of Prices
- M-8. Special Standards of Responsibility
- M-9. Progress Payments Not Included

# ***CSO PERFORMANCE STANDARDS***

- Be courteous and demonstrate good manners toward the judiciary, court employees, government employees and the general public.
- Maintain a respectful and helpful attitude in all endeavors.
- Maintain a neat, clean, and businesslike appearance and comply with CSO dress standards while on duty.
- Report to work physically fit and mentally alert. Personnel feeling otherwise will make appropriate notification to the appropriate supervisor and request necessary relief or instructions.
- Report any circumstance which may adversely affect performance on a particular assignment to their immediate supervisor, prior to that assignment.
- If the CSO should be detained or become aware that they are under investigation by any federal, state, or local agency, for any legal or ethical violation, they must report this to the appropriate supervisor, no later than the next working day.
- Ensure that issued weapons are concealed from view when not in use. Weapons shall not be inspected, cleaned, handled, or exchanged in public areas or in the presence of jury members, prisoners, witnesses, protected persons, family members or members of the general public. Ensure that weapons are secured in a safe place to prevent theft, tampering, or misuse when not being carried.
- Do not engage in any discussion concerning government matters, policies, grievances, or personalities and financial, personal or family matters with jury members, prisoners, witnesses, protected persons, family members, the public, or any known associate of the above. Not entertain, socialize, or enter into business arrangements with, give legal advice or grant special favors to, or accept gifts or payments from jury members, prisoners, witnesses, protected persons, or family members and friends of the above.
- Do not accept or solicit gifts, favors, or bribes in connection with official duties.
- Do not allow jury members, prisoners, witnesses, protected persons, or their family members and friends into the CSOs home or living quarters (*temporary or permanent*).
- Unless authorized, do not visit the duty site during non-duty hours or allow family members and friends to visit the duty site or other operational areas.
- Do not gamble or enter into games of chance with prisoners, witnesses, jurors, or protected persons. Do not gamble or unlawfully bet or promote gambling on government owned or leased premises.

- Do not disclose any official information, except to the Sheriff or other officials having a need to know (*as directed by the Sheriff*), or make any news or press releases without the express permission of the Sheriff.
- Refrain from discussions concerning duty assignments, particularly manpower, weapons, security precautions, or procedures, except with those persons having a need to know (*as directed by the Sheriff*).
- Comply with all applicable laws while enforcing official duties.
- Do not knowingly give false or misleading statements or conceal material facts in connection with employment, promotion, travel voucher, any record, investigation, or other proper proceeding.
- Do not discriminate against nor sexually harass an employee or applicant for employment or engage in any prohibited personnel practices.
- Ensure that just financial obligations are met.
- Abide by all ethical standards of the State of Minnesota and residing county regarding conflicts of interest, outside activities, gifts, and use of state and county property.
- Do not bid on or purchase in any manner, directly or through an agent, any property being offered for sale by the Sheriff or by others on behalf of the Sheriff.
- Refrain from any activity which would adversely affect the reputation of the State of Minnesota Courts and Sheriff's Department.
- Avoid personal and business associations with persons known to be convicted felons or persons known to be connected with criminal activities. This does not apply to immediate family members so long as you have notified the Sheriff of their status.
- Avoid any criminal, infamous, dishonest, immoral, or notoriously disgraceful conduct. Neither possess nor use illegal drugs. Abstain from the consumption or possession of alcoholic beverages while on duty. Do not report for duty or work under any condition which impairs the ability to perform as expected.
- Always demonstrate the highest standards of personal and moral conduct normally expected of law enforcement officers and government employees.
- Do not operate a government vehicle, or any other vehicle while on government business, in an improper manner or while under the influence of intoxicants or drugs.
- Do not misuse official authority, credentials, communications equipment, security systems, and weapons.

- Do not make statements about fellow employees or officials, with knowledge of the falseness of the statement or with reckless disregard of the truth.
- Report violations of prescribed rules, regulations and any violations of statute or law to appropriate supervisor and/or management officials.
- Do not violate security procedures and regulations.
- Do not close or desert any post prior to scheduled closure unless directed to do so or permission is received from the supervisor. Remain at assigned post until properly relieved or until the post is to be secured.
- Always perform assignments in accordance with prescribed regulations to the best of one's ability and in accordance with safe and secure working procedures and practices.
- Do not fail, unnecessarily delay, or refuse to carry out a proper order of a supervisor or other official having responsibility for your work.
- Do not possess, use, lose, damage, or otherwise take government property or the property of others without direct authorization of the Sheriff.
- If assigned to conduct investigations or interviews, do so in an impartial, objective, and businesslike manner to ensure fairness, both to the individual being investigated and to the Sheriff. When conducting investigations or interviews, employ no technique that violates the law, such as unauthorized intrusion onto private property, unnecessary destruction of property, unauthorized listening and/or recording devices, or any other activities prohibited by law or regulation.
- Refrain from surreptitiously recording conversations between government, law enforcement or contractor employees.
- Conduct only official business on government property.
- Refrain from neglecting duties. This includes sleeping on duty, unreasonable delays or failures to carry out assigned tasks, conducting personal affairs during duty hours, and refusing to render assistance or cooperate in upholding the integrity of the work site security.
- Refrain from use of abusive or offensive language, quarreling, intimidation by words, actions, fighting and participation in disruptive activities which interfere with normal and efficient government operations.
- Respect the offices of judges and other court officers. CSOs must not disturb papers on desks, open desk drawers or cabinets, or use government telephones and equipment, except as authorized.

- Except when in performance of official duties, or upon direct authorization by the Sheriff or his designee, will not use any other agencies equipment, storage space, telephones, furniture, facilities, etc.
- CSOs will adhere to and follow the State of Minnesota Deadly Force Policy concerning the use of firearms.
- Adherence to all Sheriff-specified duties and responsibilities to include official policy and procedural memorandums from the Sheriff or his designee.

**Violation of CSO Performance Standards May Result in Disciplinary Action Being Taken Against any Court Security Officer(s) Found Culpable. Sanctioned Forms of Discipline Range from Letters of Reprimand, to Suspensions, to Imminent (*resulting from an accrual of letters and/or suspensions*) or Immediate Dismissal.**

# ***SECURITY SCREENING GUIDELINES***

## **GENERAL PRACTICES**

Security Screening, or *Entrance Control*, involves the operation of security systems/equipment and enforcement of policies and procedures primarily designed to (1) deter, and (2) detect and prevent weapons and contraband from entering a pre-identified building or area. Security personnel assigned to a security screening system and all CSOs will be trained and certified on specific screening aspects.

To counter the significant factors and limits of fatigue, complacency, and patience, CSOs will not be scheduled for *longer periods than required* to any security screening location.

CSO demeanor at all screening locations is to be highly professional at all times:

- Drinking, eating, smoking and/or reading is not authorized at screening locations.
- System equipment will not be used as foot rests, to lean/sit on, shelves, etc.
- Devoting complete attention to all persons/items being screened - *personnel assigned to screening operations will be professional, diligent, and vigilant. CSOs will not engage in any conversation that interferes with or ignores persons being screened. Chairs and stools are only provided to temporarily relieve personnel during operational lulls. They are not intended, nor are they to be used on a full-time basis. As a general rule, at least one CSO will always be standing while screening persons.*
- Being aware of activities occurring adjacent to the screening location - *each screening location has been designed, to the extent possible, to provide personnel with unobstructed sight lines (assessment and reactionary zones) of persons entering the building/area. This gives personnel an opportunity to observe, assess and appropriately respond to a suspicious person(s) exhibiting threatening behavioral characteristics prior to their actually being screened.*

Screening operations and general explanations of policies and procedures required to facilitate screening are to be done courteously but firmly. Any requests for further detailed information should be directed to the attention of the Sheriff or his designee. CSOs are not to state their professional or personal opinions on the courts or Sheriff's policies and procedures to any member of the public, media or government.

## **FLUOROSCOPES (*x-ray machines*)**

All fluoroscopes will be tested and calibrated each morning with the ASTM Security Stepwedge to ensure a 30-gauge wire can be seen at the fifth step of the wedge. Brightness and contrast controls will also be adjusted on daily basis.

- There is a false impression that the fluoroscope (x-ray machine) can damage or corrupt film, video tape, electronic devices, and computer disks. *The only film that may be damaged is high speed film exceeding ASA 1000, and x-ray or scientific film.* If necessary, these items may be inspected by hand.

Court Security Officers are not to comment or joke about dangerous radiation levels being emitted from fluoroscopes (*x-ray machines*). Such comments only serve to mislead the public and employees. Radiation safety levels on screening systems are tested to ensure they exceed all federal and state requirements.

All packages brought in by the public, couriers, and special delivery personnel (i.e. *DHL, Federal Express, etc.*) will be thoroughly screened (*x-ray, metal detector, and/or visual inspection*) by CSO personnel. This includes, but is not limited to, the following:

- Purses, Backpacks, Brief Cases, Bags, Boxes, Lap-Top Computers, CD/Cassette Players, Cellular Telephones, Pagers, and Radios.

Even if a delivery person is known to a CSO and has been arriving at the courthouse the same time with the exact same delivery for years - he and his packages will be screened.

## **SUSPICIOUS PACKAGES**

Proper x-ray interpretation requires that each x-ray image be evaluated and classified in one of four categories (*see manual chapter 3: Courthouse Security Considerations, section 3.1.2 Mail Screening*):

- **NO THREAT**
- **CONTRABAND ITEM**
- **POSSIBLE THREAT**
- **OBVIOUS THREAT**

## **RESPONSE PROCEDURES TO SUSPICIOUS PACKAGES**

- Dependant upon the threat classification (*possible or obvious*), the CSO will either immediately notify the Sheriff or secure the area and immediately notify the Sheriff.
- The CSO(s) discovering the suspicious item will directly communicate all known information to responding Sheriff's personnel.

- CSOs will ensure any suspicious item is not moved from the location in which it was found. This is especially true for those items found inside and outside the courthouse environs, as detonation may correlate to motion.
- CSOs will not discuss any aspect surrounding the discovery of a suspicious package or response actions with any member of the public, government employee, or other CSOs except as authorized in performance of official duties or as directed by the Sheriff or his designee.
- Once a suspicious package is discovered, all radio traffic/communications will cease.
- Responding Sheriff's personnel will determine the number and extent to which other courthouse personnel will be notified of the suspicious package.
- In attempts to confirm a suspicious package's contents, the recipient and sender should be identified, if possible, and contacted by the Sheriff. **If (1) *the suspicious item has not been tampered with, and (2) the recipient and sender are aware the package is being delivered and can verify package contents - you have eliminated the likelihood of an explosive device.***
- Sheriff's personnel should utilize the expertise of resident officers and agents (i.e. *Police Department Officials, ATF, Postal Inspectors, etc.*) when and where available.
- The Sheriff or his designee will determine whether and when it is necessary to call in the local bomb squad.
- Unless directed to do so by the Sheriff or his designee (i.e. *during attempts to verify a packages contents*), CSO personnel will not contact any agency official or employee regarding a suspicious package and the Sheriff's response.
- When assigned a post (*corridor, stairwell, elevator, etc.*) to assist in securing a suspicious package, CSOs will make no specific statements to the public, media, or government employees concerning the assignment. When questioned, CSOs are only authorized to provide general information such as, "*this area has been temporarily closed by the Sheriff.*"

**At No Time Whatsoever Will Any CSO Make Reference to Any Type of Bomb  
(i.e. Mail, Letter, Pipe, Briefcase, Package etc.)**

- Any judicial officer or government official insisting on more information will be directed to see the Sheriff or his designee.

- The Sheriff or his designee will determine whether to request assistance from Building Management. If requested, their personnel will provide support to the Sheriff in technical, mechanical, custodial, and advisory capacities. Building management officials will be responsible for ensuring that their personnel, including contract employees, keep all communications regarding Sheriff activities secure. This means they will refer all questions regarding any incident involving a suspicious package to the attention of the Building Manger, and at no time whatsoever will they refer to any type of bomb.
- In the event no assistance is requested of Building Management, the Sheriff or his designee will keep building officials informed of incident events as they transpire.
- If a decision is made to evacuate the courthouse, the respective Occupant Emergency Plan (OEP) and Sheriff's Courthouse Contingency Plan (CCP) will be utilized. As the CCP contains information specific to Sheriff operations, it is considered a departmental exclusive document and is not to be disseminated outside the agency.

**NOTE: Sheriff's personnel responsible for court and judicial security should be prepared to initiate evacuation procedures for court personnel if the Sheriff or his designee determines it is in the best interests (*Safety and Security*) for same. CSOs will not discuss with any member of the public, media, or government the decision to or not to evacuate.**

- CSOs will conduct a comprehensive security sweep of court floors to ensure all persons have safely been evacuated from the building. Other than pre-identified judicial officers, all court officials/employees are directed to exit the building via emergency exits. Those judicial officers requiring assistance in exiting the courthouse will be assisted by CSO personnel. During evacuations, CSOs are also responsible for maintaining security, providing assistance, and giving direction.

**When a decision has been made to contact the Bomb Squad, the Sheriff and CSO (*as directed by the Sheriff*), will be responsible for the following:**

- Providing all known information (*Who, What, Why, When, Where, and How*) to the bomb squad upon their arrival.
- Confirmation from responding emergency and bomb squad personnel on: *What They Expect and Require for Support*.
- Maintaining a constant presence (*appropriate/safe distances from the suspicious package*) while responding authorities are on-site.
- Being involved (*as Sheriff's representative*) and consulted prior to any decision being made on taking action (i.e. *detonation of the package with a water cannon*) on-site.
- Sheriff's personnel should strongly discourage any attempt to open a suspicious package on-site. **If There is No Other Choice - Measures Must be Undertaken to:**

1	Advise and Prepare Courthouse Occupants for the Resulting Noise and/or Shock
2	Determine Need for Partial (i.e. <i>Offices and Floors Above, Below, or Adjacent to the Suspicious Package</i> ) or Entire Courthouse Evacuation
3	Consider Advantages ( <i>Would Potential Damage Levels be Lowered?</i> ) and Disadvantages ( <i>Would Moving the Package Cause it to Detonate?</i> ) in Moving the Package to a More Suitable, Preferably Off-Site Location
4	If the Package Cannot be Moved - Whether or Not to Reinforce Areas ( <i>Potential Detonation and Resulting Blast Effect Must be Taken into Account</i> ) and Cover Equipment ( <i>Screening Systems are Very Expensive and all Efforts Should be Made to Prevent them from Being Damaged / Building Electrical and Power Systems</i> ) Adjacent to the Package
5	Preserving Evidence for Subsequent Crime Scene Investigation

- The Sheriff's Department will be responsible for obtaining copies of all other agency reports generated as a result of their involvement in responding to a suspicious package. After-action reports and case files (*including other agency reports*) should be reviewed by the Sheriff or his designee.

## **WALK-THRU METAL DETECTORS (MAGNETOMETERS)**

Magnetometers are designed to detect those objects consisting entirely or partially of metal which persons may be carrying.

As a general practice, persons will be asked to empty their pockets prior to passing through the magnetometer. If the magnetometer alarm is triggered, the person will be required to pass through for a second time. If the alarm continues after a person has passed through for a second time, the hand-held metal detector will be used to determine the source of the alarm.

<p><b>If Anyone Refuses to Allow the Search of their Belongings and/or Pass Through Security Screening, they Should be Denied Entrance into the Courthouse</b></p>
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## **FIREARMS**

When a firearm is detected and the person carrying the firearms DOES NOT have a recognized permit to carry, the weapon will be immediately seized and the suspect detained. CSOs will then (1) contact their Supervisor, and (2) promptly and securely bring the suspect and firearm to the Sheriff's office.

## **KNIVES and OTHER DANGEROUS WEAPONS:**

Knives and other dangerous instruments should not be allowed into courthouses. State law defines a knife as having a blade in excess of four (4) inches in length. Federal Law considers any knife or edged weapon with a blade exceeding 2 ½ inches in length as a dangerous weapon.

Any stun gun, pen knife, disguised edged weapon, martial arts weapon, etc. will not be allowed in any district courthouse.

**Switch Blades and Spring Loaded Knives Should be Seized Immediately (*possession prohibited by state law*) Regardless of Blade Length**

**NOTE:** If any of these weapons are discovered and/or removed from individuals currently under supervised release, CSO screening personnel will immediately notify the Sheriff or his designee. The Sheriff or designee should subsequently notify county probation.

# ***FIXED-POST ASSIGNMENTS and GUIDELINES***

## **COURTROOM PROCEDURES**

It is recommended that CSOs be charged with the responsibility of securing each courtroom prior to that day's proceedings and after court has adjourned for the day. A thorough check under benches, tables and chairs is essential to securing each courtroom. Once any court proceeding begins, it is the CSOs responsibility to ensure courtroom decorum is being maintained. Any disturbance from the gallery will be quickly addressed by the attending CSO.

Appropriate CSO responses range from a simple warning to "*Be Quiet*" to requesting the offending person to please come with the CSO into the hallway. This is done for two specific reasons:

- To allow the CSO to fully explain why the person was removed from court. At this point, the person may either be allowed back into court or instructed they will not be allowed back in, without further disturbing the court.
- If the person is being evicted from the proceeding, to avoid any potential confrontation from occurring in the courtroom.

CSOs will Use Discretion and Professional Familiarity with the Presiding Judicial Officer Prior to Evicting any Person Permanently from a Courtroom. The Sheriff or his Designee will be Immediately Notified of Any Incident Resulting in a Person Being Removed or Banned from a Courtroom.

Each CSO is individually responsible for being thoroughly familiarized with each judicial officer's courtroom decorum checklist (*see sample form on page 6.4.1*). The CSO supervisor will maintain updated copies of these checklists for review by CSO personnel.

Unless otherwise directed by the presiding judicial officer, CSOs will unlock and open courtrooms at least one-half (1/2) hour prior to the start of a scheduled court proceeding.

Assigned CSOs will be in court a minimum of ten (10) minutes prior to the start of a scheduled courtroom proceeding.

## COURTROOM DECORUM FORM

JUDGE:		DATE:	
<b>COURT SECURITY OFFICER REQUESTED (<i>Check Response</i>)</b>			
Civil Hearings		YES	NO
Criminal Hearings		YES	NO
Pro Se Hearings		YES	NO
Jury Selections		YES	NO
<b>COURTROOM DECORUM</b>		<b>COMMENTS</b>	
Food?	YES	NO	
Beverages?	YES	NO	
Gum Chewing?	YES	NO	
Reading?	YES	NO	
Reading Material?	YES	NO	
Writing?	YES	NO	
Note Passing?	YES	NO	
Talking?	YES	NO	
Whispering?	YES	NO	
Headgear?	YES	NO	
Standing?	YES	NO	
Gesturing?	YES	NO	
Dramatics?	YES	NO	
Sleeping?	YES	NO	
Child Disturbances?	YES	NO	
Number of Times Court Security Officers are to Warn Violators Prior to their Removal from the Courtroom ( <i>Check Response</i> ): <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4			
Where Should Court Security Officers Position Themselves in your Courtroom? ( <i>Check Response</i> ) <input type="checkbox"/> Gallery - Courtroom Entrance <input type="checkbox"/> Well <input type="checkbox"/> Jury Area <input type="checkbox"/> Bench Area			
<b>ADDITIONAL COMMENTS</b>			

## **GENERAL LISTING OF FIXED-POST ASSIGNMENTS**

- *Security Screening Systems*
- *Courtroom Trials and Proceedings*
- *Jury Deliberations*
- *Security Equipment and Systems Monitoring*
- *Courthouse Communication Center*
- *Parking Garage/Ramp/Lot Security Booth*
- *Authorized Protective Service Assignments*
- *Courthouse Perimeter Areas*
- *Courthouse Areas of Access Control*
- *Judicial Entry Control Points*
- *High Threat/Profile Trial Security Assignments*
- *Authorized Security Escorts*
- *Special Assignments and Details*

Certain Fixed-Post Assignments may result from a Regular Roving Patrol Post(s) being Temporarily Re-Designated as a Fixed-Post

***Implementation of Fixed-Posts will likely Deter and Prevent Unauthorized Access***

# ***ROVING PATROL POSTS and ASSIGNMENTS***

**Roving Patrol Assignment Responsibilities Consist of, but are Not Limited to, the Following:**

## **PERIMETER**

A thorough search of the courthouse exterior, to include all common areas, parking lots, landscaping, dumpsters, etc. Emergency exit and employee entrance doors should always be secured. All variances from standard security practices (i.e. *doors left ajar, equipment malfunctioning, suspicious containers/packages, protests, etc.*) will be directly reported to the CSO supervisor for documentation and immediate (*determined from situational aspects*) notification to the Sheriff.

## **COURTHOUSE FLOORS**

A thorough search of each court floor, to include those floors housing the County Attorney and main public entrance(s). Floors housing non-court tenants are not required to be searched unless otherwise directed by the Sheriff. Judicial Entry Control Packages (i.e. *CCTVs, housings, intercoms, pin pads, electric strikes, door hardware, etc.*), Stairwells, Corridors, Windows, and Bathrooms are to be searched and secured per policy and procedures. All variances from standard security practices will be directly reported to the CSO supervisor for documentation and immediate (*determined from situational aspects*) notification to the Sheriff.

## **GARAGE AREA**

A thorough search of the courthouse garage area, to include all common areas, doors, stairwells, elevator bays, etc. Employee entrance and judicial elevator doors should always be secured. CSOs will maintain a visible position near the garage entrance when not actually engaged in garage roving duties. All variances from standard security practices will be directly reported to the CSO supervisor for documentation and immediate (*determined from situational aspects*) notification to the Sheriff.

## **MISCELLANEOUS**

Items discovered during roving patrols that can be easily corrected by the reporting CSO will be done. CSO supervisors will report all mechanical problems, unlocked utility closets, penthouse and roof access doors, system malfunctions, etc. to the attention of the Sheriff. Suspicious persons detected in secure or sensitive areas will be challenged by CSOs. Contractors not displaying recognized temporary building identification will also be challenged. All variances from standard security practices will be directly reported to the CSO supervisor for documentation and immediate (*determined from situational aspects*) notification to the Sheriff.

# ***REPORTS and RECORDS***

Documentation via Standardized Official Reports is Recommended for all Incidents that Occur During Court Security Officer Tours of Duty

Daily log books should be maintained as a matter of agency policy. These log books should include descriptive entries such as (1) *Shift Assignments*, (2) *Special Assignments*, (3) *Incidents*, (4) *Detail Instructions*, and (5) *Shift Hours*.

Incidents are occasionally brought forth that result in a need to recall specific information and details months or even years later. The developed ability to refer to report documentation will refresh both agency, officer, and witness memories, accurately reaffirm original actions and positions, and assist in agency response preparation.

## **Examples of Incidents that Require Documentation Include, but are Not Limited to:**

- *Detection of Firearms, Dangerous Weapons, and/or Contraband*
- *Courthouse and/or Courtroom Disturbances*
- *Removing Persons from the Courthouse and/or Courtrooms*
- *Disorderly Conduct and Assaults*
- *Excessive Force Accusations*
- *Discrimination Allegations*
- *Suspicious Items and/or Activities*
- *Courthouse Bomb Threats*
- *Perimeter Check Clearances and Confirmation*
- *Identified Areas of Vulnerability*
- *Security Equipment Malfunctions*
- *Courthouse Systems Requiring Repair*
- *Security Breaches*
- *Acts of Courthouse Vandalism and/or Sabotage*
- *Acts of Intimidation, Stalking, and Threats*
- *Violations of Established Courthouse Policies and Procedures*
- *Courthouse Systems and Alarm Testing*
- *Courthouse Systems and Alarm Servicing and Repair*

# ***MAINTAINING LAW and ORDER***

*Court Security Personnel are Required to Enforce not only those Policies and Procedures as Outlined Regarding their Assigned Duties, but are also Responsible for Enforcing and Following those Rules, Regulations, and Laws Commonly and Statutorily Associated with their Positions.*

**Those Officials involved in Determining and/or Responding to the issue of Court Security, including Maintaining Law and Order are:**

- County Sheriff - *Primary Provider of Court Security Services*
- County Board Members - *Responsibilities Defined Under Law*
- State and County Judiciary - *Inherent Judicial Review and Authority*
- State of Minnesota Legislature - *Developing and Enacting Applicable Laws*
- Bureau of Criminal Apprehension - *Incident Reporting and Investigative Assistance*
- Local Police Department - *Concurrent Jurisdictional Law Enforcement Response*

**See Manual Chapter 1: *Legislation, Policy Notices and Documents* and ensuing subsections for those specific laws, rules, and policies regarding Courthouse Security Duties and Responsibilities in the State of Minnesota.**

# ***CHAPTER 7***

## ***TRIAL SECURITY CONSIDERATIONS***

# **TRIAL RISK IDENTIFICATION MATRIX**

..	<b>INHERENT RISK LEVELS / TYPE OF TRIAL</b>	
..	<i>CIVIL TRIAL</i>	<i>CRIMINAL TRIAL</i>
<b>L O W</b>	<i>Admiralty</i> <i>Anti-Trust</i> <i>Bankruptcy</i> <i>Contracts</i> <i>Economic Stabilization</i> <i>Energy Allocation</i> <i>Environmental Matters</i> <i>Freedom of Information</i> <i>Labor Suits</i> <i>Land Condemnation</i> <i>Personal Injury</i> <i>Product Liability</i> <i>Real Property</i> <i>Protected Property</i> <i>Social Security</i> <i>Tort Claims</i>	<i>Auto Theft</i> <i>Burglary</i> <i>Embezzlement</i> <i>Forgery</i> <i>Counterfeiting</i> <i>Fraud</i> <i>Larceny</i> <i>Theft</i> <i>Perjury</i> <i>Public Corruption</i>
<b>M O D E R A T E</b>	<i>Civil Rights Violations</i> <i>Deportation</i> <i>Foreclosures</i> <i>Seizures, Forfeiture and Penalties</i> <i>Tax Violations</i> <i>High Profile / Media Intensified</i> <i>Related Threat Analysis and Assessment</i>	<i>Assaults</i> <i>Extortion</i> <i>Terroristic Threats</i> <i>Stalking</i> <i>Firearms Violations</i> <i>Obstruction of Justice</i> <i>Organized Crime - RICO Violations</i> <i>Armed Robberies</i> <i>Sex offenses</i> <i>High Profile / Media Intensified</i> <i>Anti-Government / Treason Offenses</i> <i>Related Threat Analysis and Assessment</i>
<b>H I G H</b>	<i>Associated Violent Criminal History</i> <i>Related Threat Analysis and Assessment</i>	<i>Mass/Serial Violent or Sex Offenses</i> <i>Escape</i> <i>Homicide</i> <i>Kidnappings</i> <i>Bombing Attacks</i> <i>Narcotics Trafficking</i> <i>Related Threat Analysis and Assessment</i>

# ***PARTICIPATION RISK IDENTIFICATION MATRIX***

..	<b>INHERENT RISK LEVELS of PARTICIPANTS</b>	
..	<b>CIVIL TRIAL</b>	<b>CRIMINAL TRIAL</b>
<b>L O W</b>	<i>Class Actions</i>	<i>Defendant Not Present</i>
<b>M O D E R A T E</b>	<i>Jury Trials</i> <i>Prisoner Petitions</i> <i>Pro Se Actions</i> <i>High-Profile / Media Intensified</i> <i>Threat Assessment - Moderate Rating</i> <i>Strong Identification and Ideological Views with Known Threat Groups:</i>  <i>Organized Crime</i> <i>Neo-Nazi / Militia / Skinhead</i> <i>Ku Klux Klan / Skinhead / Patriot</i> <i>Street or Prison Gangs</i> <i>Outlaw Biker Gangs</i> <i>Domestic/International Terrorists</i>	<i>Defendant Not In Custody - On Bond</i> <i>Threat Assessment - Moderate Rating</i> <i>High-Profile / Media Intensified</i> <i>Probation or Parole Violators</i> <i>Highly Emotional / Inner-Relationships</i> <i>Multiple Defendants</i> <i>Repeat Offender(s)</i> <i>Anti-Society Behavioral Characteristics</i>
<b>H I G H</b>	<i>Highly Emotional / Inner-Relationships</i> <i>Associated Violent History or Actions</i> <i>Threat Assessment - High Rating</i>	<i>Strong Identification and Ideological Views with Known Threat Groups:</i>  <i>Organized Crime</i> <i>Neo-Nazi / Militia / Skinhead</i> <i>Ku Klux Klan / Skinhead / Patriot</i> <i>Street or Prison Gangs</i> <i>Outlaw Biker Gangs</i> <i>Domestic/International Terrorists</i>  <i>Threat Assessment - High Rating</i> <i>Escapee From Custody or Commitment</i> <i>Violent Actions/Outbursts While In Custody</i> <i>Defense or Plea Based on Insanity</i> <i>Mass or Serial Sexual Predator</i> <i>Murderer / Contract Killer</i> <i>Protected Witness</i> <i>Multiple Defendants</i> <i>Defendant(s) with Violent Criminal History</i>

# ***RISK LEVEL IDENTIFICATION MATRIX***

DOCKET	STAGE	TRIAL RISK	PARTICIPANT RISK	RISK LEVEL
<b><i>C I V I L</i></b>	<i>Pre-Trial</i>	-----	-----	--- <i>Level 1</i>
	<i>Trial</i>	<i>Low</i>	-----	--- <i>Level 1</i>
		<i>Moderate</i>	-----	<i>Moderate</i>
<i>Post-Trial</i>	<i>Low</i>	-----	<i>Moderate</i> -----	--- <i>Level 1</i> --- <i>Level 2</i>
<b><i>C R I M I N A L</i></b>	<i>Pre-Trial</i>	-----	<i>Low</i> <i>Moderate</i> <i>High</i>	--- <i>Level 1</i> --- <i>Level 2</i> --- <i>Level 3</i>
	<i>Trial</i>	<i>Low</i>	-----	--- <i>Level 2</i>
		<i>Moderate</i> <i>High</i>	-----	<i>Moderate</i> <i>High</i>
<i>Post-Trial</i>	-----	-----	<i>High</i>	--- <i>Level 3</i> --- <i>Level 4</i>
<i>Source: 1982 Task Force Guidelines</i>				

- **By using this Table to Identify the Level of Risk by Type of Trial and Participants, Anticipated Risk Environments can be Established.**

## **LEVEL 1:**

- *Low-Risk Civil Proceeding*
- *Criminal Pre-Trial Proceeding with No Defendant Present*
- *No Indication or Likelihood of Courtroom Disruption or Violence*
- *Deputy Sheriff or Court Security Officer is Not Required*

## **LEVEL 2:**

- *Moderate-Risk Civil Proceeding*
- *Criminal Proceeding with Defendant Present*
- *Potential Courtroom Disruption or Violence*
- *Court Security Officer May Be Required / Deputy Sheriff May Be Requested*

## **LEVEL 3:**

- *Moderate-Risk Criminal Trial or Criminal Post-Trial with In-Custody Defendant*
- *High-Profile Trial*
- *Substantial Risk or Opportunity for Courtroom Disruption or Violence*
- *Deputy Sheriff and Court Security Officer Required*

## **LEVEL 4:**

- *High-Risk Criminal Trial or Post-Trial with In-Custody Defendant*
- *High-Profile/Threat Trial*
- *Minimum of Two Deputy Sheriffs and One Court Security Officer Required*

For Level 3 and Level 4 Trials - Standard Utilization of a 'One-on-One-Plus-One' Method is Recommended in Determining the Number of Personnel to Assign to Secure Prisoners

EXAMPLE: *Two (2) In-Custody Defendants = Three (3) Deputies*  
*Three (3) In-Custody Defendants = Four (4) Deputies*  
*Four (4) In-Custody Defendants = Five (5) Deputies*

It is noted that when the situation dictates (*via threat assessments, intelligence, prisoner actions, etc.*), the utilization of two (2) deputies per prisoner may be necessary

# ***HIGH THREAT & HIGH PROFILE TRIALS***

## **OPERATIONAL PLANS:**

High-Profile/Threat Trial Operational Plans should provide detailed information on (1) *Policies and Procedures*, (2) *Individual and Team Assignments*, (3) *Judicial Directives*, (4) *Trial Operations*, (5) *Prisoner Operations*, and (6) *Emergency Response Procedures*.

The following sections are recommended for ***Trial Operational Plans*** and should encompass all aspects necessary to supervise trial operations with adherence to recognized standards:

- Copies of Official Correspondence
- Job Description Leader Roles - *see sample format*
- Threat Source Profile - *see manual, Chapter 9: Threat Management, Section 9.2*
- Threat Analysis and Assessment - *see manual, Chapter 10: Threat Investigations, Section 10.5*
- Intelligence and Informational Reports
- Personnel Data Sheet - *see enclosed sample form*
- Judicial Preference Form - *see manual, Chapter 6: CSO's, Section 6.4.1*
- Judicial Personnel Profile - *see manual, Chapter 1: Legislation and Documents, Section 1.7*
- Modification of Standards
- Daily Activity Log - *see enclosed sample form*
- Weapons Policy - *Deadly Force*
- Intermediate Weapons Policies and Registers - *Stun Guns and Belts, Mace, Batons, etc.*
- Code of Conduct
- Daily Hours Time Sheet - *see enclosed sample form*
- Key Assignment Log
- Media Reports and News Articles
- Copies of Indictments, Arrest and Search Warrants
- Criminal Dockets
- Prisoner Processing Forms and Criminal Histories
- Defendant Photographs
- Area Maps and Courthouse Floor Plans
- Aerial Photographs of Courthouse and Adjacent Areas
- Primary and Alternate Prisoner Transport Routes
- Courtroom Space Design Layout
- Courtroom Video and Audio Recording Capabilities and Assignments
- Prisoner, Media, and Visitor Courtroom Seating Assignments
- Key Agency Emergency Contact List
- Local, City, County, State, and Federal Law Enforcement Support and Coordination
- Sheriff and Court Security Officer Post Assignments
- Special and Temporary Assignment Statements

# ***HIGH-THREAT TRIAL OPERATIONAL PLAN – INDIVIDUAL ASSIGNMENTS and ROLES***

**COUNTY**

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## **SHERIFF'S DEPARTMENT**

### **The Sheriff will provide liaison with:**

- Trial Judges
- Federal and State Agencies
- Police Departments
- Other Law Enforcement Departments
- Media

### **Chief Deputy Sheriff:**

- Maintain overall responsibility for the trial.

### **Supervisory Deputy Sheriff:**

- Responsible for briefing the Sheriff and Chief Deputy.
- Assumes Courtroom Team Leader duties as necessary.
- Overall Trial Supervisor responsibilities.

### **Assigned Deputy Courtroom Team Leader:**

- Responsible for daily trial operations.
- Will coordinate and make decisions regarding courtroom trial matters.
- In lieu of Sheriff, Chief Deputy, and Supervisor, will assume their responsibilities.
- Responsible for ensuring that all policies and procedures as specified in Sheriff Manuals and Trial Operational Plans are adhered to.
- Responsible for coordinating all aspects of the trial with assigned Trial Supervisor.

### **Assigned Courthouse Team Leader is:**

- Responsible for outer and inner security perimeters.
- Responsible for security screening procedures.
- Responsible for trial operations as assigned.

### **Assigned Courtroom Team Leader will also:**

- Ensure all team members are on post.
- Ensure all team members adhere to post instructions.
- Enforce judicial orders.
- Ensure courtroom is searched prior to and following trial.
- Secure courtroom prior to and following trial.
- Ensure proper conduct of trial participants.

### **Assigned Prisoner Team Leader will:**

- Ensure defendants are properly restrained per department policies and procedures.
- Ensure defendants are transported in a safe and secure manner.
- Ensure defendants' proper conduct and safety during trial.

### **Assigned Sequestered Jury Team Leader will:**

- Secure the needs of the jury.
- Coordinate safe and secure lodging for the jury.
- Coordinate jury transportation.
- Coordinate jury arrivals and departures.
- Provide for medical needs of jury.

### **Assigned Prisoner Motorcade Team Leader will:**

- Coordinate prisoner transports with Trial Supervisor and Courtroom Team Leader.
- Assume responsibilities as outlined in the prisoner transport section of the trial plan.

### **Assigned Protective Service's Team Leader will:**

- Coordinate and Provide 24-hour (*or variation of*) Protective Service Details.
- Coordinate and Provide security for *Protectees* identified as being under threat.
- Adhere to department policies and procedures as outlined for Protective Services.

### ***COURTROOM TEAM***

- Will report for scheduled shifts at the USMS Command Post or designated area.
- Responsible for searching and securing the courtroom.
- Will maintain order/decorum within the courtroom and respond to all disturbances and incidents (*see post assignments*).
- Will assist other team as necessary and/or assigned.

### ***PROTECTIVE SERVICES TEAM***

- Will be formed when a *protectee* comes under threat and a detail has been authorized by the Sheriff or Chief Deputy.
- Will establish additional and separate details when multiple *protectees* come under threat.

### ***SEQUESTERED JURY TEAM***

- Responsible for the security of the jury during sequestration.
- Each Sequestered Jury Team member is responsible for standards as outlined in department policies and procedures.

### ***PRISONER TEAM***

*Responsible for controlling prisoners at all times - Specific duties are as follows:*

- Controlling, Searching, Restraining and Securing Prisoners.
- Transporting prisoners to and from detention facilities and the courthouse.
- Moving prisoners to and from transport vehicles and Courthouse Holding Cells.
- Moving prisoners to and from Courthouse Holding Cells and the trial courtroom.
- Adherence to department Prisoner Policy and Procedures Manuals.

### ***COMMAND POST and COMMUNICATIONS***

The Command Post (*CP*) will be located in a department or courthouse office as designated by the Sheriff. Upon arriving at the *CP*, the assigned Courtroom Team Leader will ensure the following is conducted:

- Radios are checked
- Operational Plan is readily available
- Activity Logs and Trial Registers are updated
- Communications have been established and are being monitored
- Confirmation and Coordination of daily trial activities

#### ***COMMUNICATIONS WILL CONSIST OF:***

- *CP* Base Station
- Portable radios equipped with approved privacy kits - The Trial Supervisor will determine *if*, *when*, and for *whom* radio privacy kits will be utilized.
- Radio Chargers and Batteries
- Reserve Radios

***COMMAND POST OPERATIONS WILL SERVE AS THE CENTRAL POINT OF CONTACT FOR DURATION OF THE TRIAL***

Assigned personnel shall report each morning to the *CP* prior to their scheduled shift. The Trial Supervisor and/or respective Team Leaders will confirm duty assignments and brief personnel on a daily basis. All assigned personnel will be immediately briefed by the Trial Supervisor on any changes made to the trial operational plan.

Personnel will remain on duty until (1) *properly relieved* or (2) *instructed to secure their post assignment*. At the conclusion of each day, all personnel will report to the *CP* for the daily debriefing. Specialized equipment will be signed out when scheduled shifts commence and signed back in when said shift is completed.

Trial personnel will either be on post, in the immediate area of the *CP*, or in designated areas of the courthouse - All other locations are to be authorized by the *CP* prior to any departure.

## **INDIVIDUAL COURTROOM DUTY ASSIGNMENTS**

### ***COURTROOM TEAM LEADER***

Responsible for all actions of the Courtroom Team. This includes, but is not limited to, directly responding to all judicial, attorney, media, and defendant inquiries. During each recess, will report trial status to the attention of the Trial Supervisor.

### ***PRISONER TEAM***

Responsible for all prisoner actions. As directed by the Trial Supervisor, team members may be armed with either a department approved firearm or intermediate weapon. *The Prisoner Team is under the direction of the Courtroom Team Leader.*

### ***JUDICIAL TEAM***

Responsible for the security of the trial judge. *The Judicial Team is under the direction of the Courtroom Team Leader.*

### ***GALLERY TEAM***

Responsible for handling disturbances from the general public, defendant family members and associates. Reports and directs inquiries to the attention of the Courtroom Team Leader. Enforces all predetermined courtroom seating assignments (i.e. *reserved, media, public, and security*). *The Gallery Team is under the direction of the Courtroom Team Leader.*

### ***SECURITY SCREENING TEAM***

As determined by the Trial Supervisor, may supplement courthouse screening and/or be responsible for screening all persons entering the courtroom. Security equipment utilized may include magnetometers, hand-held metal detectors, and fluoroscopes. *The Security Screening Team is under the direction of the Courtroom Team Leader.*

## DUTY HOURS

*Duty hours will be documented according to:*

- Arrival of Trial Supervisor and Courtroom Team Leader
- Commencement and Suspension of *CP* operations
- Arrival of Assigned Posts
- Arrivals and Departures of Prisoner Transports
- Courthouse and Courtroom Security Sweeps
- Trial Schedule

## PERFORMANCE GUIDELINES

Deputies will reports to the *CP* at least 15 minutes prior to the start of their scheduled shift assignment. Deputies will report for duty physically fit and mentally alert. If a deputy is unable to perform assigned duties due to illness, or unspecified reason, they will immediately notify the Trial Supervisor.

***Personnel will not discuss department internal matters, procedures, policies, grievances, personalities, finances, personal or family problems with or in the presence of judicial officers, the general public, attorneys, media, defendants and prisoners. Personnel will refer to the department Code of Conduct for all department-authorized standards of behavior.***

There will be no unnecessary display of firearms and/or intermediate weapons.

Personnel, including while off duty, will remain vigilant for persons (1) *Exhibiting any Unusual Curiosity for Trial Proceedings and Sheriff Department Activities*, and (2) *Conducting Counter Surveillance Operations - A heightened sense of awareness should be maintained by all assignment personnel for the real possibility of hostile or said counter-surveillance actions.*

The *Daily Activity Log* will be maintained in the *CP* for the review and recording of trial shift assignments, revisions, modifications, and operational incidents.

## **SPECIAL PRISONER TRANSPORT CONSIDERATIONS**

*The Prisoner Transport Team may require utilization of FOLLOW-CAR VEHICLES*

If the *follow-car* option is determined, city, county, and state law enforcement agencies will be notified of the time and routes of prisoner transports.

At the direction of the Trial Supervisor, these agencies may be requested to provide information on (1) *Traffic Accidents, Congestion and Delays*, (2) *Known and Suspected Hazards*, and (3) *Threat Intelligence*.

The Trial Supervisor will also determine the level and type of agency assistance required with reference to (4) *Marked Squad Escorts*, (5) *Roadblocks*, and (6) *Notice and Concurrence to Exceed Posted Speed Limits*.

Transportation to and from the courthouse will be scheduled to avoid contact with judicial officers, jurors, witnesses and the general public. Primary and Alternate routes/times of travel will vary as determined by the Trial Supervisor.

Scheduled prisoner transports will not be released to the media, attorneys, or public. All inquiries will be directed towards the Trial Supervisor.

## DETAIL PERSONNEL DATA SHEET

Name:		DOB:
Drivers License Number:		State:
Immediate Supervisor:		Telephone:
Emergency Contact Names:	1:	2:
	1:	2:
Emergency Contact Telephone Numbers:		

## EMERGENCY MEDICAL INFORMATION

*Current Prescribed Medications, Allergies, and Conditions ( i.e. Diabetic, etc.):*

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Doctor's Name:	Telephone:
Hospital:	Telephone:
<b><i>Date Form Completed:</i></b> /                    /	
<b><i>Signature:</i></b>	

## DAILY ACTIVITY LOG

Date: \_\_\_\_\_ Page \_\_\_\_\_ of \_\_\_\_\_

TIME	INFORMATION	PREPARER	REVIEWING SIGNATURE
	_____ _____		Name: Title: Signature:

## OPERATIONAL PLAN CHECKLIST for HIGH THREAT/PROFILE TRIAL

<b>TRIAL SUPERVISOR:</b>	<b>TRIAL DATE:</b>		
V.	<b>JUDGE:</b>		
<i>INDIVIDUAL TRIAL ASSIGNMENTS</i>	<i>ASSIGNMENT STATUS</i>		
	COMPLETED	PENDING	N/A
<i>As Directed</i> - Brief Sheriff and Chief Deputy on Trial Status and Operational Considerations			
Secure and Review all Trial Requests and Information			
Identify/State Trial Objectives - <i>Providing Security Services</i>			
Assess/State Scope of Trial - <i>Significant Influencing Factors</i>			
Identify Trial and Pretrial Prisoner Detention Facilities			
Specify Department and Other Agency Commitments			
List Trial Contacts ( <i>Judicial, Attorney, and Law Enforcement</i> )			
Secure and Review Judicial Personnel Profile, Courthouse Contingency and Occupant Emergency Plans			
Review Previous High Threat/Profile Trial Plans			
Assign Personnel - Schedule Shift Assignments			
Conduct Threat and Risk Assessment(s)			
List Primary and Alternate Routes to Jails and Courthouse			
Confirm Separatee Status for Defendants and Witnesses			
Determine Special Handling Requirements for Prisoners			
Assess, Propose and Establish Courtroom Seating Assignments and Requirements - <i>Gallery / Well / Defendants</i>			
Identify and List Special Trial Considerations			
Identify and List Trial Specific Emergency/Medical Contacts			
Secure and Review Trial Site Plans, Maps and Photographs			
Identify and List Trial Equipment Requirements			
Prepare High Threat/Profile Trial Operational Plan and Individual Trial Deputy Briefing Packets			
<b><i>Submit to Sheriff and Chief Deputy for Review, Briefing, and Plan Authorization</i></b>			

# ***JURORS***

The type of trial and the amount of publicity will dictate security considerations for jurors. Jurors should be kept out of public hallways and gathering areas to keep them separate from parties, witnesses, and the media. Ideally, separate parking facilities and building entrances should be provided. Absent that, jurors should be kept together and should take breaks in secure areas not accessible to the general public.

Jurors should use secure hallways from the courtroom to the deliberation room. Jurors should never use a hallway which is in the process of being used for transporting prisoners or custodial witnesses. If secure hallways are not available, court security personnel should keep jurors separate from parties, witnesses, and the general public. More and more incidents are occurring in hallways and assembly areas outside courtrooms where violence has a great tendency to erupt.

The intelligence information available to the judge and the court security officer will also dictate whether jurors are referred to by name or merely by number during the jury selection process and throughout the trial. For trials where the threat level is greatest, personal escorts should be employed to accompany jurors to and from their cars, or they should be escorted by van from a remote assembly site where they may park away from the courthouse and the media.

For sequestered juries, suitable arrangements need to be made for hotel accommodations with sign-in and sign-out logs for phone calls, visitors, and other requests of jurors. Security personnel should keep a general log of activity during a tour of duty (i.e., log any videos requested by and provided to jurors). A sufficient number of security personnel of each gender should be assigned to assist the jurors. Additional arrangements will need to be considered for the jurors' meals and for other forms of diversion, especially during a lengthy trial.

**CAUTIONARY NOTE:** Court security personnel, court attendants, and jury clerks must take special care to compare jury panel lists against those for whom alert notices have been posted. Recently, an individual in the state of Minnesota who had repeatedly threatened a number of judges and other court personnel, responded to a jury summons, was a member of a jury panel, was selected to serve, and was seated on a misdemeanor criminal jury. He accompanied the other jurors through the secure hallways in the company of the jury attendant. While nothing happened, he had access to the judicial chambers as he walked along, and he became familiar with the security measures in place. It was not until a detective witness alerted the prosecutor that the judge was notified. The judge then informed him that he was the alternate juror and would not be needed. The individual was then excused with the judge's thanks.

## **SEQUESTERED JURIES**

The United States Marshals Service has prepared a *Sequestered Jury Blank Forms Package (USM-523)* that contains the necessary forms (*see below*) to document all jury sequestration activities and incidents. This package is considered *LIMITED OFFICIAL USE* information and is secured per USMS Information Security Policy mandates.

County Sheriff Departments requesting copies of this forms package can contact the United States Marshals Service.

## **SEQUESTERED JURY FORMS PACKAGE:**

- Sequestered Jury Record Checklist of Required Forms - *USM-523-A*
- Jury Instructions at Sequestration Commencement - *USM-523-B-1*
- Sample Judicial Order for Sequestration - *USM-523-B-3*
- Individual Jurors Information Form - *USM-523-C*
- Room Assignments Register - *USM-523-D*
- Medication Register - *USM-523-E*
- Telephone Calls Register - *USM-523-F*
- Visitation Register - *USM-523-G*
- Newspapers and Periodicals Register - *USM-523-H*
- Television Log - *USM-523-I*
- Video-Taped Programs Register - *USM-523-J*
- Incident Report Form - *USM-523-K*
- Authorized Visitors Record and Absent Jurors Location Form - *USM-523-L*
- Mail Consent Form - *USM-523-M*
- Incoming Mail Register - *USM-523-N*
- Outgoing Mail Register - *USM-523-O*
- Jury Transportation Register - *USM-523-P*
- USMS Command Post Site Log - *USM-523-Q-1*
- USMS Command Post Site Log Continuation - *USM-523-Q-2*

***Personnel assigned Sequestered Jury Team Leader duties are responsible for ensuring all jury forms are completed in a thorough and expeditious manner.***

# ***HANDLING WEAPONS AS EXHIBITS IN THE COURTROOM***

***“If we cannot ensure the safety of all participants in the judicial process, we cannot maintain the integrity of the system, we cannot - in sum - ‘establish justice’ as mandated in the preamble to the Constitution of the United States.”***

— Chief Justice of the United States & the U.S. Attorney General Judicial Conference, March 11, 1982

Attacks on the courts have ranged from minor disturbances and physical assaults to senseless acts of murder. Regardless of your past experience, there is no assurance that violence will not happen in your court!

**THINK PROACTIVELY. AVOID A TRAGEDY. TAKE NOTHING FOR GRANTED.  
“THE POTENTIAL IS THERE.”**

How would you like to find yourself answering a jury question, “Why did you send a loaded gun into the jury room?” It has happened! What would you do if a county attorney in a receiving stolen gun case checked a shotgun as an exhibit, and in so clearing the weapon, a live round ejected? How would you like to have a semi-automatic handgun on counsel table right next to a loaded magazine (Fig. 1)?

In St. Paul, the police department has instituted a policy that no firearm may be removed from the property room or the crime laboratory for use in court or any other purpose without having one of the firearms instructors or rangemasters inspect the weapon to assure that it is unloaded. But that is only one department in the whole state of Minnesota. What are **you** doing in **your** district or in **your** court to assure that firearms are unloaded and safe? What are **you** doing in **your** court to assure that knives cannot be used as weapons?

As presiding judge in your court, you have an obligation to see that order is preserved, to prevent injury to court personnel - the parties, counsel, jurors, yourself, and spectators - and to prevent escape, as well as to ensure an atmosphere free of apprehension or fear of violence.

Weapons can be used intentionally, either to injure, maim or kill. They may be secreted and carried into the courtroom by a defendant, a witness, a spectator, or a friend or relative of a victim or a defendant. We can recall with horror how Ming Sen Shue raced from counsel table in Anoka County several years ago and, with a hidden razor, sliced the face of his kidnap victim/witness on the witness stand before sheriff’s deputies could get to him.

There is an area 18-21 feet in radius known as the kill zone. That is an area in which a person could run with a knife and kill you before you could act to stop that person or draw a gun and fire in self-defense. It is possible, therefore, for someone to make a run for an exhibit, such as a knife or firearm, grab the weapon, even load the firearm, and use it to facilitate an escape, injure or wound security personnel, court staff, counsel, a juror, or you. Weapons, as exhibits, also can be handled such that they injure or kill **accidentally**.

Weapons can be used safely as exhibits in both civil and criminal cases. This can be done if a few simple rules are followed:

## **TEN COMMANDMENTS FOR HANDLING OF FIREARMS AS EXHIBITS**

### ***1. EVERY FIREARM IS ALWAYS LOADED!***

A firearm **must** be checked every time it is handled - whether it has been offered as an exhibit or is merely being identified during foundation prior to its being offered, and regardless of who is handling it - **unless** it has a mechanical block in place to prevent firing.

This is especially so in cases where there are multiple firearms as exhibits or potential exhibits. As it is generally considered unprofessional conduct for counsel to have unadmitted real evidence visible to the jury or witnesses prior to the time admission of the exhibit is sought, see *United States v. McDowell*, 13 C.M.A. 129, 32 C.M.R. 129 (1962), counsel will usually keep a firearm in a briefcase until admitted into evidence. Since you cannot assure that the weapon retrieved from a briefcase is the same weapon earlier retrieved, checked, used for whatever purpose and returned to the briefcase, you must ensure an unblocked weapon is checked each and every time it is retrieved. Do not assume that it is unloaded. This is how accidents happen.

**Check the firearm each time it is touched unless a mechanical block is in place!** Even a firearm that is checked each time is susceptible to being grabbed and loaded quickly and suddenly. Thus, a mechanical block is recommended.

### ***2. ALWAYS POINT THE FIREARM - THE MUZZLE - DOWNRANGE!***

In the courtroom there really is no such thing as downrange; thus extra care must be taken that a weapon is not pointed at jurors, spectators, parties, and court personnel.

**Make sure when a firearm is held or being demonstrated or passed, it is pointed at the ceiling, the floor, or at a wall with no one between the weapon and the wall!** A firearm may be demonstrated safely, but only if the handler knows how to operate or hold it safely. This applies to both counsel and witnesses. Only when a firearm is pointed at the ceiling, the floor, or a blank wall during demonstrations, with no one between the

firearm and the wall, may everyone concentrate on the testimony, rather than on whether the weapon is likely to go off.

3. ***ALWAYS KNOW WHAT DIRECTION THE FIREARM IS POINTED!***

Be sure that **all** counsel who handle the firearm or any weapon of any kind are aware what direction the firearm is pointed and that they caution witnesses - especially lay witnesses, but sworn personnel as well - to be aware of what direction the firearm is pointed. Often sworn officers are so used to working with firearms that in the somewhat stressed setting of the courtroom they may not be as attentive to the handling of a firearm as you would like. Do not assume that one counsel is as experienced with firearms as another, or that one counsel is as safety-conscious as the other.

4. ***KNOW HOW TO HANDLE AND HOLD FIREARMS!***

Firearms should always be held with fingers **OUTSIDE** the trigger and trigger guard! The natural tendency is to grip a firearm with the index finger inside the trigger guard and on the trigger. This natural inclination must be unlearned!

**Firearms should never be held with the finger inside the trigger guard or on the trigger unless counsel is demonstrating or directing a witness to do so!**

- **Handguns** - Hold by the barrel pointed at the floor, with the handgrip pointing away from you.
- **Revolvers** - Cylinder swung open or weapon broken open if hinged.
- **Pistols** - Slide locked open if slide can be locked open in place.
- **Long guns** - Hold by the neck of the stock pointing at ceiling with action open, hinged shotguns may be pointed at floor with action open.

5. ***KNOW HOW TO TRANSFER FIREARMS SAFELY!***

Generally speaking, the safest way to transfer a firearm is to place it, action open, on a table and let the other person pick it up making sure the other person does so directly - by the barrel, never with a finger inside the trigger guard. Semi-automatic handguns should be placed down on a table or the witness stand with the slide back, ejection port up, while revolvers should be placed down with cylinder swung open and up. It is perfectly acceptable to hand the firearm to the witness and for the witness to hold the handgun by the handle while examining the exhibit, as long as the witness is directed to keep the weapon pointed at the ceiling or the floor and the witness's fingers do not go inside the trigger guard or on the trigger. A witness should not put a finger inside the trigger guard

or on the trigger unless it is necessary as part of a demonstration, and then only if the firearm has been just checked, cleared, or a mechanical block is in place. In fact, by counsel handing the firearm to the witness with the muzzle pointed toward the ceiling or toward the floor, the witness can be directed to safely receive, handle, and return the firearm in the same way counsel is handling the exhibit.

**6. *KNOW WHO IS RESPONSIBLE FOR THE SECURITY OF THE FIREARM!***

**Have a written policy**, or at least an oral order, that is clearly understood by counsel, the court clerk, the court reporter, and the bailiffs or sheriffs **how the firearm or weapon is to be secured, and who is responsible for its security during trial, morning and afternoon breaks, as well as noon and overnight recesses.**

Having a written policy, or at the very least a written order for that trial, focuses responsibility. (Some judges, some sheriffs, and most counsel have no idea whose duty or responsibility court security and weapons or exhibit security is!) Written policy, procedure, or a written order also encourages and promotes cooperation. A written order or policy also increases the likelihood of preventing injury or loss of life. This also should be the case for other kinds of weapons, as well as for drugs or any contraband material. There is nothing worse than having an exhibit disappear during a break or over a noon recess.

Take advantage of the provisions of Minn. Stat. § 609.66 that require counsel to notify the sheriff of intent to transport a weapon into a courthouse complex for use as a demonstrative exhibit. Ask counsel if they have given notice and what arrangements they have made for its safe condition, safekeeping, and transfer prior to its being offered. Counsel, the clerk, the reporter, and the sheriff should know the procedures **you** require for keeping the firearm safe. Do not just allow the firearm to be placed on the reporter's table, on counsel table, with the clerk, or on the bench or anywhere it can be reached easily by a defendant, spectator, or witness.

Watch out for counsel who want to place a firearm or other weapon on counsel table or in front of a defendant on the witness stand in an attempt to see just what the reaction of that defendant is. It may be perfectly permissible, but you must consider requiring counsel to clear it with you in chambers so that there are no surprises for the judge or for either counsel. **Placement of a firearm or other weapon is as important as any consideration when handling firearms as exhibits in the courtroom.** Even with a mechanical block in place, remember that a firearm still can be picked up and thrown or used as a club, so haphazard placement of the weapon must be avoided.

**7. *USE A MECHANICAL BLOCK WHENEVER POSSIBLE!***

Contrary to the belief or arguments of some, checking a firearm each time it is handled is not prejudicial to the rights of a defendant, but is an absolute necessary and essential

safety practice unless a mechanical block is in place. There are a number of different types of mechanical blocks that may be used with varying degrees of effectiveness to keep firearms safe and secure in court (Figs. 2, 21, 22).

### **Types of mechanical blocks:**

- **Trigger lock** - This is usually a keyed device, (Fig. 2), but if it is an un-keyed type, it is applied and removed with only a large amount of pressure. It is placed either side of the trigger guard of a handgun or long gun. It is held in place by a cylinder that connects one side with the other, with the gun's trigger and trigger guard sandwiched in between each side of the trigger lock (Figs. 3, 4, and 5). Care must be taken in relying on this device because if it is placed too loosely on a single-action semi-automatic weapon, it could slide back and fire a bullet. This is especially true with the type of triggers on the Colt .45 and similar handguns that have a solid trigger that slides straight back when pulled (Fig. 6).

If possible, the cylinder on the trigger lock should be placed **behind** the trigger to block the trigger from being able to be pulled back (Fig. 7). Of course it is not always possible to place the trigger lock over the trigger guard so that the cylinder is behind the trigger. In that event, where the trigger lock cylinder is in front of the trigger (Fig. 8), as in all cases, it is extremely important to make sure that the trigger lock is on tightly and that it will not slide back and allow the firearm to discharge a round.

- **Electrician's strap or cable tie** - This device, once in place, cannot be removed without cutting it off. It is fairly inexpensive, but is not reusable once it is applied. As can be seen from the photos (Figs. 9, 10, 11 and 22), it may be used on any size pistol, but particularly on smaller semi-automatic pistols, such as .22, .25, .32, .380 caliber and other smaller handguns where a bicycle padlock will not fit.

However, extreme care must be taken when used on revolvers to assure that the hammer will not come back, and to ensure that the gun cannot fire. When the strap was applied **behind** the hammer spur of the Colt .38 that is shown (Fig. 12), it was still possible to pull the trigger and fire the gun in double action, that is, without pulling the hammer back first. When the electrician's strap was applied over the top of the hammer spur of the Smith & Wesson .38 as shown (Fig. 9), it was not possible to fire the handgun. The preferred method to secure a revolver with electrician's strap is to run the strap down the barrel.

On revolvers that hinge or break open, where the cylinder does not swing to the side, place the tape through the barrel and insert it through the cylinder and secure it.

On rifles and shotguns where the long gun has a magazine or is pump action or semi-automatic, it is possible to run the strap up through the action and out the ejection port and secure it (Fig. 4).

- **Flex cuffs** - These have the same advantage as the electrician's strap above, but are more durable and more difficult to cut through; they are heavier and thicker. Because they are wider and thicker, they are less pliable, and, thus, may be more difficult or impossible to maneuver or fit through smaller openings or spaces (Fig. 22).
- **Padlock** - This is the preferred method for securing a handgun because of its ease of application and because it is possible to have ammunition in the courtroom at the same time, which may be essential to the presentation of some element a party has to prove. Semi-automatic pistols, such as 9mm, and .40 and .45 caliber, may be secured by opening the action, placing the bicycle padlock down through the ejection port into the magazine well, and locking it in place at the butt of the handgun, as shown (Fig. 13). This mechanical block prevents anyone from grabbing a magazine, whether loaded or unloaded, and inserting it into the magazine well by the handle. It also prevents a single bullet from being chambered or placed into the gun through the ejection port into the chamber and fired. With the bicycle padlock in place, the slide cannot move forward and the firing pin cannot strike the bullet. A bicycle padlock in place prevents the ability to load a bullet into the gun in the first place.

In revolvers, the bicycle padlock has the advantage of being able to secure the weapon in a number of ways: First, a revolver with a swing cylinder may be secured by merely placing the padlock through the top strap, as shown (Fig. 14). This prevents the cylinder from closing and allowing the hammer and firing pin to come near the cylinder or bullet. Firing a round through a revolver with a padlock placed in this manner is impossible. Second, a revolver may be secured by inserting a bicycle padlock through the barrel at the muzzle and locking it in place by the open cylinder, as shown (Fig. 14). Third, depending on the caliber of the revolver, the lock may be inserted through the cylinder itself and locked (Fig. 15), which will prevent the cylinder from being aligned and prevent it from being fired. Where the revolver is too small to allow the lock to be inserted through the barrel or through the cylinder, the first method - the preferred method - is the only method that will work. By securing a revolver by placing a padlock through the top strap of the handgun, counsel are still afforded the ability, as indeed they should be, to demonstrate loading of the weapon with the cylinder swung out and locked open, to show trigger pull in either double action or single action, and to demonstrate the effect of pulling back on the hammer.

The state or government can utilize this, both as it relates to intent, cognition, and thought processes, and to premeditation, planning, and preparation. The defense can use it to show accident, mistake, the lack of intent, the lack of premeditation, or the presence of self-defense.

- **SAFEGUN SafeTclaw Universal Gun Lock** - This is very similar to the padlock and can be used on virtually any firearm - long guns and handguns (Figs. 18, 19, 20 and 21). It is a truly all-purpose, universal gun lock. It is adjustable and will secure most long guns, from sporting-type rifles or shotguns to military-pattern firearms, such as AR-15 and Uzi. It fits all handguns from .22 semi-automatics or revolvers to the .50 cal. Desert Eagle. As shown in the right side of Fig. 18, the top hook of the SafeTclaw hooks over the ejection port, while the bottom end fits into the bottom of the magazine well. The SafeTclaw is then snugged up in place against the butt of the pistol until it is secure. It can work equally well to insert the hook end into the ejection port and snug the other end up in place against the muzzle and secure it there as well.

On revolvers, the SafeTclaw works in much the same way. It can be hooked into the chamber and the key end inserted into the end of the muzzle, as shown on the top of Fig. 19. It also can be applied by placing the SafeTclaw into one end of the cylinder and securing the key end into the other end of the cylinder, thus preventing the cylinder from closing and thus prohibiting a bullet from being fired (Fig. 20).

- **Safegun gun lock** - This is a plug that fits semi-automatic pistols but will not work on revolvers (Fig. 18). The T-type plug is inserted through the ejection port of the pistol with the top part of the tubular "T" inverted so that the front end is inserted into the chamber and the rear end protrudes towards the hammer and firing pin. It is locked in place with a key, which extends an interior cylinder, locking the "T" plug in place. A number of different sizes fit different firearms, and no one "T" plug is a universal fit, although some will fit more than one brand of pistol. There are specific directions on each particular model to insert it with the long end on the expanding cylinder pointing either toward or away from the chamber of the pistol.
- **Bicycle cable** - This may be used as an effective method to keep a number of revolvers and semi-automatic handguns together (Fig. 22). This device is also especially suited to use in long guns, where an electrician's strap is not long enough or where steel cable is desired. The advantage of bicycle cable over electrician's strap is that a defendant cannot race forward with a box cutter, razor or knife and grab the firearm and cut the cable. Electrician's strap or flex cuffs can be cut before anyone wakes up and realizes what is being done!
- **Mossberg cable lock** - This is very similar to the bicycle cable (Fig. 22), but is generally shorter and secured by a keyed padlock (Figs. 18, 19, 20 and 21).

8. ***KEEP AMMUNITION SEPARATE FROM FIREARMS!***

It is generally recommended that ammunition and firearms be kept separate in the jury room and in the courtroom as well. This is absolutely essential if there is no mechanical block on the firearms or if electrician's strap, which can be cut easily, is used.

Where you have a number of firearms or a lot of ammunition, or both, such as in a case involving the robbery or burglary of a gun shop, it is essential to keep the firearms and ammunition separate. Plans must be made to coordinate with the sheriff and secure the ammunition in a separate room outside the courtroom and away from the firearms.

You will have to determine whether to use more or less restrictive measures in restricting the accessibility, or in the handling or use of ammunition and firearms as exhibits depending upon certain factors. These include security considerations and intelligence regarding possible violence from spectators, victim's friends or relatives, or defendant's friends or relatives.

9. ***ALLOW DEMONSTRATIONS USING FIREARMS - BUT BE CAREFUL!***

■ **Demonstrating Revolvers** - When necessary or essential to counsel's case to have ammunition near a firearm to show how a revolver is loaded, or for some other legitimate purpose, a mechanical block in the revolver, such as a bicycle padlock through the top strap or through the barrel, would still allow demonstration, without any possibility that it will fire. As an additional safety measure, have a police rangemaster remove the powder and primer from some of the seized ammunition, or from comparable ammunition, confirm with your Court Security Officer that it is inert, and then use it when demonstrating.

■ **Demonstrating semi-automatic pistols.** The Prosecutor or Defense Counsel may need to show how a semi-automatic pistol is used in order to show intent or to corroborate a witness. For example, a witness describes how the defendant or the victim grabbed a gun from a shelf, put a "clip" or "something" into the handle of the gun (a magazine into the magazine well), and then pulled the top of the gun back (the slide - to chamber a round or load the gun by putting it into battery).

The Prosecutor or Defense Counsel may need to have a jury understand the effect of having the slide stop back, indicating that the magazine is empty, or of having the slide slam forward, indicating that the magazine was loaded with one or more rounds. Some pistols will lock the slide back after firing the last round or when the magazine is empty. Some pistols will lock the slide back without the magazine locked in the magazine well, but only if done manually. Still others have a magazine disconnect, or magazine safety, which prevents firing with the magazine removed, a safety feature which prevents deliberate firing during a magazine change or if the magazine is lost. These different operations may be shown during the testimony of a rangemaster or a firearms instructor or other

qualified individual. In order for this to be demonstrated by inserting a magazine into the pistol, there can be no mechanical block, such as a bicycle padlock, through the ejection port down into the magazine well, and a trigger lock will not assure that the hammer on a semi-automatic pistol will not strike the firing pin.

The presence of a decocker or decocking lever is an insufficient safeguard to allow a safe demonstration of this with live ammunition. Therefore, any demonstration of the loading or chambering of ammunition into a semi-automatic pistol must be done with inert ammunition; that is, with bullets that have the primer and powder removed. All such inert ammunition should be test-fired outside of court before the demonstration is allowed. Counsel should be required to have officers or agents clear weapons outside of court in the presence of the Court Security Officer in charge of weapons or in charge of security in your courtroom before a hearing or trial begins. Cases have been reported where it was virtually impossible to clear a weapon, only to have a round go off when the slide finally was pulled back. As an added safety feature, you should consider requiring the firing pin to be removed.

- **Demonstrating center-fire weapons** - With center-fire weapons, but particularly semi-automatic pistols, it is possible to demonstrate safely that they are operable and functional. This can be done by inserting a regular unsharpened lead pencil into the barrel with the eraser either closest to the hammer or grip, or closest to the muzzle, and then cocking the pistol, aiming it at the ceiling, and pulling the trigger. It should not be a surprise to see the pencil fly out like a section-cup dart. Of course, it would be ideal to have a pencil with an eraser on both ends, but they may be hard to find. Slipping a cap-type eraser over the unsharpened end will achieve this result. Whether you allow this practice is, of course, your decision. It can be done safely if counsel, the firearms instructor, the criminalist or range officer witness, and all concerned know what to expect. For this demonstration, the firing pin must not be removed or the pencil will not be propelled out of the gun.
- **Demonstrating silencers** - This can be done safely if some things are understood from the outset. To demonstrate the powerful effect of a silencer on a firearm, the proponent may request or desire to fire the weapon into a cotton baffle, both with a silencer in place and with it removed. Opposing counsel may object, claiming that it is too prejudicial to their case or to their client. You may consider ordering that sound recordings be made outside the courthouse and outside the jury's presence and that the recordings be made and played back for the jurors. The difficulty with this approach is that it is difficult, if not impossible, to replicate the exact decibel level of the reports with and without a silencer in place, especially if it is made in a different environment, either outdoors or indoors where the sound reverberations may be entirely different.

This, again, is a discretionary call, but one which I would not hesitate to allow, as long as you set the ground rules and they are clearly understood. A number of

years ago, a visiting federal judge from Texas granted such a request in United States District Court for the District of Minnesota. If you allow it, the demonstration should be conducted by a rangemaster, a firearms instructor, a qualified criminalist, or other qualified individual, and the entire procedure should be spelled out for you, so that you can lay it out for the jury with full explanation, as appropriate. If you allow this demonstration, you must notify the sheriff and any other building tenants so that upon hearing a report of a gunshot from your courtroom, sheriffs, security personnel, waiting officers or agent-witnesses or others do not race into the courtroom with weapons drawn.

- **Displaying firearms.** In addition to keeping a number of firearms secured together by means of a bicycle cable, firearms may be displayed on a pegboard (Figs. 16, 17 and 22). The firearms, whether handguns or long guns, may be secured to the pegboard by electricians straps or cable ties, or by flex cuffs. Pegboard is available in 1/8" and 1/4" thickness with holes of corresponding size. Neither size will allow Flex cuffs to be used to secure them without enlarging the holes for them to fit through. The advantage to the pegboard is that all of the weapons admitted into evidence may be displayed safely, so that none may be removed and fired or otherwise thrown or used as a blunt object. The disadvantage is that if someone is quick enough, they may cut through the plastic material and remove one or more of the weapon-exhibits, so the length and thickness of the plastic ties should be considered carefully. This disadvantage of easy removal may be overcome by using wire instead of cable ties.

#### ***10. CLEARING LONG GUNS REQUIRES EXTRA CAUTION!***

It is not enough to work the action several times with lever-action, pump-action or semi-automatic rifles and shotguns. Cases have been reported where a round became lodged, crimped or stuck at the far end of the magazine tube and was not jarred loose until working the action over a dozen times. With long guns of this nature, it is absolutely necessary to remove the tube and follower and check for any plug or other obstruction visually. Continually racking the slide or working the lever action will not assure that the long gun is loaded.

By following these Ten Commandments for Handling Firearms as Exhibits, you will provide a safer environment for trial and reduce the anxiety level of all participants, and you will go a long way in exercising that kind of no-nonsense courtroom control that is absolutely essential to conducting a fair trial, while allowing counsel the ability to prove or challenge those matters which are essential to their case.

### ***DEMONSTRATING NON-FIREARM WEAPONS***

- **Knives** - All knives should be kept in their sheath. If there is no sheath, consider having counsel or your Court Security Officer fabricate a multi-layer cardboard sheath using 3M

strapping tape or duct tape. Butterfly or gravity knives may be secured in the closed position with electrical tape, or, if the handle has holes, by electrician's straps, flex cuffs, or cable ties or wire.

- **Razors, box cutters, and other sharp instruments** - These should be kept in heat-sealed pouches that are used in evidence collection by criminalists, double-layered, to guard against puncture of the pouch by the item itself. An ideal way to secure any weapon would be to place it in a see-through box constructed of Lexan, or some bullet-proof glass, and secured with a padlock. This would prevent access while allowing the item to be viewed.
- **Bombs, bomb components, blasting caps, and fuses** - Be governed by recommendations of the United States Marshals Service, the Bureau of Alcohol, Tobacco & Firearms of the United States Treasury Department, and your local bomb squad or explosive ordinance disposal team. Consider photographs in lieu of actual devices, unless they can be made inert and can be secured and stored safely. No live bombs should ever be allowed in the courtroom.

## ***PLACEMENT OF WEAPONS AS EXHIBITS IN THE COURTROOM***

**More important than anything else is the placement of the weapon as an exhibit. Easy access to someone who would deliberately or accidentally use or misuse it in your court must be avoided!**

**Special note:** Special precautions are necessary for pro se defendants! Where you have a pro se defendant, either at the beginning of the trial or who discharges counsel mid-trial, it is necessary to caution a pro se defendant that in addition to being required to comply with all the rules of decorum and rules of evidence, defendant will not be allowed to approach the bench, to participate in chambers conferences, to approach the witness stand, or to handle any kind of weapons. Arrange for the court security officer, bailiff or court clerk to carry exhibits between the counsel table and the witness stand. Defendants should not be permitted to examine weapons as exhibits. That must be left to standby counsel. Decide whether the court security officer, bailiff or court clerk will carry exhibits, particularly weapons, for both the state and the defendant, or just for the pro se defendant.

**Non-exhibit weapons of opportunity** - Weapons of opportunity can be found in any courtroom in any courthouse in America. Even the simplest of everyday objects can be turned into lethal weapons. A United States Marshal found this out the hard way when he went to pull back the chair of a woman defendant in federal court following recess for the day. As the chair was pulled back, she took a regular yellow lead pencil in both hands, and with the point held up by her thumb and index finger, raised it straight up and over her head to the back, jabbing it into the marshal's face between the top of his eye

and the orbit. This could have been prevented if a gold pencil or 100% flexible, non-metallic pen had been provided in place of an ordinary pen or pencil.

## **TOP-TEN LIST OF WEAPONS OF OPPORTUNITY**

1. Judge's name plate;
2. Pencil or pen at counsel table;
3. Judge's gavel;
4. Stapler;
5. Sign & holder on counsel table - "Do Not Place Briefcases on Table;"
6. Scissors;
7. Letter openers;
8. Microphones;
9. Microphone cord and electrical cord; and
10. Large pointed objects such as clothes trees, flag pole eagles and points.

## **RECOMMENDATIONS FOR SAFE USE OF LISTED ITEMS**

1. Make the judge's nameplate out of cardboard in a tent-fashion, as with seminar nameplates, or affix the nameplate in front of the bench so that it cannot be grabbed and used as a weapon.
2. Replace the pen or pencil at counsel table for a criminal defendant with a golf pencil or a York roller ball pen. The York rolling ball 117EF is a high-security pen, 100% plastic, flexible construction, which uses water-based ink and contains no metal. It is readily available at a reasonable price.
3. Move the gavel so that it is out of reach of someone standing by the bench or near the clerk or by whoever has the gavel in your court.
4. Keep staplers, scissors and letter openers in a drawer at all times while not in use by the clerk or court reporter!
5. Remove any signs on counsel table. Once the suppression hearing or trial begins, everyone should know the rules about what is and is not permitted on counsel table.
6. Use paper or Styrofoam cups for water, and keep the pitcher with the clerk so that it is not easily accessible to a criminal defendant.
7. Install microphones so that they are a permanent fixture and cannot be moved and used as a club.

8. Keep electrical cords concealed. If they must be exposed, consider taping them down with duct tape so that they cannot readily be grabbed to tie or strangle someone.
9. Keep clothes trees out of the well, away from the bar, and place flags behind the bench, as shown, rather than between the witness stand and jury, as shown, so that the flagpoles cannot be used as lances.
10. The most important thing to do is to become aware of those items which may become weapons of opportunity and which may be used by someone who wishes to disrupt the proceedings, attempt retribution, effect an escape, or cause injury or death.

**The proper placement of objects in the courtroom can do more than anything else to minimize or eliminate the threat of their use as weapons of opportunity!**

**Institute training in awareness of weapons of opportunity for all court staff!** By recognizing the hazards in the courtroom and how to minimize them, you and your staff can create a safer environment for all participants.

# ***CHAPTER 8***

## ***BOMB THREAT RESPONSE PLAN***

# ***IMPROVISED EXPLOSIVE DEVICES*** ***(IED)***

<b>MAIN COMPONENTS OF A BOMB and IED</b>		
<p style="text-align: center;"><b>IGNITION SYSTEM</b> <i>Initiation and Firing Devices</i></p> <p>Battery / Power Source Electrical Sequencing Non-Electrical Sequencing Prima Cord PETN</p>	<p style="text-align: center;"><b>DETONATOR</b> <i>Primary Explosives</i></p> <p>Blasting Cap Flame Spark Military Fuses</p>	<p style="text-align: center;"><b>MAIN CHARGE</b> <i>Secondary Explosives</i></p> <p>Plastic (C-3 / C-4) Powder Chemical / Liquid Dynamite Ammonium Nitrate TNT Sheet Explosives</p>

<b>IMPROVISED EXPLOSIVE DEVICES</b>				
TYPES	CLASSIFICATION	EFFECT	DETONATION	METHOD
<p><b>MECHANICAL</b></p> <ul style="list-style-type: none"> <li>◆ Pipe Bombs</li> <li>◆ Mail Bombs</li> <li>◆ Booby Traps</li> </ul> <p><b>CHEMICAL</b></p> <ul style="list-style-type: none"> <li>◆ Kerosene</li> <li>◆ Ammonia Nitrate</li> <li>◆ Gasoline</li> </ul> <p><b>NUCLEAR/ATOMIC</b></p> <ul style="list-style-type: none"> <li>◆ Military</li> <li>◆ Terrorist</li> </ul>	<p><i>Determined according to the speed, expressed in feet per second, at which the change of state takes place.</i></p> <p style="text-align: center;"><b>HIGH</b></p> <ul style="list-style-type: none"> <li>◆ TNT</li> <li>◆ Nitro</li> <li>◆ Plastic</li> </ul> <p style="text-align: center;"><b>LOW</b></p> <ul style="list-style-type: none"> <li>◆ Black Powder</li> <li>◆ Smokeless Powder</li> </ul>	<p style="text-align: center;"><b>BLAST</b></p> <ul style="list-style-type: none"> <li>◆ Positive &amp; Negative</li> <li>◆ Pressure Exerted</li> <li>◆ Primary Effect</li> </ul> <p style="text-align: center;"><b>FRAGMENTATION</b></p> <ul style="list-style-type: none"> <li>◆ IED Itself</li> <li>◆ Shrapnel From a Variety of Materials</li> </ul> <p style="text-align: center;"><b>INCENDIARY</b></p> <ul style="list-style-type: none"> <li>◆ Burning Effect</li> <li>◆ Damage is Environs Dictated</li> </ul>	<p style="text-align: center;"><b>SPARK</b></p> <p style="text-align: center;"><b>FLAME</b></p> <p style="text-align: center;"><b>SECONDARY DEVICE</b></p> <p style="text-align: center;"><b>MILITARY FUSES</b></p>	<p style="text-align: center;"><b>PRESSURE</b></p> <ul style="list-style-type: none"> <li>◆ the application or release of:</li> </ul> <p style="text-align: center;"><b>TENSION</b></p> <ul style="list-style-type: none"> <li>◆ the release or increase of:</li> </ul> <p style="text-align: center;"><b>MOTION</b></p> <p style="text-align: center;"><b>REMOTE CONTROL</b></p> <p style="text-align: center;"><b>TIME</b></p> <ul style="list-style-type: none"> <li>◆ the expiration of:</li> <li>◆ <i>4 Types of Time</i></li> </ul> <p style="text-align: center;"><b>Clock / Chemical Burning / Electrical</b></p>

## **CONFERENCE OF CHIEF JUDGES**

# **“ WARNING ”**

## ***LETTER AND PARCEL BOMB RECOGNITION POINTS***

- Foreign Mail, Air Mail and Special Delivery
- Restrictive Markings such as Confidential, Personal, etc.
- Excessive or No Postage
- Handwritten or Poorly Typed Address
- Incorrect Titles with Name
- Title with No Name
- Misspellings of Common Words
- Oily Stains or Discolorations
- No Return Address
- Excessive Weight
- Rigid or Bulky Envelope
- Lopsided or Uneven Package/Envelope
- Protruding Wires or Tinfoil
- Excessive Securing Material such as Masking Tape, String, etc.
- Visual Distractions
- Strange Odor

## GENERAL RESPONSE TO SUSPICIOUS LETTERS and PACKAGES

- Notify Security Personnel - *First Step in Implementing Courthouse Contingency Plan*
- Do Not Open - *Detonation may be Triggered*
- Do Not Confine Package - *Magnifies Blast Effect thereby Increasing Damage Potential*
- Do Not Submerge Package in Water - *Water is a Conductor of Electricity*
- Open Windows and Doors - *Creates an Open Vacuum for Blast Dispersion*
- Isolate and Evacuate - *Per Established Security Policies and Procedures*

## INSPECTING VEHICLES FOR IMPROVISED EXPLOSIVE DEVICES - IED's

1. **Conducting an external search**
  - Check the area around the vehicle. Look for tape, wire, string or fuses
  - Look for marks on the ground indicating unusual activity
  - Look for signs of forced entry
  - Look inside the vehicle (*through the window*) for devices, packages, or other suspicious items
2. **Locked Vehicles - Check Below**
  - Look for loose wires similar to blasting caps
  - Inspect Top/Sides of tires
  - Inspect exhaust pipe for inserted objects
  - Look for pieces of dirt, rust, etc, that may have been dislodged
3. **Unlocked Vehicles - Check Inside**
  - Look inside the vehicle (*through the windows*) and open a door other than the driver's
  - Inspect vehicle interior in a logical sequence - *Start at floor and work up*
  - Check under the floormats
  - Check under front and back seats
  - Check door panels for signs of tampering

## CONDUCTING ROOM SEARCHES FOR IED's

- Stop, Look, and Listen
- Divide room by height for search - *floor/waist waist/chin chin/ceiling ceiling/decking*
- Search room by height and assigned area - *overlap for thorough coverage*
- Search internal public areas - *mens/ladies rooms, elevators, lobby, stairwells, office reception areas, etc.*
- Search internal areas - *utilize employee familiarity in locating/clearing out-of-place items*
- Search outside areas - *landscaping, trash receptacles, vehicles, abandoned items, signs, windows, doorways, building facade, etc.*

# BOMB THREAT RESPONSE CARD

<p style="text-align: center;"><b>CONFERENCE OF CHIEF JUDGES</b></p> <p style="text-align: center;">• •</p> <p style="text-align: center;">PLACE THIS CARD UNDER YOUR TELEPHONE</p> <hr/> <p style="text-align: center;"><i>QUESTIONS TO ASK:</i></p> <ol style="list-style-type: none"> <li>1. WHEN IS THE BOMB GOING TO EXPLODE?</li> <li>2. WHERE IS IT RIGHT NOW?</li> <li>3. WHAT DOES IT LOOK LIKE?</li> <li>4. WHAT KIND OF BOMB IS IT?</li> <li>5. WHAT WILL CAUSE IT TO EXPLODE?</li> <li>6. DID YOU PLACE THE BOMB?</li> <li>7. WHY?</li> <li>8. WHAT IS YOUR ADDRESS?</li> <li>9. WHAT IS YOUR NAME</li> </ol>	<p style="text-align: center;"><b>CALLER'S VOICE</b></p> <hr/> <ul style="list-style-type: none"> <li><input type="checkbox"/> CALM</li> <li><input type="checkbox"/> ANGRY</li> <li><input type="checkbox"/> EXCITED</li> <li><input type="checkbox"/> SLOW</li> <li><input type="checkbox"/> RAPID</li> <li><input type="checkbox"/> SOFT</li> <li><input type="checkbox"/> LOUD</li> <li><input type="checkbox"/> LAUGHTER</li> <li><input type="checkbox"/> CRYING</li> <li><input type="checkbox"/> NORMAL</li> <li><input type="checkbox"/> DISTINCT</li> <li><input type="checkbox"/> SLURRED</li> <li><input type="checkbox"/> NASAL</li> <li><input type="checkbox"/> STUTTER</li> <li><input type="checkbox"/> LISP</li> <li><input type="checkbox"/> RASPY</li> <li><input type="checkbox"/> DEEP</li> <li><input type="checkbox"/> RAGGED</li> <li><input type="checkbox"/> CLEARING THROAT</li> <li><input type="checkbox"/> DEEP BREATHING</li> <li><input type="checkbox"/> CRACKING VOICE</li> <li><input type="checkbox"/> DISGUISED</li> <li><input type="checkbox"/> ACCENT</li> <li><input type="checkbox"/> WHISPERED</li> <li><input type="checkbox"/> FAMILIAR - HOW?</li> </ul>	<p style="text-align: center;"><b>BACKGROUND SOUNDS</b></p> <hr/> <ul style="list-style-type: none"> <li><input type="checkbox"/> STREET NOISES</li> <li><input type="checkbox"/> CROCKERY</li> <li><input type="checkbox"/> VOICES</li> <li><input type="checkbox"/> PA SYSTEM</li> <li><input type="checkbox"/> MUSIC</li> <li><input type="checkbox"/> HOUSE NOISES</li> <li><input type="checkbox"/> MOTOR</li> <li><input type="checkbox"/> OFFICE MACHINERY</li> <li><input type="checkbox"/> FACTORY MACHINERY</li> <li><input type="checkbox"/> ANIMAL NOISES</li> <li><input type="checkbox"/> CLEAR</li> <li><input type="checkbox"/> STATIC</li> <li><input type="checkbox"/> LOCAL</li> <li><input type="checkbox"/> LONG DISTANCE</li> <li><input type="checkbox"/> TELEPHONE BOOTH</li> <li><input type="checkbox"/> OTHER _____</li> </ul>
<p><b>EXACT WORDING OF THE THREAT:</b></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>SEX OF CALLER: _____ RACE: _____</p> <p>AGE: _____ LENGTH OF CALL: _____</p> <p>TELEPHONE NUMBER AT WHICH CALL IS RECEIVED:</p> <p># _____</p> <p>TIME: _____ DATE: ____ / ____ / _____</p>	<p style="text-align: center;"><b>THREAT LANGUAGE:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> WELL SPOKEN (EDUCATED)</li> <li><input type="checkbox"/> FOUL</li> <li><input type="checkbox"/> IRRATIONAL</li> <li><input type="checkbox"/> INCOHERENT</li> <li><input type="checkbox"/> TAPED</li> <li><input type="checkbox"/> MESSAGE READ FROM LETTER</li> </ul> <p>REMARKS _____</p> <p>_____</p> <p>REPORT THREAT IMMEDIATELY TO:</p> <p>_____ at</p> <p>PHONE NUMBER _____</p> <p>YOUR NAME: _____</p> <p>TITLE: _____</p> <p>PHONE NUMBER: _____</p>	

# **BOMB THREAT RESPONSE PLAN**

## **RECEIPT OF THE THREAT**

*Persons likely to receive bomb threats should be provided with a response form similar to the one depicted on page 8.4*

Obtaining accurate information is vital to selecting the appropriate response. The most frequent receipt of bomb threats is via telephone. Persons likely to receive such calls should be briefed and trained in the following procedures:

- ◆ Try to keep the caller on the line long enough to trace the call and obtain further information
- ◆ Record, in writing or by recorder, the exact words the caller used. Attempt to determine the exact location of the IED, device type, appearance, and time of detonation
- ◆ Attempt to determine the sex, age, and caller mental attitude - to include reasons for placing the IED
- ◆ Note any accent or peculiarity of speech which may help identify the caller, as well as any background noise that may provide a clue to the caller's identity

## **THREAT EVALUATION**

This stage involves assessing the credibility of the message and selecting the appropriate response. The following are general points of consideration that should be taken into account when conducting the evaluation:

- ◆ Information Ascertained From Caller
- ◆ Threat Scope
- ◆ Facility Operations
- ◆ Threat and Risk Assessments
- ◆ Pre-Identified Vulnerabilities
- ◆ Prior Incident Activity and Response
- ◆ Environmental Conditions and Factors
- ◆ Area(s) of Refuge
- ◆ Preliminary Search Results
- ◆ Use of Subject Matter Experts (*public & private*)

## **FACILITY SEARCH**

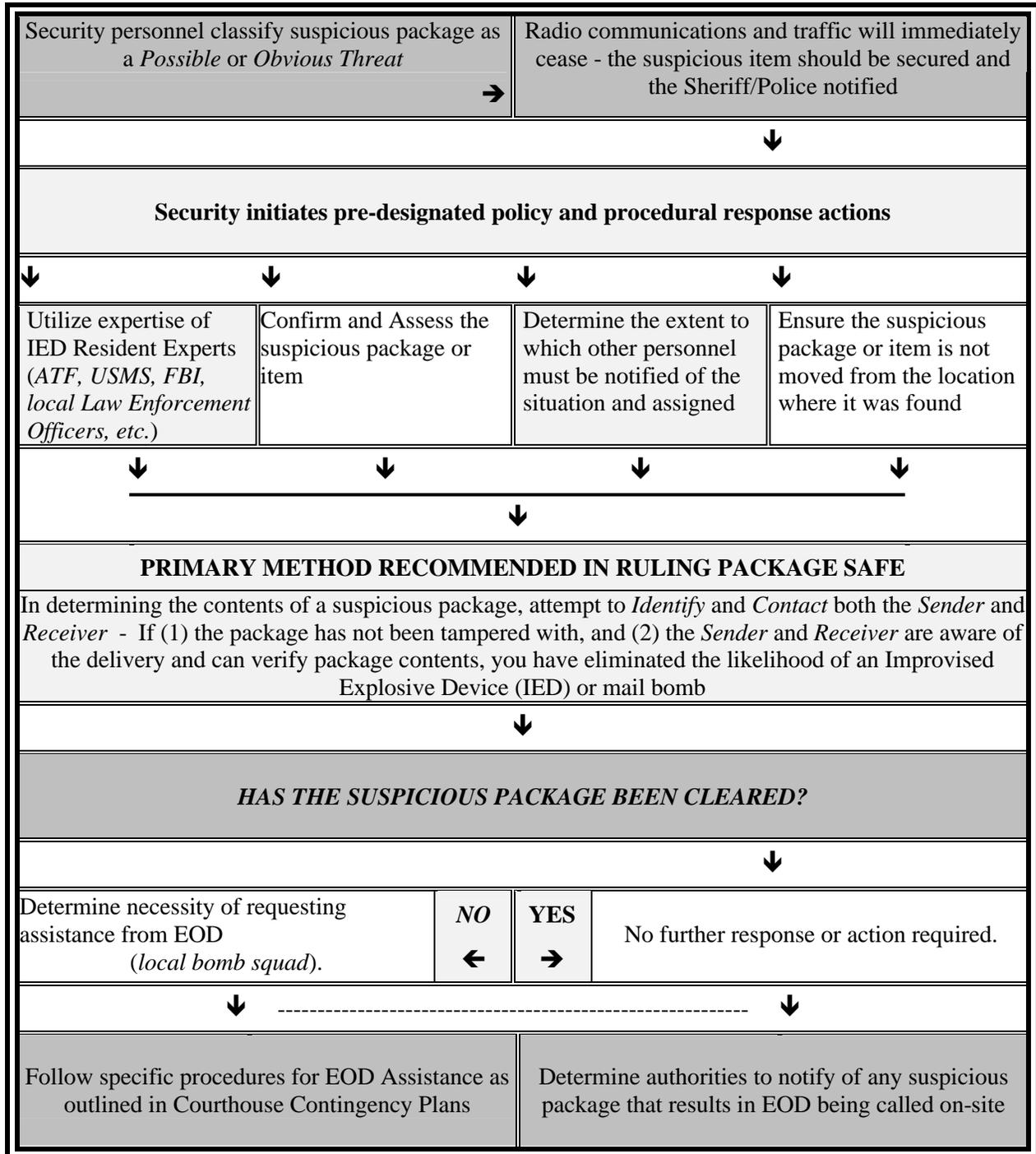
To search a building before or after it is evacuated is a matter that should be governed by situational aspects. The value of intelligence gathered during *Stage One*, receipt of the actual bomb threat, becomes critically evident during this stage. If the information received indicates a definitive location, a search could be conducted without evacuation, provided that time is not a factor. cursory searches that have been delineated in Contingency Plans can also be conducted prior to any decision to evacuate the building.

*Building employees can be of great assistance in conducting a search, since emergency responders are likely to be unfamiliar with the facility and surrounding environs. Employees should be directed to report all out-of-place items to the immediate attention of pre-designated personnel. For those facilities with inherent or elevated threat/risk levels, efforts should be made to schedule on-site familiarization training for emergency responders*

## RESPONSE PLAN CONTINUED

<p style="text-align: center;"><b>FACILITY EVACUATION</b></p> <p><i>The Threat Evaluation Process Plays An Integral Part In Considering and Determining Facility Evacuation</i></p>	<p>Essentially, there are three alternatives available to officials when deciding building evacuation - (1) <i>Ignore The Threat</i>, (2) <i>Evacuate Immediately</i>, and (3) <i>Search and Evacuate If Warranted</i> - considered by professionals to be the most desired approach.</p> <p>A general rule to follow if you do not have an established bomb threat response plan is - <i>EVACUATE</i>. Unfortunately, this action is usually the exact effect a hoax bomber desires.</p> <p>As stated, an evacuation may occur before or after a search has been conducted. However, an outlined search of some type (i.e. <i> cursory, general, inclusive, etc.</i>) is strongly recommended prior to allowing building occupants to continue on with their current activities.</p> <p>Although total evacuations offer the highest degree of safety, situational aspects may allow less absolute, more incident-specific measures.</p>
<p style="text-align: center;"><b>REMOVAL and RENDER SAFE</b></p>	<p>During this stage, only properly trained Explosives Ordinance Disposal (EOD) personnel should be involved. IED's are limited only by the imagination of their designers and should never be touched or moved by untrained persons.</p> <p>Knowing (1) <i>Who to contact</i>, (2) <i>How to contact</i>, (3) <i>What information they will need concerning the Bomb Threat/IED</i>, and (4) <i>Response Times</i> is vital to any bomb threat response plan.</p>
<p style="text-align: center;"><b>GENERAL</b></p> <p><i>A bomb threat response plan should specifically address and incorporate several areas:</i></p>	<ul style="list-style-type: none"> <li>◆ Telephone contact/notification information for management and command elements to ensure some officials are readily available to make critical decisions throughout the incident</li> <li>◆ What situational aspects dictate either immediate evacuation, ignoring the threat, or initiating a search and evacuating the facility if/when the threat is confirmed.</li> <li>◆ Identifying Search Personnel and/or Teams</li> <li>◆ Established Search Techniques</li> <li>◆ Secondary or Diversionary Devices</li> <li>◆ Policies and Procedures If/When a Device Has Been Located</li> <li>◆ Handling Employee, Public, and News Media Inquiries</li> <li>◆ Interfacing with Nuclear, Biological, and Chemical (NBC) Threat Response Plans</li> </ul>

# ***SUSPICIOUS PACKAGE RESPONSE - FLOW CHART***



## ***NEWS HEADLINES: TERRORIST & COURTHOUSE BOMBING INCIDENTS***

<b>Truck bomb fails to go off in Indiana Courthouse</b> But 'terror attack' leaves building damaged by fire8/98	8/98
<b>Letter bomb sent to prison official intercepted</b> Eight explosive devices are believed to be the work of Islamic militants	12/97
<b>Search is on for person who placed fake pipe bomb in Perham Hospital</b>	12/97
<b>N.Y Police foil terrorist bomb plot</b> - 5 bombs seized, 3 men arrested	8/97
<b>Man admits making Wisconsin bomb threat /</b> Charged with three armed robberies, shooting at police, and making hundreds of bomb threats	7/97
<b>Man throws firebomb at judge in courtroom in Urbana, Illinois</b>	4/97
<b>Mail bomber gets death for killing federal judge –</b> Suspect already serving seven life sentences for killing city alderman and bombing NAACP office in Jacksonville	2/97
<b>Pipe bomb fails to explode</b> Police evacuate neighborhood surrounding home of federal employee	2/97
<b>Bomb damages courthouse</b> Powerful bomb explodes outside Courthouse in Solano, California	1/97
<b>Suspect in bomb threat familiar with explosives –</b> Man's history led DNR officials to take no chances	1/97
<b>Pipe bomb lay unnoticed at Waconia newspaper for five dangerous days</b>	10/96
<b>St. Paul postal inspectors find fake bomb</b> Letter addressed to New York Supreme Court judge contained homemade bomb	9/96
<b>Bombs explode in 2 mail-collection boxes in downtown St. Paul –</b> Incendiary device injures worker	7/95
<b>Improvised explosive device mailed to federal judge in Chicago</b> U.S. Marshals investigating	3/95
<b>Austin man convicted of threatening federal officials</b> Previously acquitted of bombing two state judges homes in Austin and Blooming Prairie	3/94
<b>Letter bomb traced to prison –</b> Parcel addressed to ATF attorney	12/93

# ***CHAPTER 9***

## ***THREAT MANAGEMENT***

# ***THREAT INTELLIGENCE***

Threat Intelligence is an Integral Component of any Model Court Security Program. The Ability to Accurately Determine Site Appropriate Levels of Protection and Security is Severely Limited without a Solid Foundation of Intelligence Gathered Information

The June 28, 1995, Department of Justice “*Vulnerability Assessment of Federal Facilities*”, under section B-4, specifically addresses and endorses “*Intelligence Sharing*” as a recommended Security Standard (*see below related table*).

<b>STANDARD</b>	<b>DEFINITION/DESCRIPTION</b>
ESTABLISHING LAW ENFORCEMENT AGENCY and SECURITY LIAISONS	Intelligence-sharing between law enforcement agencies and security organizations should be established in order to facilitate the accurate flow of timely and relevant information between appropriate government agencies. Agencies involved in providing security must be part of the complete intelligence process.
REVIEW and ESTABLISH PROCEDURES FOR INTELLIGENCE RECEIPT and DISSEMINATION	Determine what procedures exist to ensure timely delivery of critical intelligence. Review and improve procedures to alert agencies and specific targets of criminal/terrorist threats. Establish standard administrative procedures for responding to incoming alerts. Review flow of information for effectiveness and time critical dissemination.
ESTABLISH UNIFORM SECURITY and THREAT NOMENCLATURE	To facilitate communication, standardized terminology for Alert Levels should be implemented. Normal, Low, Moderate, and High - as recommended by the Security Standards Committee.

## INTELLIGENCE GATHERING CONSIDERATIONS

- Department or Agency Commitment - *Personnel and Resources*
- Program Continuity - *Necessary Requirement in Developing a Model Program*
- Extended Personnel Assignments - *Elevated Expertise and Proficiency Levels*
- Department Policies and Procedures - *Quality Control Measures*
- Intelligence Agency Networking - *Common Objectives*
- Site Specific Threat Groups and Dangerous Individuals - *Trends and Tactics*
- Active Involvement - *Threat Intelligence Association Memberships*
- Operations Security - *Threat and Risk Assessments*
- Facility Operations - *Threat and Risk Assessments*
- Administrative Support - *Reports, Profiles, and Documentation*
- Privacy and Freedom of Information Acts - *Regulations and Restrictions*

<b>SOURCES OF INFORMATION and INTELLIGENCE</b>		
<b>Law Enforcement Agencies</b>	<b>Task Forces</b>	<b>Electronic Databases</b>
<b>News Media</b>	<b>Intelligence Associations</b>	<b>Security Associations</b>
<b>Informants</b>	<b>Directories</b>	<b>Internet</b>
<b>Public Sources</b>	<b>Government Sources</b>	<b>Private Sources</b>

# ***THREAT SOURCE PROFILES***

Threat Source Profiles (TSP's) significantly assist law enforcement management, court security coordinators and investigators in determining Protective Measures and Operational Requirements and Assignments. They also supplement and support Threat and Risk Assessments.

Consequently, TSP's should be prepared on all site-specific identified threat groups. Profiles should be prepared, with a focus on supporting the Sheriff's protective and enforcement statutory responsibilities. It is noted that while they are considered to be pro-active they only contain general information (in compliance with the Federal Privacy Act) that must suffice until a specific TSP can be prepared in response to an identified threat(s).

Threat Source Profiles prepared in direct support (i.e. *an identified threat*) of protective service, enforcement and investigative assignments are considered reactive in nature and, consequently, are usually prepared after the fact. These profiles, however, are likely to (1) be more detailed, and (2) contain specific information on individuals and/or threat groups directly involved in the investigation or assignment.

As such, this type of TSP will (1) supplement prepared threat assessments, and (2) be governed by the privacy act law enforcement exception of whether the specific information or record is connected to a past, present, or anticipated threat.

The *American Patriot Movement TSP* (See 9.2.1) was prepared as a response to the proliferation of Anti-Government and Right-Wing groups in the State of Minnesota. Law enforcement operational assignments that have resulted and been effected by these extremist activities include, but are not limited to: *protective and threat investigations, high-threat proceedings and trials, service of process, prisoner transports, facility security, judicial conference security details, etc.*

This paraphrased Threat Source Profile on the *American Patriot Movement* is an example provided to law enforcement agencies for recognized protective and criminal investigative purposes.

An italicized statement such as “*While this document is unclassified it should be considered (1) **Law Enforcement Sensitive**, and (2) **For Official Use Only**. Profile information contains neither the recommendations or conclusions of the \_\_\_\_\_ (insert name of appropriate law enforcement agency) . The profile itself is considered the property of the \_\_\_\_\_ (insert name of appropriate law enforcement agency) and dissemination outside of your agency is not authorized without prior \_\_\_\_\_ (insert name of appropriate law enforcement agency) approval*” should be prominently noted.

# AMERICAN PATRIOT MOVEMENT - THREAT SOURCE PROFILE

## *PREFACE*

It should be understood that it is not against the law to protest taxes, espouse atypical political views, join militia organizations, harbor anti-government convictions, possess firearms, etc. It is illegal, however, to engage in activities that jeopardize the lives and liberties of others. All material comprised in this profile is intended to depict these actions as they may be revered and/or conveyed by extremists. It is noted that the action itself may not be entirely indicative of an illegal activity and, consequently, no other comparisons or references should be made.

Emphasis is placed on increasing law enforcement awareness levels through profile discussion of (1) Historical Perspectives, (2) Martyrs and Symbolic Rallying Cries, (3) Trends and Tactics, (4) Illegal Activities, (5) Conspiracy Theories, (6) Case Studies, and (7) Sources of Information.

## *HISTORICAL PERSPECTIVES*

In 1969 co-founders Henry Lamont Beach and William Potter Gale formed the *Posse Comitatus* in Glendale, California. The name *Posse Comitatus* is a Latin term meaning *Power of the County*. A number of reports have been written concerning the philosophical foundation of the *Posse Comitatus*. While these reports tend to vary to some degree, all contain in one form or another a similar listing of incorporated ideological principles. Of significant importance is the fact that the general philosophy of the *Posse Comitatus* not only preceded the present-day *American Patriot Movement*, but can be found imbedded in organizational philosophies throughout the right-wing.

## *POSSE COMITATUS PHILOSOPHY*

- Legal rights are derived from the United States Constitution, Magna Carta, Bible, Common Law, and the Articles of Confederation. The strict interpretation of these rights provides a basis for their convictions.
- Recognize the Sheriff as the only authorized law enforcement officer or agency in the United States. If the Sheriff has been notified of an “unlawful act” and refuses to take action, the *Posse Comitatus* then has the “lawful right” under natural law to act in the name of the Sheriff to protect local jurisdiction.
- Do not acknowledge the courts and legal system in their entirety. Reject the courts’ authority to empanel juries, as juries should be formed by rightful citizens of the land (i.e. the *Posse Comitatus*). When appearing in court, members will usually, if not always, demand to represent themselves pro se.

- Graduated Income Tax is illegal. The Internal Revenue Service does nothing more than levy a series of abuses (*taxes*) requiring a rejection and thus a violation of their god-given and constitutional rights.
- The United States Treasury (Federal Reserve System) operates illegally, as dispensed currency is not insured by gold or silver.
- Survivalist instruction, paramilitary training, and an advanced communications network consisting of citizen band radios, telecommunications, and two-way radios are openly advocated in advance preparation and response to the inevitable *Armageddon*.

Encompassing these philosophies is the *Posse Comitatus's* universal non-recognition of the federal or state government's right to enact and enforce laws. This is especially so in those legislative areas involving taxation, firearms, explosives, education, and the Federal Reserve System. Rhetoric expounded by groups in the *American Patriot Movement* will be primarily centered on and around these specific issues.

The *Posse Comitatus* does not rely on a strong central structure other than rendering a charter, disbursing identification, and disseminating printed tax protest material. The non-existence of a national hierarchy enables each chapter to be autonomous in organizing and implementing its priorities concerning political involvement, "defense" preparations, militancy levels, and publicity generated activities. Only a few basic qualifying factors have been formally accepted as a prelude to establishing membership. They must be met in order for a group to file and be granted national charter designation.

### ***CHARTER QUALIFYING FACTORS***

- Each charter must contain *SEVEN MALE INDIVIDUALS*
- Each individual must be of the *PURE WHITE RACE*
- Each individual must be *PATRIOTIC*
- Each individual must be of *GOOD CHARACTER*
- Each individual must *PRESERVE LAW AND ORDER*
- Each individual must be a *CHRISTIAN*

*Christian Identity Churches*, founded by some *Posse Comitatus* members, can be considered the common ground in which *right-wing groups* join with one another. The assumption is that this has been predicated by similar philosophies and paralleled long-term goals openly proclaimed by group leaders. This forum of extremism creates a "strength-in-numbers" attitude, and has at

times resulted in outbreaks of aggravated violence. This may be explained in part by the *right-wing* justifying their actions by so-called “divine authority.”

In 1978 a significant event for the *American Patriot Movement* occurred when a fictional account of the *Great Revolution* entitled, *The Turner Diaries*, was authored by Andrew MacDonald, a pseudonym for William Pierce. Long considered required reading for loyal followers of the *American Patriot Movement* its circulation substantially increased following the *Oklahoma City Bombing*.

### ***THE TURNER DIARIES - A SUMMARIZED REPORT***

The book itself chronicles a two-year period in the life of *Earl Turner*, a rank-and-file member of the *Organization*, which consists of persons who (1) believe minorities are subservient to the white race, and (2) are opposed to the government or *System*. This is predicated on the *System's* tyrannical rule, corruption within, and view of minorities as equals.

The *Organization* was “forced into action” when the *System* enacted the *Cohen Act*, a law which prohibited anyone in the United States from owning a firearm. Raids were then conducted to confiscate any weapons that had not been turned in, and to arrest anyone in possession of a firearm. The *Cohen Act* and subsequent arrests were the starting point for the *Organization's* war on the *System*.

Radical and militant *Organization* members favored plans to carry out executions of federal judges, newspaper editors, legislators, law enforcement personnel, and all other supporters of the *System*. Before these plans were to be set in motion, it was determined that further development and discipline were required within the *Organization*.

Recruitment intensified after the arrests of fellow *Organization* members. New members were divided into two categories: (1) *Underground Units* - whose members were known to authorities and were directly involved in attacking the *System*, and (2) *Legal Units* - whose members were unknown to the *System* and were involved with intelligence, funding, defense, and other strategic forms of support.

Initially, the *Organization* robbed small businesses to fund their activities. As they became more sophisticated, the organization started to commit bank robberies and print counterfeit monies in order to finance operations and disrupt the economy. Causing havoc within the *System* was a significant part of the overall mission of the *Organization*. They hoped this would lead to increased membership and additional support from both civilian and military sectors.

The *Organization* bombed the FBI Headquarters Building in Washington D.C. by using a mixture of heating oil and ammonium nitrate fertilizer (note: same ingredients used in the Oklahoma City Bombing). Although many innocent persons were killed, members believed that was the price to pay in order to ultimately destroy the *System*. Future targets concentrated on the *System's* infrastructure to include railroads, interstate highways, bridges, airports, shipping ports, utility companies, fuel depots, media centers, and telecommunication sites. Military installations

were identified as a source of weapons, ammunition, personnel, and, when necessary, for complete eradication.

The *Organization* was intent on building Improvised Explosive and Incendiary Devices to be used in attacks on the *System*. They were also attempting to develop explosive materials that would pass undetected through metal detectors and x-ray machines. They developed a communication network linking their organizational units through a combination of human couriers and highly- sophisticated radio transmissions. This “network” was an effective means of keeping an eye on the *System*, as well as coordinating attacks with multiple units. This made for a more mobile and efficient fighting force.

The *Organization* believed that strict adherence to their cause and regulations was an absolute necessity. Summary executions (via hangings) were commonplace for members who violated this code, as well as for outsiders. Basically, *Organization* philosophy was centered around the belief that “you could either be trusted and live, or not, and die”. The *Turner Diaries* concludes with an epilogue describing in general accounts how complete control of the United States and world domination would be accomplished.

On February 13, 1983 *Posse Comitatus* member *Gordon Kahl* was the central figure involved in a shootout with United States Marshals. A federal probation warrant had been issued for *Kahl*. Marshals, along with local law enforcement officers, were in Medina, North Dakota, that day attempting to arrest *Kahl*, when shots were fired. When the shooting was over, two Marshals were dead and *Kahl* was a fugitive wanted for the murder of a federal officer.

With the assistance of fellow “patriots”, *Kahl* avoided an extensive manhunt for several months. *Kahl* was hiding out with survivalists in the Ozark Mountains near Smithville, Arkansas, when federal officers located him. On June 3, 1983, agents and local officers surrounded *Kahl’s* hideout. When Sheriff Gene Matthews entered the bunker, he was shot and killed by *Kahl*. Impeded by automatic gunfire, officers then used teargas in an attempt to force *Kahl’s* surrender. Shortly thereafter, the fortified bunker was ablaze and the charred remains of *Gordon Kahl* were later discovered among the bunker’s ashes.

*Aryan Nations*, headquartered in Hayden Lake, Idaho, is the leading *Christian Identity* organization in the United States. In September of 1983, ardent follower **Robert Matthews** separated from the *Aryan Nations* and formed a violent underground group known as *The Order* or *Bruder Schweigen* (German for: *Silent Brotherhood*). *Matthews* believed *Aryan Nations* could continue to preach the movement’s message while he and *The Order* took action against the government, minorities, and Jews. They subsequently initiated a campaign of armed robberies, sabotage, murder, and domestic terrorism in their efforts to bring about “total victory” for the Aryan race. These acts and the name *The Order* itself were patterned by *Matthews* after events depicted in *The Turner Diaries*.

Fifteen months later *Matthews’* reign as founder and leader of *The Order* was over, as the FBI investigation led agents to Whidbey Island, Washington, where, on December 8, 1994, with *Matthews* refusing to negotiate his surrender, the FBI sent in two tactical teams.

Even with the house saturated with CS, gas both entry teams were forced back as *Matthews* responded with extended bursts of automatic fire from his machine gun. A decision was then made to use starburst flares in order to pinpoint *Matthews*' location by illuminating the house interior. Shortly after being used, the flares ignited, not only setting the house on fire, but exploding caches of ammunition. *Matthews*, still refusing to surrender, apparently barricaded himself on the second floor. Not able to fight the fire due to the intense heat and explosions, available emergency personnel had to wait until the following morning when *Matthews*' body was recovered from the house remains.

Within a year, over seventy-five *Order* members were arrested for various criminal offenses. In total, eight trials, including those tried in federal courts in Seattle, Spokane, Salt Lake City, and Denver, were held involving *Order* members. The largest trial in Seattle resulted in ten members being convicted and twelve members pleading guilty to federal crimes, including conspiracy, armored car robberies, racketeering, murder, and counterfeiting violations.

***Zarephath-Horeb*** or as better known, ***The Covenant, The Sword, The Arm of The Lord (CSA)*** was an *Identity*-based compound located in the Ozark Mountains near the Arkansas/Missouri border. *Jim Ellison* founded the *CSA* in 1976 and as the man who "God told to come to that part of the country and establish a place of refuge for his people," was the proclaimed leader. The *CSA* ultimately evolved into a paramilitary organization that specialized in automatic weapons conversion, survivalist skills, explosive devices, marksmanship, and special tactics. They even constructed a training facility called *Silhouette City* where live explosives and ammunition were used to emphasize real conditions.

On November 11, 1983, during a robbery attempt, *CSA* member *Richard Wayne Snell* shot and killed a pawn shop owner he mistakenly thought was Jewish. On June 30, 1984, *Snell* murdered an Arkansas State Trooper who had stopped him for a traffic violation. *Snell* was arrested later that day. On April 19, 1995, *Snell* was executed by the State of Arkansas for committing these murders. Prior to his execution and just after he learned of the Oklahoma City Bombing, *Snell* forewarned then-Arkansas Governor Jim Guy Tucker to, "Look over your shoulder. Justice is on the way. I wouldn't trade places right now with you or any of your cronies."

On April 19, 1985, over 100 agents of the FBI, Bureau of Alcohol, Tobacco, and Firearms, and Arkansas State Police descended on the *CSA* Compound to arrest *Ellison* and seven other members (including four members of *The Order* who had sought refuge at the *CSA*). Federal warrants for manufacturing and possessing illegal weapons, making and transferring silencers, attempting to dynamite a natural gas pipeline, and firebombing a Jewish Community Center accompanied them. After a three-day standoff, *Ellison* and the others finally surrendered to authorities on April 22, 1985.

A subsequent search of the *CSA* Compound uncovered hundreds of firearms, a LAW's (military-style, light anti-tank weapon) rocket, anti-aircraft guns, improvised explosive devices, grenades, land mines, dynamite, C-4 plastic explosives, blasting caps, a truck converted into an armored car, and mass quantities of liquid cyanide. It is alleged that the cyanide was to be used to contaminate the water supply of a major metropolitan area.

In April 1987, a federal grand jury in Fort Smith, Arkansas returned an indictment charging fourteen *White Supremacists* with seditious conspiracy to overthrow the United States (ten members) and conspiring to assassinate (four members) a Federal Judge, FBI Agent, and United States Attorney. *Right-wing* organizations connected to the defendants included *Aryan Nations*, *The Order*, *CSA*, and the *Ku Klux Klan*. Six of the defendants were already serving federal or state sentences for crimes committed as members of *The Order* and *CSA*.

Prior to trial, it was theorized that one or two events would arise as a result of the Fort Smith Sedition Trial verdicts. Either (1) guilty verdicts would serve notice to those individuals and groups contemplating illegal and violent acts in furtherance of their ideology, or (2) an acquittal would give the *right-wing* a forum, previously only envisioned, to resurrect and advance their cause.

On April 7, 1988, after a two-month trial and three days of deliberation, a federal jury acquitted all thirteen defendants (*when the government rested its case, one defendant petitioned for, and was granted, an acquittal*) of all charges. A former *Klansman* and self-described *White Separatist* immediately announced “I think ZOG (*Zionist Occupational Government*) has suffered a terrible defeat by what happened here today.” A chaplain of the *Ku Klux Klan* declared “ZOG has been harassing our movement for the past several years and I think it’s time they release us.” In response, the United States Attorney publicly denied the defendants were prosecuted for their beliefs stating “They were prosecuted for what they did not what they said”.

The next several years are generally considered as a period of inactivity for the *American Patriot Movement*. A few months after the Fort Smith verdicts, recruitment and membership began to fluctuate and continued to do so for several more years. Even so, there were still occasions when devoted members engaged in armed bank robberies, assassination plots, fraud enterprises, etc. However, it appeared the movement would require a significant incident in order to further the cause, encourage anti-government extremism, attract followers and sympathizers, and, most importantly, reclaim the fervor as previously attained in the 1980's.

On August 21, 1992, an encounter between Deputy United States Marshals and a self-proclaimed *White Separatist*, later known as the *Incident at Ruby Ridge*, would surface as this long-awaited *Right-Wing* rallying cry. When the confrontation occurred, Marshals were on a routine surveillance assignment as a prelude to an undercover operation that had been planned after numerous unsuccessful attempts to arrest a suspect for failing to appear on federal firearms violations.

The eleven-day siege outside of Naples, Idaho, drew interested spectators, supporters, white supremacists, anti-government protesters, and assorted others. On August 25, 1992, five *Skinheads* were arrested for attempting to evade the police line that had been established around Ruby Ridge. Fortified with arms and provisions, they apparently intended to offer themselves as a relief force to their fellow patriots.

When the last inhabitants finally surrendered to federal authorities on August 31, 1992, thus ending the siege, the main suspects wife and fourteen-year-old son were dead, and a Deputy United States Marshal had been killed. In May of 1993 a federal jury acquitted the two named

defendants of all charges, except for the original charge of failing to appear. A congressional inquiry was held during September 1995 which examined the circumstances surrounding the events which lead up to and occurred during the *Incident at Ruby Ridge*.

Approximately six months later on February 28, 1993, while in possession of a search warrant for illegal weapons and an arrest warrant for *Branch Davidian Leader David Koresh*, the Bureau of Alcohol, Tobacco, and Firearms (ATF) launched a raid of the *Mount Carmel Branch Davidian* compound near Waco, Texas. Attempting a tactical forced entry, ATF agents were driven back when the *Davidians* opened fire on them from within the compound. When the shooting was over, four ATF agents had been killed and several others were wounded.

The FBI's Hostage Rescue Team (HRT) responded, and the siege universally known as the *Waco Incident* had begun.

After 51 days of intense negotiations and the failure of psychological tactics to bring an end to the standoff, the HRT obtained approval to force the surrender of *Koresh* and the *Davidians*. On April 19, 1993, armored vehicles approached the compound, and the *Davidians* once again opened fire. This time, however, they also dispersed some type of fuel accelerate throughout the compound. Shortly thereafter the fuel was ignited (listening devices later conclusively proved) by the *Davidians*. Within moments, the entire compound was on fire. More than eighty *Davidians* died in the aftermath. Upon inspecting the compound, federal authorities ultimately discovered several hundred firearms, including over forty illegal machine guns.

In the span of half a year, the *Patriot Movement* had gained not one, but two, rallying cries in furtherance of their cause. Unlike *Ruby Ridge*, the incident at *Waco* was not one of individual or group ideology, as continuously exploited by *White Extremists*, but one that primarily focused on the right to own and possess firearms. Like *Ruby Ridge*, a congressional inquiry was later held to examine the circumstances surrounding events leading up to and through the incident.

Two acts of federal legislation followed *Ruby Ridge* and *Waco* and provided *Right-Wing Extremists* with further evidence that the *Turner Diaries* was now becoming a reality - the federal government was now on a course to ban all private ownership of firearms. In November 1993, congress passed the Brady Bill which imposed a mandatory five-day waiting period for the sale of handguns and included a required background check on buyers of firearms. Anger over the Brady Bill and against the federal government intensified when in July of 1994 the Federal Crime Bill became law. This Bill banned the sale of certain types of assault weapons and limited the capacity of magazines to a maximum of ten rounds.

In addition to advocating a familiar position of anti-government extremism, the *Patriot Movement* began to openly converge on a newly-perceived threat identified as the *New World Order*.

The title *New World Order* was originally introduced by then-President George Bush in describing the international alliance that had been brought together by the United States during the Persian Gulf War. It was said with the intent to emphasize the extent of cooperation

exhibited between those international communities involved, not to be manipulated into a massive conspiracy theory.

The message, however, was changed, and extremist organizations began claiming a one-world government controlled by the United Nations and code-named the *New World Order* would soon engulf the United States. Existing militias swelled in ranks and new militias were formed to counteract this newfound threat. Reports asserting foreign troops being deployed on American soil to enforce the Brady Bill became widespread. Rumors were rampant, with ordinary citizens becoming mesmerized by the thought of any of the many known conspiracy theories.

In October of 1994, approximately 1,500 people attended a gathering called *Operation Freedom* in Lakeland, Florida, to collect informational packets on how to form a militia. In February of 1995, over 2,000 people assembled en masse in Meadville, Pennsylvania, to hear militia leaders address specific steps Americans should take to defend themselves against the *New World Order*. *Right-Wing Leaders* immediately recognized another avenue in which to spread their message of hate. They became actively involved with exploiting militias for training and recruiting purposes.

On April 19, 1995 the Alfred P. Murrah Federal Building in Oklahoma City, Oklahoma, was completely destroyed by an Improvised Explosive Device. The *Oklahoma City Bombing* was the single most deadly domestic terrorist action in the history of the United States. By the time the Murrah Federal Building was imploded, 168 men, women, and children were confirmed killed, and more than 500 people were injured. In comparison, the bombing itself could be considered almost a blueprint from the fictional account of the bombing in the *Turner Diaries*.

<b>TURNER DIARIES BOMBING</b>	<b>OKLAHOMA CITY BOMBING</b>
<i>Target was a federal law enforcement building.</i>	<i>Target was a federal building that housed offices of federal law enforcement agencies.</i>
<i>A truck bomb weighing just under 5000 pounds was used.</i>	<i>A truck bomb weighing 4400 pounds was used.</i>
<i>The bomb was a mixture of fuel oil and ammonium nitrate fertilizer.</i>	The bomb was a mixture of fuel oil and ammonium nitrate fertilizer.
The bomb was detonated at 9:15 AM	The bomb was detonated at 9:04 AM
The bomb was designed to blow off the front of the building and cause the upper floors to collapse.	The bomb blew off the front of the building and caused the upper floors to collapse.
The bombing was sparked by passage of a federal gun control act.	The suspects convicted for the bombing are violently opposed to federal gun control.
The main character "Turner" considered himself a Patriot and was a member of an anti-government underground cell that subsidized it's activities by robbing banks.	The suspects convicted for the bombing consider themselves Patriots and despite having no apparent means of support had thousands of dollars, ski masks and pipes similar to those use in 13 bank robberies.

A renowned *White Extremist* reacted to the *Oklahoma City Bombing* by stating, "I have told people for years that the government of this country, what we call the criminals, had better start listening to the dispossessed white people, the dispossessed majority," and "There was a hot war in the 1980's and now things are heating up again." Another *White Supremacist* stated, "The bombing was a fine thing." "I hate the federal government with a perfect hatred," and "I'm surprised that this hasn't happened all over the country."

Less than one year after the *Oklahoma City Bombing*, extremist factions with allegiances to the anti-government insurgency met on April 5, 1996, at Lake Tahoe, Nevada for *Jubilation 1996*. Those participating included *White Supremacists, Freeman, Militia's, Ruby Ridge and Waco Advocates, Sovereign Citizens, Tax Protesters, Outlaw Bikers, and Klansmen*. Some of the material distributed at the conference included manuals on converting semi-automatic machine guns, improvised explosive devices, and chemical warfare agents. Quoting those in attendance, an *Aryan Nations* member delivered a scathing attack on the government, its agents, and all who support them. This commentary was punctuated by statements demanding, "The federal tyrants either get off the land or go under it" (in apparent reference to the Freeman siege). "We can take them out by practicing what we know must be done," and "No death is too cruel for them."

On April 12, 1996, the third annual *Super Conference* was held in Branson, Missouri. In some contrast to *Jubilation 1996*, this meeting was mostly made up of *Christian Identity* followers. "*Spiritual Warfare*" was denoted as the theme for the conference. Audience members were urged to study and implement *Common Law* as the primary organizational tactic against ZOG.

On June 13, 1996, after eighty-one days, a standoff in Jordan, Montana, between the FBI and a group of anti-government protesters supporters known as the *Freemen* ended. As events ensued at *Justus Township*, it became evident that the *Freemen* had similar convictions to those of the *Posse Comitatus* and other tax protest groups. Specifically, they believe they are entitled to separate sovereignty from ZOG and, thus, rightfully go by the name of *Freemen*.

## ***NEWS HEADLINES: BOMBINGS***

<b>FBI: Bomb Plot Targeted Spokane Courthouse</b>
<b>Federal Agents Arrest Two in Bomb Plot</b> - Militia members planned war on U.N. officials say
<b>Two charged in Reno bomb scare</b>
<b>Man accused in IRS bombing plot</b>
<b>NATION BRIEFING - Reno Bomb resembles Oklahoma City Device</b>
<b>Georgia militia members arrested; bombs seized</b> Early reports said summer Olympics games were a target, but federal agents deny connection
Plastic drum left near IRS office in Reno was bomb, officials say

## ***NEWS HEADLINES: MILITIAS***

<b>Midwest bank loot may finance racist groups</b> Federal officials think robbers gave cash to extremists
Small Detroit militia shatters some movement stereotypes
<b>Moving with caution in Montana</b> 'Weaver Fever' prompts law officers to avoid confrontations
<b>Testimony of Intimidation</b> Militia attacks related
U.S. agents become targets for anniversary of Waco
<b>MILITARY/Pentagon says makeup of forces reflect society</b>
<b>Critics fear extremists' links to military; probe studies extent</b>
<b>Right-wing militia, neo-Nazis gather intelligence on their foes</b>
Militia of Montana defends tax protester jailed for firing on police
<b>Visions, songs, white superiority</b> 'Grandpa' and his right-wing followers wait for apocalypse, their salvation

## ***SIGNIFICANT DOMESTIC TERRORIST ACTIONS***

### CHRONOLOGICAL HISTORY - From January 1996 to July 1998

- *Wise Use Movement* Bombing of U.S. Forest Service Headquarters, Espanola, New Mexico, January 6, 1996
- *Aryan Republican Army* members commit Bank Robberies & Bombings in Missouri, Kansas, Iowa, Ohio, Wisconsin, Nebraska, and Kentucky, January 1994 through January 1996
- *Militia* murder plot of Superior Court Judge, Atlanta, Georgia, January 1996
- Armed Bank Robberies, Spokane, Washington, April 1, 1996
- *Oklahoma Constitutional* members arrested for Bombing Plot, Muskogee, Oklahoma, April 26, 1996
- *Georgia Militia* members arrested for Bombing Plot, Roberta, Georgia, April 26, 1996
- Murder plot by radioactive contamination, New York, New York, June 14, 1996
- *Viper Militia* members arrested for murder and bombing conspiracies, Phoenix, Arizona, July 1, 1996
- *Washington State Militia* members conspire to manufacture and possess explosives, Bellingham, Washington, July 1996
- *Mountaineer Militia* members conspire to bomb the FBI Fingerprint Classification Facility, Clarksburg, West Virginia, October 12, 1996
- *Phineas Priesthood* members commit bank robberies and bombings, Boise, Idaho, October 27, 1996
- *Christian Identity* followers with established ties to the *Aryan Nations* engage in shootout with local police during “routine” traffic stop, Wilmington, Ohio, February 15, 1997.
- *Ku Klux Klan* members plot bombing in Wise County, Texas, March 22, 1997
- *Ku Klux Klan* members conspire to bomb gas refinery and commit bank robberies, Fort Worth, Texas, April 23, 1997
- *Republic of Texas* members hold two people hostage in protesting for the independence of Texas, Fort Davis, Texas, April 28, 1997
- IRS offices destroyed by arson, *Aryan Republican Army* suspected, Colorado Springs, Colorado, May 3, 1997
- Suspected members of the *Neo-Nazi National Alliance* and the *League of the Silent Soldier* arrested for conspiring to use explosive devices in furtherance of bank robberies, Orlando, Florida, April 23, 1997

- *Militia* members arrested for conspiring to raid U.S. military bases, kill foreign soldiers, and seize weapons and ammunition, Fort Hood, Texas, July 23, 1997
- Members of the *White Separatist* group *Republic of Texas* planned to kill the President and government officials with deadly toxin Ricin, Brownsville, Texas, July 16, 1998

Tactics such as the filing of liens and legal actions against the personal property of judicial officers, prosecuting attorneys, government representatives and law enforcement officers has become a favored practice within the *American Patriot Movement*. This manipulation of the legal system (i.e. *paper terrorism*) is designed to impede, intimidate, and embarrass those involved in the administration of justice.

Using *Common Law Grand Juries* to indict public officials is openly done by a majority of tax protest groups. Upon return of an “indictment,” arrest warrants have been issued naming persons involved in judicial and government proceedings against these individuals and groups. Law enforcement agencies will usually be contacted and confronted on the execution of these semi-quasi warrants. In Arkansas, *White Extremists* impersonating United States Marshals have attempted to arrest municipal court judges and bring them before *Common Law Courts* in Kansas. Marshals’ and other law enforcement agencies’ credentials, badges, uniforms, and raid jackets have been stolen and counterfeited for use in commission of these types of activities.

Notices warning of actions that will be taken in response to “trespassers” have been posted in conspicuous locations on properties owned and/or claimed by *Freemen*, *Constitutional Rangers*, *Sovereign Citizens*, and *Posse Comitatus* members. These notices may be the first indication to public officials and law enforcement officers of the potential for confrontation when they enter onto these properties.

## LEGAL NOTICE

TO FEDERAL OFFICERS OF THE IRS, HEW, HUD, ENVIRONMENTAL, HEALTH,  
AND OTHER UNCONSTITUTIONAL AGENCIES: AND TO ALL MEMBERS OF  
LOCAL PLANNING & ZONING BOARDS, SCHOOL BOARDS, COMMISSIONS,  
SPECIAL DISTRICTS, ELECTED OR APPOINTED OFFICIALS AND CITIZENS:

### WARNING!

**YOU ARE HEREBY ADVISED OF THE FOLLOWING CRIMINAL LAW**

*“If two or more persons conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or the laws of the United States, or because of having so exercised same; or*

*If two or more persons go in disguise on the highway, or on the premises of another, with the intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured -*

*They shall be fined not more than \$10,000 or imprisoned not more than ten years, or both; and if death results, they shall be subject to imprisonment for any term of years for life*

**UNITED STATES CODE, TITLE 18, Sec. 241**

## **NOTICE NO TRESPASSING**

To all Public Officials and Citizen: whether Federal, State, County or City, this is to put you on notice that the members of this household, or business building, require that all Public Officials abide by the provisions of the Constitution of the United States of America, which is the Supreme Law of this Land.

### **BILL OF RIGHTS**

ARTICLE II: "... the right of the people to keep and bear arms, shall not be infringed."

ARTICLE IV: "The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated..."

The undersigned will, therefore, refuse to permit any search, or inspection whatever of this dwelling, or buildings which are a part of this property, without the presentation of a proper warrant, duly signed, as described by the Constitution Amendment, Article IV:

...AND NO WARRANT SHALL ISSUE, BUT UPON PROBABLE CAUSE, SUPPORTED BY OATH OR AFFIRMATION, AND PARTICULARLY DESCRIBING THE PLACE TO BE SEARCHED, AND THE PERSONS OR THINGS TO BE SEIZED.

ANY OFFICER, OR PERSON WHO ATTEMPTS TO ENTER THESE PREMISES WITHOUT A PROPER WARRANT, AS DESCRIBED ABOVE, WILL BE TREATED AS ANY OTHER INTRUDER WOULD WHEN ATTEMPTING TO BREAK AND ENTER AN INHABITED BUILDING OR DWELLING.

(Signature) \_\_\_\_\_

***“POSSE COMITATUS”***

*Citizens Rule Books* are being disseminated throughout the *American Patriot Movement*. These books contend jury members are not required to obediently listen to judges regarding questions of law. Instead, jurors are instructed to challenge the injustices committed by government agents and acquit those being wrongfully prosecuted. Followed to their cars after court, jurors for the *Ruby Ridge* trial had their license plates recorded, and *Citizen Rule Books* were sent to their listed addresses.

**FULLY  
INFORMED JURY  
ASSOCIATION**

# “ CITIZENS RULE BOOK ”

A Palladium of Liberty

**BILL OF RIGHTS - JURY HANDBOOK - The Fireworks are in the Document itself: READ THE CONSTITUTION**

## **¾STARTING TODAY¾**

- **BE AWARE! Thousands of harmless citizens are in prison** only because their trial juries were not fully informed, and the U.S. now leads the world in percent of population behind bars! More prisons are being built than ever before - - for those whose “crime” is to upset the government “master”, and not to victimize anyone.
- **BE ALERT! Consider every day to be Jury Rights Day.** Be wary and/or critical of any proposals to “streamline” the jury system, or to create jurisdictions or regulations which “do not require” trial by jury (two of the means by which your power as a juror is stolen!)
- **BE ACTIVE! Let other people know what you now know about jury veto power!** Advise them all that before a jury deliberates, each member should consider:
  - ✓ Is this a good law?
  - ✓ If so, is the law being used justly?
  - ✓ Was the Bill of Rights honored in the arrest?
  - ✓ Will the punishment fit the crime?

**As a juror, if you answer “no” to any of these questions, your vote should be “not guilty”**

Publications and newsletters are written, edited, and sold by persons from within and without the *Patriot Movement*. Contained in these materials are subscription and order forms for books, audio tapes, video tapes, posters, etc. Information featured covers the spectrum from *Gordon Kahl* to *Ruby Ridge*, *Waco*, *The New World Order*, and conspiracy theories. In addition, the abundance of *Right-Wing* information available on the Internet can be assessed by the movement loyalists and sympathizers, as well as all on-line users.

## **THE NEW WORLD ORDER**

### **Exposes A Plan To Control The Future of Nations --- And Your Life**

These next several years are absolutely crucial — we must see an awakened citizenry in America.

Perhaps the following information will give you some insight to the questions and maybe “incite” you to do a little research on your own. Maybe you will start developing some concern about the welfare and future of your own family and that of your country.

**Forgive them \* NOT,  
for they KNOW  
what They DO!  
For High PAY and  
PENSIONS TOO!**  
(Jeremiah 18:23)

Place  
Stamp  
Here

**\* Judges, Gov't Lawyers, Legislators, Tax Collectors  
Knowingly & Willfully OPPRESS and HURT innocent  
constitutionally minded & oft-times NAIVE People for  
Personal gain. It's their job - to practice Extortion -  
Kidnapping - Theft by Swindle & Murder by paid  
armed gunmen (police) risking life and limb for a  
pittance to help destroy Americans.**

**\* They have declared WAR on America.**

**Can Your Gov't  
DO NO WRONG**

**OPERATION  
VAMPIRE  
KILLER  
2000**

American Police Action Plan for Stopping  
World Government Rule

*Published by:*

**POLICE AGAINST THE NEW WORLD  
ORDER**

**A U.S. Police Action**

**WORLD GOVERNMENT PLAN  
ALIEN TROOPS TO  
POLICE U.S.A.**

Officers who think they will be at home watching their own children and spouses are wrong. Once the NWO is set up in the year 2000 (just a couple years away) you, officer, guardsman, and soldiers will be in other countries (see enclosed maps). Foreign police troops will be guarding and enslaving your spouses and children in the U.S.A. Here is the plan --

Order Complete text by sending \$1.00 to:

##### Phone: ###-###-####  
Operation Vampire Killer 2000 P.O. Box ####, Phoenix, Ariz #####

During court appearances, property seizure and sales, it is not atypical for armed and/or unarmed tax protesters to congregate about in large numbers. Primarily done as an intimidation tactic it cannot be discounted that a total cessation of the related activity is the real objective. Operational plans should include and provide for the predetermined resolution of this and all other contingencies that may result.

<p style="text-align: center; border-top: 1px dashed black; margin-top: 0;"><b><i>Comptroller Warrant</i></b></p> <p>PAY TO:</p> <p>_____ \$ _____ DOLLARS</p> <p>ACCOMMODATION POST OFFICE BY SPECIAL AGENT RECEIVER</p>	<p style="text-align: center; border-top: 1px dashed black; margin-top: 0;"><b><i>Certified Bankers Check</i></b></p> <p>_____</p> <p style="text-align: center;"><b>without recourse U.C.C. sec. 3-415</b></p> <p>_____</p> <p style="text-align: center;"><b>authorized acceptance signature</b> ##### <b>remitter, special receiver</b></p>
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<p style="text-align: center;"><b>Certified Bankers Check</b></p> <p>Pay To _____ \$ _____</p> <p style="text-align: center;">_____ DOLLARS</p> <p>Treasurer United States of America Redeemable at office of Postmaster Payable on Sight</p> <p>Remitter _____ Drawer / Maker _____</p> <p>Special acct. 002 017721 40</p>	<p style="text-align: center;"><b>Comptroller Warrant</b></p> <p style="text-align: right;">No. <u>1382</u> 7 December 1995</p> <p>_____</p> <p style="text-align: center;"><b>without recourse U.C.C. 3-415</b></p> <p>_____</p> <p style="text-align: center;"><b>authorized acceptance signature</b> accommodation / surety / guarantor</p> <p>Lien no. 9342013801716025</p>
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Certified Banker Checks and Money Orders are fraudulent certificates designed by *American Patriots* in attempts to pay off outstanding debts. Artificial financial backing of these “checks” is supported by their declared belief that a substantial amount of funding is owed to them by persons that they have served common law liens upon.

Loyalists and sympathizers of the *American Patriot Movement* have even been targets and victims of fraudulent schemes. Federal indictments have charged individuals with illegally

soliciting funds through promotion of an alleged class action lawsuit which they falsely claim was won in Federal District Court in Colorado. Literature and videos were disseminated and public seminars were held in as many as 40 states; declaring the court had ruled the IRS, Federal Reserve, and entire U.S. banking system unconstitutional. Persons who completed a provided claim form enclosed a \$300 (U.S. Currency) fee, and had paid income taxes for a ten-year period were entitled to “damages,” but only if the claim was filed by using the provided form. Over 6,800 claims from people in 49 states and 2 Canadian Provinces were received.

The *Wise Use Movement* is based on the rejection of federal/state environmental management legislation as irrational, biased, and treasonous to true Americans. Throughout the western United States, violent incidents associated with this movement have repeatedly occurred. The real threat, armed supporters and bombing attacks, have targeted officials from the Bureau of Land Management and U.S. Forest Service.

## **News Headlines: MINNESOTA CASE STUDY**

**DEADLY TOXIN - Ricin Poison Symptoms:** Ricin inhibits protein synthesis in the intestinal wall and breaks down red blood cells. Characteristic symptoms from Ricin poisoning, which may not occur for several days, include burning of the mouth/throat, nausea, vomiting, severe stomach pains, diarrhea (sometimes containing blood and mucus), thirst, exhaustion, shock from massive fluid/electrolyte loss, headaches, dizziness, lethargy, impaired vision, rapid heart beat, convulsions, retinal/internal hemorrhaging, fluid buildup in the digestive tract and lungs, and deterioration of the liver and kidneys. Similar symptoms are believed to be experienced whether exposure is from ingestion, injection or absorption through the skin. There are no case studies available on effects by inhalation.

<b>2 convicted of possessing deadly poison</b>
0.7 grams of the substance is enough to kill 129 people
<b>2 Minnesotans convicted of producing deadly toxin</b>
Minnesota men charged with possession of deadly poison to use as a weapon.....
<b>2 Minnesota men first to be convicted under Biological Weapons Act.</b>
<b>Federal Jury convicts 2 more Minnesota men</b> of producing and possessing the deadly toxin Ricin as a weapon, making it the second conviction in Minnesota and in the nation under the Biological Weapons Anti-Terrorism Act of 1989.

In 1995 four Minnesota men were convicted in Federal District Court in St. Paul, Minnesota, for producing and possessing the deadly toxin Ricin as a weapon, in violation of the 1989 United States Biological Weapons Anti-Terrorism Act. Federal affidavits alleged the men were affiliated with a tax protest group known as the *Patriots Council* and had discussed plans to blow up a federal building and kill a Deputy United States Marshal.

Later that year an Arkansas man was arrested for attempting to smuggle 139 grams of Ricin from Alaska into Canada. Canadian Customs Agents also found \$89,000 in cash, four guns, and more than 20,000 rounds of ammunition. After being ordered held without bail for trial, he was transported to the county jail where he committed suicide the next day.

Counter-Intelligence tactics are openly being encouraged and conducted by *Right-Wing* organizations and prominent *Militia* networks in attempts to gather as much information as



<p><b>FEDERAL WITNESS</b></p> <p><b>HEIGHT:</b>                      <b>WEIGHT:</b></p> <p><b>HAIR:</b>                         <b>EYES:</b></p> <p><b>ISSUE DATE:</b></p> <p>It is the manner of enforcement which give Statue 1983 its            unique importance, for enforcement is placed in the hands of the    people. Each citizen "<i>acts as a private attorney general who            takes on the mantel of the sovereign</i>" guarding for all of us the    individual liberties enunciated in the Constitution. Section 1983    represents a balancing feature in our government structure,            whereby individual citizens are encouraged to police those who            are charged with policing us all. <i>Frankenhauser v. Riczon 59 F.R.D. 339 (1973)</i></p> <p>The individual identified on this card, when and where applicable, has the right to make arrest(s) if he sees a crime(s)            being committed, under the laws of the United States of America</p>	<p><b>C            R            T            F</b></p> <p>CIVIL            RIGHTS            TASK            FORCE</p> <p><b>UNITED STATES OF AMERICA</b></p> <p>NO. <b>0488</b></p> <p>NAME:</p>
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Several anti-government groups have formed their own Common Law or Supreme Courts. Not acknowledging any existing judiciary, these pseudo-courts have indiscriminately issued decrees of one sort or another against "opposing" government officials. Some have gone as far as registering documents confirming their intent to replace existing courts in stature and authority.

## ***RIGHT-WING DEMOGRAPHIC PROFILE***

### **LEADER CHARACTERISTICS:**

- Male
- White Protestant
- College Educated
- Age 30-45
- Middle Class Living Environment
- Urban Sophisticated
- English Literate
- High Verbal Skills
- Articulate
- Trained Perfectionist
- Strong Paranoid Type Personality
- Politically Motivated

### **FOLLOWER CHARACTERISTICS:**

- Male
- White
- Limited Formal Education
- Age 20-25
- Lower to Low Middle Class Living Environment
- Rural Sophisticated
- English Literate
- Poor Verbal Skills
- Lacks Articulation
- Poor Labor Skills
- Weak Paranoid Type Personality
- Politically Naive

## ***MILITIA CONSPIRACY THEORIES***

- The United Nations plans to take over the United States (code-named: *New World Order*)
- United Nation “Black Helicopters” are conducting surveillance missions in the western United States as a prelude to invasion
- Bar Codes are being placed on highway signs to direct invading enemy armies
- Chemical spills are practice exercises for planned larger disasters. Americans will be forced to vacate their homes and United Nation forces will enter and seize their weapons
- The Los Angeles Riots were a government-orchestrated rehearsal for ensuing martial law
- Amtrak Repair Yards in Indianapolis, Indiana, are to be used as crematoriums for the eradication of political dissidents
- The Federal Emergency Management Agency (FEMA) will maintain control over an interim government
- The Federal Government (ZOG- Zionist Occupational Government) is controlling the weather to adversely affect the economy
- The Oklahoma City Bombing was instrumented by ZOG to divert attention from the Ruby Ridge and Waco Senate Hearings. The bombing was planned as justification to further suspend American citizens’ constitutional rights

## ***RIGHT-WING EXTREMIST RALLYING CRIES***

Anniversary dates of significant events, as proclaimed by movement leaders, are used to create and advance an almost fever-like pitch in anticipation of someone responding in an implied or ordained manner. Tragically, this apparently escalated to the point where the Murrah Federal Building in Oklahoma City was bombed on April 19, 1995.

### ■ **GORDON KAHL - MEDINA, NORTH DAKOTA**

*February 14, 1983* - Two United States Marshals murdered in Medina, North Dakota

*June 3, 1983* - Kahl killed during arrest attempt in Smithville, Arkansas

### ■ **THE COVENANT, THE SWORD, THE ARM OF THE LORD (CSA)**

*April 19, 1985* - FBI raid of Christian Identity compound in Bull Shoals Lake, Arkansas

### ■ **RUBY RIDGE - NAPLES, IDAHO**

*August 21, 1992* - Confrontation resulting in the death of a United States Marshal

### ■ **DAVID KORESH - WACO, TEXAS**

*April 19, 1993* - FBI led assault on the Branch Davidian Compound

### ■ **OKLAHOMA CITY BOMBING**

*April 19, 1995* - Murrah Federal Building bombed

### ■ **RICHARD WAYNE SNELL - LITTLE ROCK, ARKANSAS**

*April 19, 1995* - CSA member Snell executed for the murder of an Arkansas State Trooper

### ■ **FREEMEN - JORDAN, MONTANA**

*June 13, 1996* - FBI Siege of fugitive Freeman at "Justus Township" ends peacefully

### ■ **OKLAHOMA CITY BOMBER CONVICTED**

*June 2, 1997* - Timothy McVeigh convicted for bombing the Murrah Federal Building

## ***INTELLIGENCE & INFORMATIONAL RESOURCES***

Information available from these associations is extremely valuable when considering content, accuracy, accessibility, and quality. Said material is distributed through professional memberships, newsletters, bulletins, periodicals, studies, reports, and videos. Of added importance is the establishment of networking alliances between public and private law enforcement professionals. The listing provided should be used for resource and review purposes. It is not intended to promote one association over another (listed or not) and should not be considered so.

<b>NAME:</b>	<b>TELEPHONE:</b>
Southern Poverty Law Center - <i>Klanwatch</i> Montgomery, Alabama	#334-264-0286
International Association of Counter Terrorism and Security Professionals Arlington, Virginia	#703-243-0993
American Society for Industrial Security (ASIS) Arlington, Virginia	#703-522-5800
Jewish Anti-Defamation League (ADL) New York, New York	#212-885-7951
Tactical Response and Security - Varro Press Shawnee Mission, Kansas	#913-432-5856
Mid-States Organized Crime Information Center Springfield, Missouri	#417-883-4383
Mid-West Gang Investigators Association Cleveland, Ohio	#216-623-5543
Center for New Community - Midwest Action Oak Park, Illinois	#708-848-0319
Coalition for Human Dignity Seattle, Washington	#206-233-9775

***PUBLISHED INFORMATION***

<b>PUBLICATION:</b>	<b>DESCRIPTION:</b>
<i>A Force Upon the Plain</i> - by Kenneth S. Stern, Published by Simon & Schuster	The American Militia Movement and their Politics of Hate
<i>The Silent Brotherhood</i> - by Kevin Flynn and Gary Gerhardt, Published by Signet	The inside story of one of America's most violent anti-government domestic terrorist groups
<i>Armed and Dangerous</i> - by James Coates, Published by Hill & Wang	An examination of violent Right-Wing paramilitary groups in the 1980's
<i>Extremism in America</i> - edited by Lyman Tower Sargent, Published by New York University Press	A collection of extremist ideologies and writings that highlight the one threat that unites various brands of extremism; namely, that there is always an enemy. The enemy can take the form of government, race, religion, creed, etc.
<i>The Northwest Imperative</i> - by Crawford, Gardner, Mozzochi, and Taylor, Published by the Coalition for Human Dignity	A concise look at White Supremacists and Right-Wing extremist organizations in the Pacific Northwest
<i>Bitter Harvest</i> - by James Corcoran, Published by Penguin Books	An account of the 1983 Gordon Kahl Shootout in Medina, North Dakota
<i>The Limits of Dissent</i> - by Halpern and Leven, Published by Aletheia Press	The constitutional status of armed militias
<i>Gathering Storm</i> - by Morris Dees with James Corcoran, Published by Harper Collins	America's Militia Threat
<i>The Right to Bear Arms</i> - by Jonathan Karl, Published by Harper Paperbacks	America's constitutional right and fight to bear arms
<i>American Extremists</i> - By George and Wilcox, Published by Prometheus Books	Background, characteristics, motivations, and other considerations of the Far Left and Right

## ***SUMMARY***

It should be noted and reiterated that currently only a small number of militias can be considered openly extremist. Most are concerned only with exercising their constitutional rights. However, militias have been found to be operating in nearly 40 states, with memberships estimated to exceed 40,000. Numbers like these only serve to underscore what the *American Patriot Movement* already knows - they only have to deliver the message there are bound to be some who will listen, believe and act.

The Minnesota *Patriots Council* Ricin case is a prime example of *Right-Wing* groups escalating terrorist actions to include the threat of biological weapons. Since then, others with known ties or sympathies to the *Right-Wing* have ordered bubonic plague cultures through the mail, published Internet reports titled "Bacteriological Warfare: A Major Threat to North America", and conspired to kill persons by radioactive contamination. The threat of Nuclear, Biological, and Chemical (NBC) terrorist acts is real. While law enforcement responds accordingly, officials responsible for public/private disaster management should incorporate NBC response procedures into their facility's contingency plan.

In closing, Trends and Tactics employed by the *American Patriot Movement* should not be considered site-specific. What occurs in one area of the country/state can be expected to shortly spread to others. This is especially true when the tactic(s) itself is considered a successful one.

**UNITED STATES MARSHALS SERVICE  
THREAT SOURCE PROFILE (TSP) SAMPLE FORM**

Date:		District:	
Threat Coordinator:		Telephone:	
Reason for Report Submission:			
#1	What is the name of the Subject or Group? <i>(if a group, proceed to question #17)</i>		
#2	Place of Birth:	#3	Date of Birth:
#4	Height:	#5	Weight:
#6	Sex:	#7	Race/Ethnicity:
#8	Hair:	#9	Eyes:
#10	Scars/Marks/Tattoos:		
#11	Drivers License Number/State:		
#12	Subjects FBI Number:	#13	SSN #
#14	USMS/BOB Number:	#15	Other #
#16	Subject Photograph Available/Attached/Dated:		
#17	Describe any Acts of Violence or Previous Threats Involving the Subject/Group:		
#18	Aliases:	Aliases:	
#19	Subject Phone #	Subject Phone #	Subject Phone #
#20	What Addresses are Associated with the Subject/Group:		
Address #1		Address #2	
#21	Subject/Group Associates Name(s):		
#21	Subject/Group Associations: Duration and Type?		

#22	Is the Subject/Group connected with any other Criminal Groups?				YES	NO
Name(s):		Location(s):		Subject Position:		
#23	Vehicle Type(s):		Model Year:		State License Plate:	
#24	Were Weapons Seized When Subject was Arrested?			YES	NO	
	Were Weapons Seized Pursuant to a Search Warrant?			YES	NO	
	Description of Weapons(s):					
#25	Subject/Group Criminal History:					
#26	Subject/Group Involvement in Drug Operations:					
#27	Additional Information on Subject/Group:					
#28	Is the TSP Source of Information Reliable?					
#29	Has the TSP Information been Corroborated?					
#30	List Other Agencies Involved with the Case Investigation and/or TSP:					
Agency:		Contact:		PH #		
Agency:		Contact:		PH #		
Agency:		Contact:		PH #		
#31	Additional Addresses, Associates, Aliases, Identifying Numbers, and Information:					

# ***JUDICIAL CONFERENCE - OPERATIONAL PLAN CHECKLIST***

SUPERVISOR:	CONFERENCE DATES:		
Supreme Court    Appeals    District    Other	LOCATION:		
<b>INDIVIDUAL CONFERENCE ASSIGNMENTS</b>	<b>ASSIGNMENT STATUS</b>		
	COMPLETED	PENDING	N/A
<i>As Directed</i> - Brief Sheriff and Chief Deputy on Conference Status and Operational Considerations			
Secure and Review Conference Correspondence, Requests and Information			
Identify/State Objectives - <i>providing protective services</i>			
Assess/State Scope - <i>significant influencing factors</i>			
Identify Primary and Secondary Conference Locations			
Specify Department and Other Agency Commitments			
List Conference Contacts ( <i>Judicial and Law Enforcement</i> )			
Secure and Review Judicial Personnel Profiles			
Review Previous Conference Operational Plans			
List Conference Advance Sites and Contacts			
Conduct Threat and Risk Assessment(s)			
Assign Personnel - Schedule Shift Assignments			
Identify and List Special Conference Considerations			
Identify and List Site Specific Emergency and Medical Contacts - <i>Federal / State / County / City / Private</i>			
Identify and List Conference Equipment Requirements			
Secure and Review Site Plans, Maps, and Photographs			
Prepare Judicial Conference Operational and Briefing Packets			
<b><i>Submit to Sheriff and Chief Deputy for Review, Briefing, and Plan Authorization</i></b>			

# ***PRIVACY and FREEDOM OF INFORMATION ACTS***

*The Privacy Act (PA) and Freedom of Information Act (FOIA) require all Federal agencies to disclose all agency records upon request, unless there is a statutory reason for exempting the information from disclosure.*

<b>THE PRIVACY ACT</b>	
<b>Title 5, United States Code, Section 552a</b> - <i>Records maintained on individuals</i>	
<b>SUBSECTIONS:</b>	<ul style="list-style-type: none"> <li>■ (b) Conditions of disclosure</li> <li>■ (c) Accounting of certain disclosures</li> <li>■ (d) Access to records</li> <li>■ (e) Agency requirements</li> <li>■ (f) Agency rules</li> </ul>

<b>THE FREEDOM OF INFORMATION ACT</b>	
<b>Title 5, United States Code, Section 552</b> - <i>Public information; agency rules, opinions, orders, records, and proceedings</i>	
<b>EXCEPTIONS:</b> <i>(paraphrased)</i>	<ul style="list-style-type: none"> <li>■ In the interest of the national defense or foreign policy and classified as such.</li> <li>■ Related solely to the internal personnel rules and practices of an agency.</li> <li>■ Specifically exempted from disclosure by statute.</li> <li>■ Trade secrets and commercial or financial information.</li> <li>■ Inter-agency or intra-agency memoranda or letters not available by law.</li> <li>■ Personnel and medical files.</li> <li>■ Records or information compiled for law enforcement purposes as provided under (a)(6)(C)(b)(7) of this section.</li> <li>■ Reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions.</li> <li>■ Geological and geophysical information and data</li> </ul>

*The Privacy Act access provisions only apply to Systems of Records and records contained therein. A Privacy Act System of Records is defined as a group of records where information is retrieved by name or identifying symbol. Only these Systems of Records must be searched under the Privacy Act.*

It is recommended that a department form (*Privacy Act Disclosure Recording Log*) be developed and maintained in each file, cataloged by an individual's name, and every disclosure of any information of the file to someone outside the Sheriff's Department be recorded on it.

## RECOMMENDED FOIA/PA RESPONSE GUIDELINES

- When someone, including law enforcement agencies for law enforcement activities, requests a document or information from a *System of Records*, they will be required to submit a written request with the appropriate entry documented.
- If an attorney or immediate family member (i.e., *spouse or parent*) requests information, only the jail location of the individual will be released. Any request for additional information will be directed to the attention of the County or City Attorney.
- The Privacy Act is a ***non-disclosure statute*** meaning: *in the absence of any exceptions, the information may not be disclosed.*
- The Freedom of Information Act is a ***disclosure statute*** meaning: *in the absence of any exceptions, the information must be released.*

<b>LEGAL AUTHORITY FOR USMS INVESTIGATIONS</b>	
<p>The USMS may compile and maintain a database of judicial threats and incidents as long as there is a <i>past, present or anticipated violation</i> of a statute which the USMS is empowered to enforce. It is the law enforcement exception which governs how the USMS can maintain a system of records. The applicable standard is whether the record is connected to a <i>past, present or anticipated violation</i>.</p> <p>The USMS may investigate extremist groups in the course of providing security for the Federal judiciary, but only after the occurrence of a triggering event. In all cases, there must be a nexus to an actual or anticipated criminal violation for any investigation to commence.</p>	
<p style="text-align: center;">TRIGGERING EVENTS</p>	<ul style="list-style-type: none"> <li>■ Inappropriate Communication</li> <li>■ Actual Threat</li> <li>■ Trial Security</li> <li>■ Execution of a Court Order</li> <li>■ Making an Arrest</li> <li>■ Fugitive Investigation</li> <li>■ Transportation of a Witness or Prisoner</li> </ul>

***NOTE: the above is provided as a guide to sheriff departments in executing same duties and responsibilities***

# ***CHAPTER 10***

## ***PROTECTIVE AND THREAT INVESTIGATIONS***

# ***JURISDICTION and AUTHORITY***

	The County Sheriff's Department is the Primary Law Enforcement Agency in the State of Minnesota for Investigating Threats against Members of the Judiciary residing within their Jurisdiction	
See Manual, Chapter 1: <i>Legislation, Policy Notices and Documents</i> , and ensuing Subsections for specific laws and regulations which reference Jurisdiction and Authority		

The Sheriff may collaborate with Police Departments and other local, county, state and federal law enforcement agencies in department-determined investigations.

Protocols for investigations should be discussed with these agencies prior to incidents, and mutual aid or joint-power agreements should be pre-enacted as necessary.

# ***JUDICIAL THREAT INVESTIGATIONS***

Upon a threat (*implied or direct*) being made against a member of the judiciary, a threat investigation must be immediately initiated. This criminal investigation may be undertaken with the intent to prosecute, or as a means of gathering additional information in the event of prosecution.

A Significant Consideration of Threat Investigations is the Assessment or Determination of Threat Probability Levels and the Simultaneous Conducting of a Protective Investigation (*see manual, Chapter 10: Protective and Threat Investigations, Page 10.3*)

Case tracking persons who issue threats is another important aspect of a threat investigation. Threats are usually not a one-time or isolated occurrence. By case tracking, you will have begun compiling subject information necessary for future investigations and prosecutions (*see manual, Chapter 9: Threat Management, page 9.5 Privacy/Freedom of Information Acts*).

Threat Investigators must investigate the value of the threat itself to determine the actual level of risk. To measure value, threat investigators must assess the suspect's intent, motive, opportunity, and ability. Intent is a purposeful course of action. Motive is the emotion, desire, psychological need, or similar impulse acting as an incitement to take action. Opportunity is required for the threat to be acted upon. Ability is having the resources and freedom to take action.

Each element should be assessed independently, then in combination of one another. For example, some suspects may be highly motivated but incapable of instigating an attack because they are imprisoned. Other suspects can lack coherent motivation, but truly intend harm. Of most concern are those suspects with strong intent, powerful motive, ample or created opportunities, and considerable ability.

The following table beginning on Page 10.2.1 describes a number of clues embedded in every inappropriate communication that can assist in determining the value of the inappropriate communication or threat.

INDICATORS	GENERAL RISK LEVEL	INSIGHT INTO THREAT VALUE
1. <i>How was the IC delivered?</i>		Method of delivery is solely the choice of the suspect (exception being informants). Consequently, that choice gives insight into the suspect's intent.
WRITTEN	Generally Low Risk	With the rare exception of mail bombs, suspects who write keep themselves a safe distance from <i>protectees</i> , thereby suggesting a lack of intent to carry out the threat at this time.
TELEPHONE	Generally Low Risk	Suspects who telephone threats also keep themselves a safe distance from the <i>protectee</i> .
VERBAL	High Risk Potential	Suspects who deliver IC's in person, either to the target or some known court or law enforcement official, place themselves at some risk of arrest, thus suggesting they intend to carry out the threat at this time.
SUSPICIOUS ACTIVITY	High Risk Potential	Suspects who engage in suspicious activity, such as stalking, vandalism, unscheduled appearance, or approaching the protectee, place themselves at some risk of arrest, thus suggesting an intent to carry out the threat at this time.
INFORMANTS	Generally Low Risk Informant Credibility Elevates the Risk	Informant threats are out of the control of the suspect. In every informant threat, the credibility and motive of the informant should be assessed first.
2. <i>Was the Suspect Known or Unknown?</i>		Suspects also choose whether or not to reveal their identity. Judicial threateners are not seeking notoriety or infamy. Instead, they are contemplating a crime and thinking like a criminal, want to escape.
ANONYMOUS	High Risk Potential	Those who preserve their anonymity pose a higher risk than those who reveal themselves.
KNOWN	Generally Low Risk	Suspects who reveal their identity generally are expressing anger or outrage and usually intend no more.

3. <i>Who is the focus of the Communication?</i>		The focus asks if it is clearly stated that the suspect (not necessarily by name) intends to do the harm and if the suspect clearly identifies the target to be harmed (again, not necessarily by name).
DIRECT	Intermediate	The statement, "I am going to kill you" is a direct threat, even though there is no name associated with either the "I" or "You." Direct threats are so common they have no strong association with either high or low risk situations.
VEILED-TARGET	High Risk Potential	The statement, "I'm going to make somebody pay for this," is a veiled-target threat, since it is clear the suspect intends to cause the harm, but not clear who will be harmed. These statements suggest intense frustration with the system of justice and are frequently expressed while the suspect is in the courthouse and, hence, better able to pose a risk.
VEILED-SUSPECT	Generally Low Risk	The statement, "Somebody's going to make that judge pay" is a veiled-suspect threat because the suspect is saying someone else will cause the harm to a specific target. In over 600 previous cases of veiled-suspect threats, not a single one has ever escalated to enhanced or violent outcomes.
4. <i>What is the Immediacy of the Risk?</i>		Placing conditions on when or if the harm will occur strongly suggests that the suspect does not intend to cause any harm unless certain conditions are met.
IMMEDIATE	Intermediate	An immediate threat of harm has no conditions or demands placed upon it.
DEFERRED BY CONDITION	Generally Low Risk	A deferred-by-condition threat of harm puts a condition on the action, such as, "If you find me guilty, I'll kill you." This strongly suggests the suspect is putting the responsibility on the <i>protectee</i> for the next step, thus showing he intends no harm until the condition may be met.
DEFERRED BY TIME	Generally Low Risk	A deferred-by-time threat of harm injects a time element delaying action, such as, "When I get out of jail in ten years, I'm going to kill you." In effect, the suspect is

		saying she cannot do anything now, but will at some future date.
5. <i>What is the Suspect's Purpose?</i>		Knowing what prompted the IC helps determine how motivated the suspect is.
CASE RELATED	Indeterminate	Most IC's are related to a particular case.
HIDDEN MOTIVE	High Risk Potential	When the suspect chooses not to reveal what his motivation is, it suggests an effort to hide the suspect's identity and cover the suspect's tracks, both indications of preparing to commit a crime.
HABITUAL	Generally Low Risk	A significant but small percentage of IC's come from habitual threateners who have neither the intent nor motive to cause harm. They like to threaten.
IRRATIONAL	High Risk Potential	Irrational suspects are often highly motivated and less inhibited in carrying out attacks.
IDEOLOGICAL	High Risk Potential	Suspects motivated by some ideology, particularly those whose ideology brought them into court, pose a slightly higher risk than others.
6. <i>Is the Suspect Incarcerated?</i>		Knowing if the suspect is incarcerated or not gives insight into the suspect's ability to cause harm.
INCARCERATED	Generally Low Risk	Although incarcerated suspects have been known to pose a risk, the majority cannot. Even those that do can be controlled.
NOT INCARCERATED	Indeterminate	Knowing that a suspect is not incarcerated suggests that he has the ability, but says nothing of motive or intent.
7. <i>Is the Suspect Affiliated with a Group?</i>		Group affiliation suggests that the risk of harm may come from more than one source. It also suggests stronger ideological or criminal motivation.
GROUP MEMBER	High Risk Potential	Suspects who belong to a group can be more strongly motivated because of the group's support. They also have others to assist them.
NO GROUP AFFILIATION	Indeterminate	Most IC's come from lone individuals.

8. <i>Where was the IC received?</i>		Knowing where the IC was received can give insight into how much information the suspect has on the <i>protectee</i> .
COURTHOUSE	Indeterminate	Because judicial officials are public officials, it is easy to find business addresses.
RESIDENCE or OTHER LOCATION	High Risk Potential	Although many judicial officials make no effort to protect their privacy, delivering an IC to the official's residence or some other location strongly suggests stalking or research on the target.

# ***PROTECTIVE INVESTIGATIONS***

**A Protective Investigation Identifies, Assesses, and Attempts to Defuse any Risk or Threat of Harm to a Judicial Protectee**

The United States Marshals Service has developed a set of criteria or thresholds to use when deciding whether to open a protective investigation. An investigation of every inappropriate communication relating to judicial protectees is not required under every circumstance. Rather, these definite set of pre-identified thresholds are used to decide when to open an investigation.

Inappropriate communications are the standards for which the United States Marshals Service will initiate a protective investigation and subsequent threat assessment. (See manual Chapter 10: *Threat Investigations*, Page 10.5.2 for agency definition of these types of communications.) Frequently, while relying on the inappropriate communication and case circumstances, threat investigators immediately assess the risk or threat to the protectee as low. When this assessment is corroborated through agency internal control mechanisms, it is no longer necessary to pursue an open protective investigation.

As certain computer databases may not be available to assist State of Minnesota officials in evaluating inappropriate communications and threat probability factors, it is recommended that the following criteria be used in determining whether or not to open a protective investigation:

- **A Protective Service Detail has been Established on the Protectee** - *the inappropriate communication itself is one considered so immediate or threatening that the protectee requires immediate protection until the threat source has been negated.*
- **A Direct and Explicit Threat has been Received and the County Attorney indicates a Willingness to Prosecute the Offender** - *at this point the protective investigation will develop into a criminal threat investigation.*  
**NOTE:** As long as there remains the potential of criminal prosecution for the threat source (*actual or suspect perceived*), the suspect should be considered a potential risk to the protectee.
- **The Threat Analysis and Assessment of the Inappropriate Communication indicates a Moderate or High-Threat Rating** - *the assessment supports the operational necessity to open a protective investigation.*

The purpose of a protective investigation is to take all lawful and necessary steps to negate the potential risk to a protectee. A ***Threat Management Case*** should incorporate the entire range of operational responses available to the Sheriff's Department, to include protective investigations and threat assessments. The following terms may be used to describe or label the situations which may arise when conducting protective investigations:

- **Open Case** - *An inappropriate communication has been received and the threat investigator is conducting an active investigation into threat probability factors and protective investigative techniques.*
- **Closed Case** - *An inappropriate communication has been received and the investigation determines that the suspect does not pose a threat to the protectee at that time. This may be determined by the suspect lacking intent, ability, opportunity, or resolve.*
- **Ongoing Case** - *An inappropriate communication has been received and it is determined by the threat investigator that long-term management or monitoring of the suspect is required.*

**Successful protective investigation efforts require that threat investigators and their supervisors be allowed to devote themselves to program-recognized duties and responsibilities. They include, but are not limited to the following:**

- *A Complete Understanding of the New Concept of Threat Management*
- *Equipping Threat Investigators with the Necessary Resources and Equipment*
- *Ensuring the Proper Steps are Taken When an Inappropriate Communication is Reported*
- *Educating Protectees and their Staff on Reporting Inappropriate Communications*
- *Applying the Conceptual Tools of Threat Analysis and Assessments*
- *Focus Protective Investigations to Determine the Suspect's Intent, Motive, and Ability*
- *Immediately Develop the Appropriate Case-Specific Protective Response Technique*
- *Modify, Amend, or Revise the Protective Response Based on Investigative Information*
- *Following Privacy Act Considerations and Restrictions when Conducting Investigations*
- *Opening a Protective Investigation when the Threshold has been Crossed*
- *Consider all Available Options and Strategies for Case Management*
- *Determine and Label Cases as Open, Closed, or Ongoing Protective Investigations*
- *Ensure Proper Coordination is initiated with City, County, State, and/or Federal Investigative Agencies*
- *Ensure Proper Coordination is initiated with the City and/or County Attorney*
- *Ensure that all Reporting Requirements are Accomplished in a Professional Manner*

# ***PROTECTIVE INVESTIGATIVE TECHNIQUES***

## ■ **Watch and Wait**

Instead of the Threat Investigator confronting the suspect (*potential risks being suspect agitation or satisfying attention-seeking needs*), the investigator instead closely monitors the situation for any additional threatening action(s). Threat Investigators should consider and assess the reasons behind desired and unwanted outcomes which result from confrontations with the suspect.

## ■ **Security Briefings**

Provided to protectees to deter, prevent, detect, and respond to criminal and threatening actions. Refer to manual Chapter 8: *Bomb Threat Response Plan*, Chapter 10: *Protective and Threat Investigations*, and Chapter 11: *Personal Security Considerations*.

## ■ **Psychiatric or Psychological Professionals - Cooperating Assistance**

If the suspect is known to be under psychiatric care (*custodial or non-custodial*) the attending psychiatrist or psychologist can be contacted to (1) ascertain the suspect's case-relevant mental condition, and (2) determine suspect's treatment and/or prognosis. Patient/Client privilege and privacy laws may limit the amount of information you can obtain without a subpoena. However, by law, mental health professionals must disclose threat information discerned from the suspect.

**NOTE:** *Suspect treatment should be given due consideration by Threat Investigators. A number of prior threat investigations have disclosed that the onset of the inappropriate communications were preceded by a change or reduction in the suspect's use of medications. Once the suspect's medications were appropriately readjusted, the inappropriate communications stopped, and the threat was negated.*

## ■ **Suspect Interview**

Determine case/suspect interview strategies and protocol. The John E. Reid and Associates, Inc., *Reid Technique of Interviewing and Interrogation* course and the Laboratory for Scientific Interrogation course on *Scientific Content Analysis (SCAN)* are recognized as two of the leading training agencies/programs in the field of suspect interviewing.

■ **Interpersonal Communication**

The process of Interpersonal Communication should be recognized and effectively used by the Threat Investigator during all suspect interviews. This encompasses not only what can be detected from the suspect, but also what messages you as the investigator might be conveying. There are several disciplines associated with interpersonal communications. A number of suspect interview or case-relevant categories are defined in the following tables:

<b>LANGUAGE - A Conventional System of Arbitrary Vocal Signs</b>	
CONVENTIONAL	Recognized and Practiced Standard that Develops Over Time
SYSTEM	Set Language Pattern or Code - Several Influencing Factors
ARBITRARY	Random and Unpredictable, with No Logical Connection Between the Words We Use and What They Represent
VOCAL	Verbally Expressed, with Sign Language the Recognized Exception
SIGNS	Symbolic Meaning that Usually Stands for Something Else
<b>NON-VERBAL COMMUNICATION</b>	
5 PRINCIPLES	<ul style="list-style-type: none"> <li>◆ Occurs Within a Context - <i>Gives Recognized Meaning to Communication</i></li> <li>◆ Packaged for Meaning - <i>i.e. Body Language or Proxemics</i></li> <li>◆ Rule-Governed (Cultural or Gender) - <i>What's Acceptable or Not Acceptable</i></li> <li>◆ Highly Believable - <i>7% Verbal / 38% Tone / 55% Body Language</i></li> <li>◆ Reinforces or Contradicts What is Said - <i>Lasting Impact</i></li> </ul>
MAJOR TYPES and CATEGORIES	<ul style="list-style-type: none"> <li>◆ Body Language - <i>Gestures, Touch, Facial (cross-cultural) and Eye (contact and avoidance) Communications</i></li> <li>◆ Space Communication - <i>Personal or Professional and Territorial or Physical</i></li> <li>◆ Speech - <i>Rate, Volume, Inflection, Tone, and Pause</i></li> <li>◆ Other - <i>Personal Objects Having Meaning, Environment, Smells, Time Schedules or Deadlines, Actual or Perceived Social Status, Attire, Appearance, Hygiene, etc.</i></li> </ul>
GENERAL DEFINITION	Messages Intentionally or Unintentionally Expressed and Understood through Non-Linguistic Means

<b>SELF-FULFILLING PROPHECIES</b>
Occurs when a person's expectations of an event influence the outcome. Specific types include <i>Predictions by Others</i> and <i>Self-Imposed Prophecies</i> . A person's response is significantly influenced by both these prophecies. Self-fulfilling prophecies can be both positive or negative.

<b>SELF-PERCEPTION</b>	
<b>TENDENCIES</b>	<ul style="list-style-type: none"> <li>◆ Influenced by Obvious</li> <li>◆ Cling to First Impression</li> <li>◆ Assume Similarity</li> <li>◆ Favor Negative Impressions</li> <li>◆ See Ourselves in Best Light</li> </ul>
<b>FACTORS</b>	<ul style="list-style-type: none"> <li>◆ Personal Needs - <i>perceived and actual</i></li> <li>◆ Wants and Desires</li> <li>◆ Cultural Similarities and Differences</li> <li>◆ Past Experiences - <i>positive and negative</i></li> <li>◆ Stereotypes</li> <li>◆ Environment or Social Status</li> <li>◆ Physiological</li> <li>◆ Psychological</li> <li>◆ Emotional</li> <li>◆ Frame of Reference - <i>family, peers, idols, etc.</i></li> <li>◆ Education and Training</li> </ul>

<b>DIMENSIONS OF LISTENING</b>	
<b>EFFECTIVE LISTENING</b>	<b>NON-EFFECTIVE LISTENING</b>
<p><b>Active</b> - <i>Complete Attention and Focus</i></p> <p><b>Empathic</b> - <i>Relate to Speaker</i></p> <p><b>Non-Judgmental</b> - <i>Objectively Listen with Open Mind</i></p>	<p><b>Passive</b> - <i>Distracted, Not Comprehending, and Likely to Misinterpret</i></p> <p><b>Subjective</b> - <i>Evaluate Speaker Based on Personal Criteria (Often Facilitates Conflict)</i></p> <p><b>Judgmental</b> - <i>Critical Listening or Analysis</i></p>
<p><b>Effective listening skills will assist Investigators in evaluating messages and understanding and retaining information. The final dimension of listening requires a self-determination of whether a suspect's words should be interpreted at <i>Surface Face Value</i> or a <i>Deeper Meaning and Intent</i></b></p>	

<b>SUSPECT EMPATHY</b>
<p>Is the ability to experience the world from the suspect's perspective. Suspect empathy has three dimensions: (1) Perspective-Taking, (2) Emotional or Sympathetic Involvement, and (3) Concern, Feigned or Real, for the Person. When properly used, this technique builds trust (a <i>primary step for self-disclosure</i>) that will likely influence the suspect to go along with a Threat Investigator's desires and/or directives (i.e. <i>stop sending inappropriate communications to protectees</i>).</p>

<b>GENDER PERCEPTIONS and INFLUENCES</b>		
<b>FEMALES:</b>	<b>Two Primary Factors – Biological and Sociological</b>	<b>MALES:</b>
<ul style="list-style-type: none"> <li>◆ <i>Differ from males in Thinking, Communicating, and Problem Solving</i></li> <li>◆ <i>Speak in Paragraphs, Details, Narrative, with the Bottom Line coming Last</i></li> <li>◆ <i>Are Creative, Intuitive, Artistic, Verbally Expressive</i></li> </ul>		<ul style="list-style-type: none"> <li>◆ <i>Differ from females in Thinking, Communicating, and Problem Solving</i></li> <li>◆ <i>Speak in Words, Generalizations, Phrases, with Bottom Line coming First</i></li> <li>◆ <i>Reasoning, Logically, Mathematically and Mechanically Inclined</i></li> </ul>

<b>CULTURAL PERCEPTIONS and INFLUENCING FACTORS</b>			
Language	Customs	Environment	Appearance
Employment	Past Experiences	Discrimination	World Affairs
Attire	Stereotypes	Media Portrayals	Context
<b>REASONS FOR SELF-DISCLOSURE or CONFESSION</b>			
Catharsis	Self-Clarification	Self-Validation	Reciprocity
Impression Formation	Physical Health	Social Control	Manipulation
Elevated Trust	Relationship Support	Understanding	Conflict Resolution
<b>ALTERNATIVES TO SELF-DISCLOSURE or CONFESSION</b>			
Lying	Evasive Behavior	Equivocal Language	Remaining Silent
Deception	Blaming Others	Suspicious Behavior	Refusal to Answer

■ **Mental Health Commitment**

Under Minnesota State Law, persons under Mental Health Commitments or *Holds* can be committed or held for up to 72 hours. A preliminary psychiatric evaluation will be conducted, and the person may either be released or held, via court order, for further evaluation and/or commitment.

■ **Arrest(s)**

Decisions must be made concerning the point at which Threat Investigators are to effect suspect arrests. During any investigation, there may be times when the decision to arrest or not to arrest will be solely made at the discretion of the Threat Investigator(s). All arrests should be made in adherence to agency policy and procedures.

## ■ **Restraining Orders**

Threat Investigators need to determine the case-specific information required to draft a language-appropriate restraining order. A few examples of these type of considerations include, but are not limited to: *Duration / Locations / Provisions / Limitations / Prohibitions / Enforcement*

## ■ **Target Transfer**

This technique has been successfully used on a number of protective investigations conducted by the United States Marshals Service in the District of Minnesota. The Target Transfer, or *Diversionsary Technique*, transfers suspect focus from the protectee to the Threat Investigator.

## ■ **Refocus to Support Groups**

Request active support from the suspect's spouse, family, church, peers, counselors, etc., in an attempt to effectively transfer suspect focus away from the protectee.

**NOTE:** *Threat Investigators need to assess any probability of the suspect becoming agitated or embarrassed, to the point of violent action, before this technique is used.*

## ■ **Caution Notice**

As determined by the Threat Investigator, prepared and disseminated to Sheriff's personnel, Court Security Officers, Police Departments, Protectee, her Family and/or Staff. Recognized benefits are immediate, self-evident, tangible, and numerous. *See example on page 10.6.*

## ■ **Long-Term Monitoring**

Suspect anonymity and means of opportunity are effectively diminished through continual threat investigator-initiated official contacts. Long-Term Monitoring allows the threat investigator to gather additional intelligence and information, observe patterns of behavior and influences, and as the situation requires, update and re-assess suspect's threat potential.

## ■ **Residential Surveys**

Provided to protectees to deter, prevent, detect, and respond to criminal actions. See Manual, Chapter 11 - *Personal Security Considerations*, sections 11.3 *Residential Survey Considerations* and 11.4 *Residential Security Survey Form*.

■ **Officially advise Law Enforcement and/or Emergency Contacts**

Specific (*primary place of residence*) law enforcement contact information should be listed for each judicial officer in the Sheriff's Judicial Personnel Profile Manual. Each of the respective law enforcement agencies should be pre-contacted and requested to provide the following upon being advised of a threat: *Increased Marked Squad Presence, 911 Emergency Dispatch Notification and Response, Officer Briefings, Mutual Aid and Assistance.*

■ **Criminal Statistical Summary**

Conducted within a 3 block radius of courthouses and judicial residences. Provides crime rates and activity information to assist the threat investigator in assessing any connection of criminal acts to inappropriate communications. Further, criminal statistics also assist security personnel in determining whether crime is increasing to the extent (i.e., *atypical to urban, suburban, or rural site locations*) where efforts require enhanced law enforcement and security intervention.

The following is an illustration of how this can work in support of threat and risk assessments:

*A request was made for a protective services detail. Several months after being sent an inappropriate communication the protectees vehicle had been vandalized on three separate occasions while parked outside in the driveway. Subsequent analysis of criminal statistics determined that within a 3 block radius of the protectees residence and over a period of 4 weeks a total of 68 vehicles had been vandalized. The protectee was briefed on the statistical information, vehicle/garage security, and law enforcement findings that these acts of vandalism were not connected to the previously reported inappropriate communication. The request for a protective services detail was rescinded and to date there has not been any further acts of vandalism.*

■ **Threat Source Profiles**

See manual Chapter 9 *Threat Management*, section 9.2 *Threat Source Profiles*.

# ***THREAT ANALYSIS and ASSESSMENTS***

**Risk Assessments** are primarily based on site-specific threats (*i.e. Crime Statistics, Space Design and Layout, Environment - Urban, Suburban or Rural, Opportunity, Operations, etc.*).

**Threat Assessments** differ in that they are based on the assessed totality of the (1) *Corroborated Information and Intelligence*, (2) *Investigative Actions*, and (3) *Individual and Group Threat Source Profiles*. Threat Propensity Levels are subsequently determined through comprehensive analysis of these factors.

**THE IMPORTANCE OF CORROBORATION CANNOT BE OVER STATED**

***IT IS NECESSARY TO, AT MINIMUM, REDUCE AND, FOREMOST, ELIMINATE (the Desired Objective of the Analyst) THE PROBABILITY OF ERRONEOUS INFORMATION AND INTELLIGENCE ADVERSELY AFFECTING THE FINAL ASSESSMENT***

Threat Source Profiles and Outlines (*see manual Chapter 9: Threat Management, section 9.2 Threat Source Profiles*) can significantly assist investigators in conducting a threat analysis and subsequent assessment. The diversity of background information included in these profiles should provide support for assessed correlations between *past, present, and anticipated* threat incidents. For example, albeit a rather simplistic one, anniversary dates are used by Right Wing Extremist Groups to create and foster an almost fever like pitch in anticipation of some loyalist or sympathizer responding in an implied or ordained criminal manner. Tragically, this apparently escalated to the point where the Murrah Federal Building in Oklahoma City was bombed on April 19, 1995.

A Threat Source Profile on the American Patriot Movement (*delineating historical perspectives, ideology, trends, tactics, demographics, conspiracy theories, rallying cries, and informational resources*) shows that on April 19, 1985 the Covenant, The Sword, The Arm of the Lord (CSA) compound in Bull Shoals Lake, Arkansas was raided by a contingent of federal and local law enforcement officers; on April 19, 1993 the assault on the Branch Davidian Compound in Waco, Texas began; and on April 19, 1995 White Supremacist and CSA member Richard Wayne Snell was executed for murder in Arkansas. Consequently, a threat assessment indicating a higher threat classification for the date of April 19<sup>th</sup> would be supported and further justified by the stated profile.

To completely assess a threat, *Specific Agency Identified Procedures* should be thoroughly evaluated in order to ensure that a definitive assessment as operationally-possible is generated. A basic approach to consider when conducting threat assessments includes:

- Identify and Define the Threat - *Who? What? Why?*
- Research the Threat - *Where? When? How?*
- Accumulate, Collate, and Corroborate All Available Information and Intelligence Obtained From Principals, Witnesses, Informants, and Sources (*Private, Public, Business, Legal, and Law Enforcement*)
- Prepare or Review and Update an Existing Threat Source Profile
- Review Findings and Form a Preliminary Synopsis
- Utilize Databases and Recognized Violence Indicators (*MOSAIC, U.S. Secret Service, Dietz, etc.*)
- Consult with Colleagues
- Use Positive and Negative Responses in Revising the Preliminary Synopsis
- Prepare and Present the Final Threat Assessment Report

***Threat Assessments are Generated in Final Report Form by Analyzing the Entire Scope of Material Accumulated During the Investigative, Intelligence, and Analysis Processes.***

***Assessment can be Operationally Defined as a Formal Investigative Document that has been Prepared in an Analytical Attempt to Identify the Threat Source and Level or Probability of Danger to a Specific or Universal Object(s).***

***A Highly Recommended Assessment Practice is for Final Reports to List Established Policies and Procedures for Agencies and/or Personnel to use in Responding to and Counteracting the Identified Threat.***

**The Final Threat Assessment Report Should be Formatted to Include at a Minimum:**

<i>Assigned Case Number</i>	<i>Assessment Preparer</i>	<i>Assessment Requestor</i>
<i>Subject(s) of Threat</i>	<i>Distribution Register</i>	<i>Completion Date</i>
<i>Threat Rating</i>	<i>Basis of Preparation</i>	<i>Case Overview</i>
<i>Situational Summary</i>	<i>Historical Perspective</i>	<i>Threat Source Profile</i>
<i>Protective Services</i>	<i>Stated Assessment</i>	<i>Summary</i>

### **Additional Techniques for Narrative Report Presentation:**

- Develop a conclusion based on your analysis and state your opinions as such.
- Use headings, spacing, indenting and capitalization to categorize information and to draw attention to important assessment conclusions.
- Insert a table of contents and introduction.
- Utilize a bibliography and footnotes if different opinions/comments than yours are incorporated within the final assessment report.
- List sources contacted during the analysis process.
- Support your narrative with tables, charts and graphs.

### **The United States Marshals Services uses the following Three Rating Levels for Threat Assessments:**

**LOW THREAT RATING** - *Indicating a slight probability of risk. It is unlikely that an adverse action will occur.*

**MODERATE THREAT RATING** - *An identified and specific threat source has been determined - - It is likely that an adverse action will occur without the implementation of recommended agency counter-measures.*

**HIGH THREAT RATING** - *An identified and specific threat source has been determined. Adverse action is expected and appropriate agency counter-measures and response plans are being implemented.*

*Inappropriate Communications* are the standards for which the United States Marshals Service will initiate a protective investigation and subsequent threat assessment.

### **Agency Definition Includes Any Communication Making Reference to:**

- A particular complaint or sense of outrage over the handling of a court case
- Pseudo-legal court filings
- A special history shared with the subject
- A special destiny shared with the subject
- Religious and historical themes involving the subject
- Death, suicide, weapons, etc
- Extreme or obsessive admiration or affection
- Obsessive desire to initiate personal contact with the subject
- A debt (*not necessarily monetary*) is owed to the threat source
- The subject is someone other than himself/herself (*deity, historical figure, spouse, etc.*)
- Public assassinations (*assailant and victim*)
- Notorious acts (*World Trade Center Bombing, Oklahoma City Bombing, etc.*)
- Mental illness (*psychiatric care, medication, committed, etc.*)
- Protective services, security measures, security systems, etc

**PARK ELLIOT DIETZ**  
**Threat Assessment Group, Inc.**  
**Newport Beach, California**

**TEN FEATURES ASSOCIATED WITH  
ATTACKS ON PUBLIC FIGURES**

MENTAL DISORDER	The most common characteristic of those who stalk and attack public figures
EXAGGERATED SENSE OF SELF-IMPORTANCE	Especially those exhibiting a destiny ( <i>real or imagined</i> ) of doing something of historical importance, or of the desire to be famous
INAPPROPRIATE COMMUNICATIONS	Threatening ( <i>directly or indirectly</i> ), intimidating, or harassing communications that can be expressed verbally or in writing
RANDOM TRAVEL EXCURSIONS	Centered around the public figure - Unexplained and unnoticed unless you are aware of subject's fixation on the public figure
PRIOR IDENTIFICATION	Identifies with others who have stalked and/or attacked public figures - Extremely interested in their past actions and deeds as they have been publicized in books, magazines, newspapers, and television
CREATION OF JOURNAL	Recording of activities and observations made during periods of stalking behavior - includes personal observations of public figure via multi-media sources
RESEARCHING TARGET VICTIM	Copious efforts made to extract detailed information on a selected person
ABILITY TO CIRCUMVENT ORDINARY SECURITY PROCEDURES	Primary consideration or probability factor in determining subjects "ease of capability" to harm the public figure(s)
PHYSICAL ADVANCES	Repeated attempts ( <i>publicly and/or privately</i> ) to approach the target victim(s)
OBTAINING A WEAPON FOR A SPECIFIC OCCASION RELATED TO THE PUBLIC FIGURE	Acquiring a firearm, dangerous weapon, or explosive materials prior to a scheduled, publicized, or well attended event

UNITED STATES SECRET SERVICE  
**INDICATORS OF VIOLENCE AGAINST PROTECTEES**

History of Emergency Psychiatric Admission(s) and/or Extremely Bizarre Behavior

Claims of Personal Relationship with the Protectee

Lack of Concern for Self-Protection

Concern on the Part of Significant Others for Subject's Behavior

Fixed ideas, Obsessions, or Compulsions

Extreme, or Seemingly Senseless but Focused Hostility

Repeated Threats of Violence and/or Past Offenses of Violent Behavior

Episodic or Binge Drinking and/or Alcoholic Blackouts

Involvement with Violent Groups

History of Unemployment and/or Situational Stress

Lack of Permanent Residence - Nomadic Lifestyle

Absence of Social Supports, Family, Church or Friends

Paranoid Feelings on Being Cheated, Abused, and Concerned with World Issues

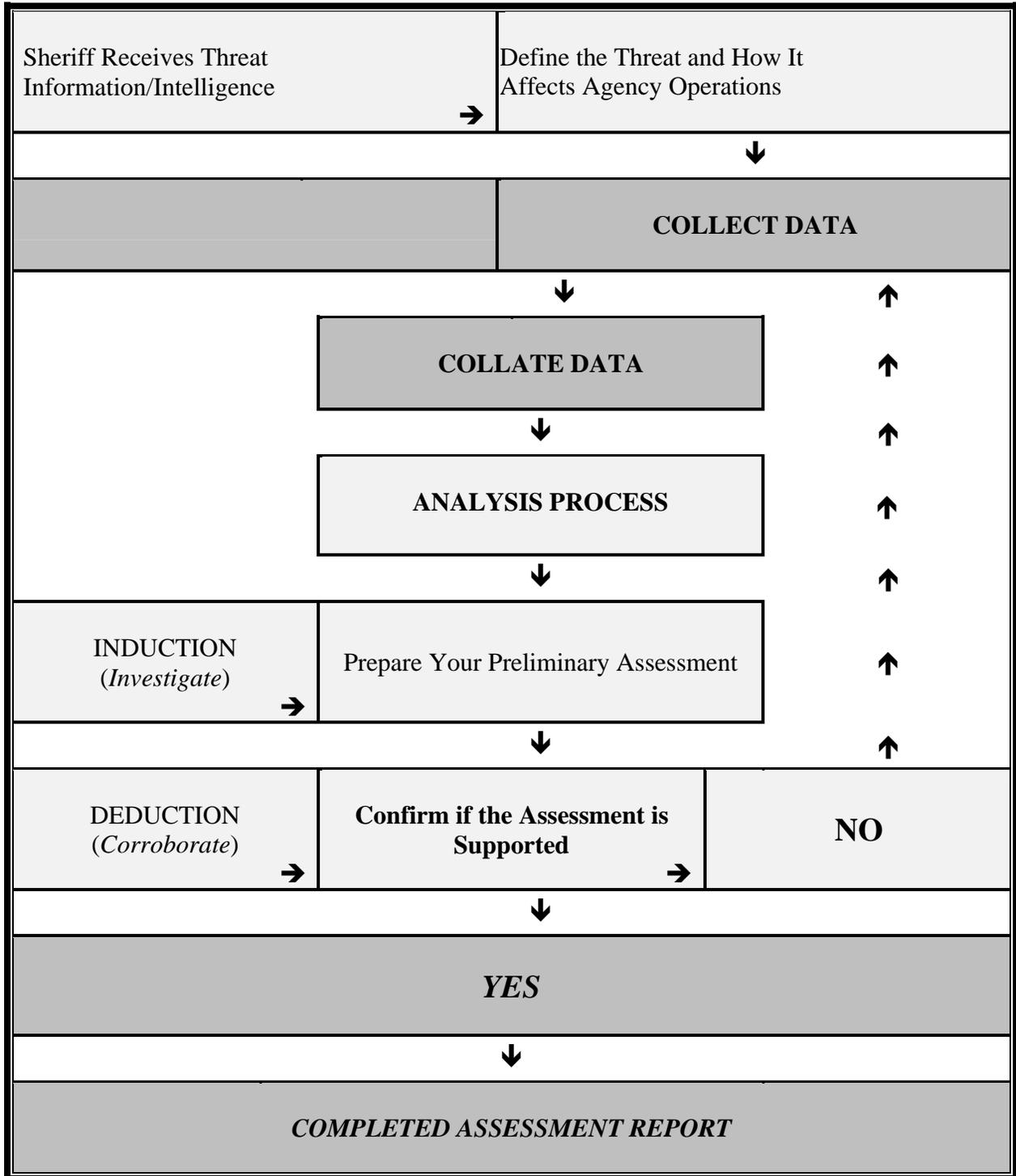
Collection and Preoccupation with Weapons

**From: "Behavioral Science and the Secret Service; Toward the Prevention of Assassination" Report of the Committee of the Institute of Medicine, National Academy of Sciences**

## COURTHOUSE DIMENSIONS OF THREAT SPACE

AGENT	MEANS	MOTIVE
<b>Insider:</b> ♦ Employee ♦ Contractor ♦ Visitor  Protester/Demonstrator  Anarchist  Vandal(s)  Criminal(s)  Prisoner(s)  Organized Crime  Dangerous/Deranged Individuals  Pre-Identified Threat Source  Domestic Terrorists International Terrorists  Unknown Individual(s)  <b>Gangs:</b> ♦ Street ♦ Prison ♦ Motorcycle ♦ Skinhead ♦ Militant	<b>Conventional Arms:</b> ♦ Firearms ♦ Edged Weapons ♦ Improvised Explosive Devices ♦ Incendiary Devices  <b>Unconventional Arms:</b> ♦ Nuclear Device ♦ Biological Agent ♦ Chemical Agent ♦ Military Weapons ♦ LAWs Rockets ♦ RF Weapons ♦ Cyber Intrusion  <b>Threat of Attack:</b> ♦ Bomb Scare ♦ NBC Hoax ♦ Symbolic Dates and Anniversaries ♦ Inappropriate Communications ♦ Prior Terrorist Acts  <b>Threat Type:</b> ♦ Hostage Situation ♦ Shooting ♦ Bombing ♦ Knifing ♦ Physical/Assaults ♦ Vandalism	Act of Opportunity  Act of Recognition  Employee/Public Threat Conception Escalated  Monetary Gain  Diversionary Tactic  Aid and Abet Prisoner Escape(s)  Undermine Confidence in the Government/Courts System  To Bring About System Change  Revenge / Malice  Domestic/Sexual Abuse  Political Manipulation  Terrorism  Ideology  Occupational Related  Personal Adversity  Self-Importance

# ANALYSIS & ASSESSMENT PROCESS FLOW CHART



\_\_\_\_\_ COUNTY  
SHERIFF'S DEPARTMENT

***CAUTION NOTICE***

NAME:  
ALIAS:

**DESCRIPTION:**  
  
Sex:  
Race:  
Place of Birth:  
Date of Birth:  
Height:  
Weight:  
Eyes:  
Hair:

*(paste photo)*

ADDRESS and LOCALE:

REASON FOR CAUTION:

**INSTRUCTIONS:** *Courthouse security personnel will challenge subject upon any and all contact occurring during the furtherance of official duties. DO NOT ARREST or DETAIN subject based solely on Caution Notice information.*

***IF OBSERVED OR ENCOUNTERED, IMMEDIATELY NOTIFY THE SHERIFF at:***  
***TELEPHONE #:*** \_\_\_\_\_

**LAW ENFORCEMENT SENSITIVE**

**DISTRICT OF MINNESOTA**  
***PROTECTIVE SERVICE DETAIL - OPERATIONAL PLAN***  
***CHECKLIST***

Detail Supervisor:	Date:		
Assignment:	Location:		
INDIVIDUAL DETAIL ASSIGNMENTS	ASSIGNMENT STATUS		
	COMPLETED	PENDING	N/A
<i>As Directed</i> - Brief Sheriff and Chief Deputy on Detail Status and Operational Considerations			
Secure and Review all Detail Requests and Information			
Identify/State Detail Objectives - <i>providing protective services</i>			
Assess/State Scope of Detail - <i>significant influencing factors</i>			
Identify Primary and Alternate Detail Locations			
Specify Department and Other Agency Commitments			
List Detail Contacts ( <i>Private and Public</i> )			
Prepare and List Detail Advance Sites			
Assign Personnel - Schedule Shift Assignments			
Conduct Threat and Risk Assessment(s)			
Identify and List Special Considerations			
Conduct and Document Detail Advances			
Secure and Review Official Itinerary of <i>Protectee</i>			
Identify and List Detail Equipment Requirements			
Identify and List Site Specific Emergency Contacts			
Secure and Review Site Plans, and Maps			
Identify and List Emergency and Evacuation Routes			
Review Previous PSD Plans			
Prepare Protective Service Detail Operational Plan			
<b><i>Submit to Sheriff and Chief Deputy for Final Review, Briefing, and Plan Authorization</i></b>			

**A recommended listing of sections to incorporate within *Protective Service Detail Operational Plans and Summaries* include but are not necessarily limited to the following:**

- Operational Code Name
- Table of Contents or Index
- Mission Statement
- Department and Detail Chain of Commands
- Detail Personnel Information
- Detail Assignments, Duties and Responsibilities
- Contact Names and Numbers
- Sheriff's and Police Department Contact Names and Numbers
- Emergency Contact Names and Numbers
- Protectee Biographical and Personal History Information
- Department Communications - *Standard Issue*
- Other Agency or Specialized Communications
- Required Equipment for Detail Personnel
- Detail Operations Requirement for Specialized Equipment
- Site Command Posts
- Site Locations
- Threat Intelligence
- Media and General Public Issues
- Specialized Training
- Housing as Required - *Official Protectees*
- Housing as Required - *Prisoner Protectees*
- Housing as Required - *Detail Personnel*
- Motorcade and Travel Considerations
- Administrative Support
- Medical Considerations - *Protectee*
- Medical Considerations - *Detail Personnel*
- Emergency Evacuation Sites and Procedures
- Arrest Considerations
- Other Support - *Traffic, Weather Reports, Site Management, etc.*
- Hostage Situations - *Available Tactical Response*
- Detail Specific Instructions
- Individual Briefing Packages and Detail Policy Notices
- Closing and After-Action Reports

# ***CHAPTER 11***

## ***PERSONAL SECURITY CONSIDERATIONS***

# ***VIOLENCE IN THE WORKPLACE***

In July 1993, Northwestern National Life Insurance Company conducted a survey and study on workplace fear and violence among 600 representative civilian workers. Their study was the first comprehensive assessment of the incidence of fear and violence and its effect in the workplace.

The following statistical information, which is believed to be the most current data available, was obtained from this study:

<b>TABLE 1</b>	<b><i>Approximately 2 million full-time workers were physically attacked on the job between July 1992 and July 1993</i></b>		
ON-THE-JOB INCIDENT EXPERIENCED	PERCENTAGE OF WORKERS	RATE PER 100,000 WORKERS	NUMBER OF WORKERS (MILLIONS)
Harassment	19%	18,667	16.1
Threat of physical harm	7%	7,333	6.3
Physical Attack	3%	2,500	2.2

*Based on 1991 Census Bureau estimates of 96.575 million full-time workers, less 10.341 million self-employed workers, or a total of 86.234 million workers*

<b>TABLE 2</b>	<b><i>Violence and harassment in the workplace are pervasive</i></b>	
VIOLENCE, THREAT, HARASSMENT OR FEAR	PERCENTAGE OF WORKERS	
Worker was harassed, threatened, or attacked on the job in the past 12 months	25%	
Someone was threatened with physical harm in workplace during the past 12 months	22%	
Worker was threatened with physical harm on the job during lifetime	21%	
Worker was harassed on the job in the past 12 months	19%	
Worker was physically attacked on the job during lifetime	15%	
Someone was physically attacked in employee's workplace in the past 12 months	14%	
Worker considered carrying teargas or mace for protection on the job	11%	
Worker is often worried about being a victim of violence on the job	10%	
Worker considered bringing a gun or other deadly weapon to work for protection	4%	

## BUREAU OF LABOR STATISTICAL SUMMARY

- ◆ According to Bureau of Labor Statistics, an average of 1000 people die every year as a result of occupational homicides
- ◆ Of the 769 Bureau of Labor-reported 1991 violent workplace fatalities, 553 were shootings, 58 were stabbings, 29 were by hitting, kicking or other assaults, 85 were suicides, 18 were death by animals and 26 by other causes
- ◆ Statistical research has found that 40% of occupational deaths for women are homicides
- ◆ Homicide has become the second leading cause of death in the workplace - *for women it is the leading cause*
- ◆ Guns account for 75% of workplace deaths; edged or piercing weapons account for 14%
- ◆ 30% of workplace violence victims are public sector employees
- ◆ Nationally, workplace homicides occur on a regional percentage basis of:
 

North Central - 19%	West - 24%	North East - 8%	South - 49%
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<b>RATES OF VIOLENCE / 1992 - 1996</b>	<i>per 1000 workers</i>
Law Enforcement Officers	306
Private Security Officers	218
Taxi Drivers	184
Correctional Officers	117
Bartenders	91
Mental Health Professionals	80
Gas Station Attendants	79
Convenience / Liquor Store Clerks	68
Mental Health Custodial Workers	63
Junior High / Middle School Teachers	57
Bus Drivers	45
Special Education Teachers	41
High School Teachers	29
Elementary School Teachers	16
College / University Teachers	3

## TEN PROFESSIONS MOST LIKELY TO BE VICTIMS OF MURDER

Data researched by the *National Institute for Occupational Safety and Health* indicate the below listed occupations (*listed in order*) as those most likely to result in being murdered

- ◆ TAXI CAB DRIVER
- ◆ SHERIFF / BAILIFF
- ◆ POLICE OFFICER / INVESTIGATOR
- ◆ HOTEL CLERK
- ◆ SERVICE STATION ATTENDANT
- ◆ PRIVATE SECURITY GUARD
- ◆ RETAIL STOCK HANDLER
- ◆ STORE MANAGER
- ◆ POLICE SUPERVISOR
- ◆ BARBER

## CHARACTERISTICS OF PERSONS WHO COMMIT ACTS OF VIOLENCE IN THE WORKPLACE

History of Violence	<i>Criminal Acts / Domestic Violence / Verbally Abusive Anti-Social Behavior</i>
Psychosis	<i>Individual will demonstrate: Impaired reality; inability to evaluate society objectively and distinguish it from inner experiences; senseless violence, inattentiveness, grossly disorganized</i>  Schizophrenia / Major Affective Disorders / State of Paranoia
Romantic Obsession	<ul style="list-style-type: none"> <li>◆ <i>Object of fixation may not be aware of the degree</i></li> <li>◆ <i>Subject of attraction usually holds higher social status/title</i></li> </ul>
Chemical Dependence	<i>Use of Alcohol and/or Drugs can cause irrational response</i>
Depression	<i>1 of 7 depressed persons will commit an act of violence</i>
Pathological Blamer	<i>Accepts no responsibility for individual actions</i>

<b>POTENTIAL VIOLENT OFFENDER PROFILE</b>		
White Male	25-40 YOA	Loner
Exhibits Delusions of Grandeur	Experienced Prior Successes	Experienced Recent Setbacks
Has Violent Fantasies	Angry / Paranoid	History of Violence
Religious / Political Expounding	Blames Others For Failures	Abuses Drugs / Alcohol
Unstable Work History	Overt Obsessions	Inappropriate Physical Actions
Low Self-Esteem	Occupation-Based Self-Esteem	Seeks to Control by Intimidation
Perceived / Actual Job Stress	Misperception of Others	Resists Change / New ideas
Prolongs Grievances	Empathy for Violent Persons	Exhibits Suicidal Tendencies
Marital / Financial Problems	Misinterprets Acts of Kindness	Overly-Sensitive to Criticism

<b>THREAT and VIOLENCE DE-ESCALATION TECHNIQUES</b>	
<b>ANGRY / HOSTILE PERSONS</b>	<ul style="list-style-type: none"> <li>◆ Stay Calm and Attentive</li> <li>◆ Maintain Eye Contact</li> <li>◆ Be Courteous and Informative</li> <li>◆ Remain Patient</li> <li>◆ When Questioned, Be Honest - Don't Lie</li> <li>◆ Keep the Situation in Your Control</li> <li>◆ Be Aware of your Office and Security Environment</li> </ul>
<b>THREATENING PERSONS</b>	<ul style="list-style-type: none"> <li>◆ See Above Techniques</li> <li>◆ Offer Appeasement</li> <li>◆ Appear Sympathetic</li> <li>◆ Follow Through on Any Statements You Make</li> <li>◆ DO NOT CONFRONT Threatening Individuals</li> <li>◆ Signal to a Co-Worker or Supervisor that You Need Help</li> <li>◆ <i>Use Prearranged Code or Duress Alarm System</i></li> </ul>
<b>ARMED PERSONS</b>	<ul style="list-style-type: none"> <li>◆ See Above Techniques</li> <li>◆ Stall For Time</li> <li>◆ Keep Talking While Following Instructions</li> <li>◆ DON'T RISK HARMING YOURSELF or OTHERS</li> <li>◆ DON'T BE A HERO</li> <li>◆ Never Attempt to Grab a Weapon(s)</li> <li>◆ Watch and Take Advantage of Any Safe Opportunity to Escape - <i>Know Your Avenues of Escape</i></li> </ul>

<b>VIOLENCE IN THE WORKPLACE PREVENTION TECHNIQUES</b>		
<i>SECURITY AWARENESS</i>	Establish Site-Specific <i>Employee Reporting Policies</i>	<i>Organize Incident-Management Response and Review Teams</i>
<i>Conduct Facility/Environmental Threat and Risk Assessments</i>	<i>Develop Case Management Strategies</i>	Develop Detailed Courthouse Contingency Plans
Conduct Courthouse Security Surveys	Establish Clearly Defined Public and Private Traffic Areas	Determine Access Control Systems, Policies & Procedures
Adhere to Security Recognized Agency Space Design & Layout	<i>Determine Building's Physical Security Equipment Requirements</i>	<i>Regularly Convene Courthouse Security Committees</i>
Foster Consciousness of Heightened Building Security	<i>Adherence to Recognized Facility Quality Control Measures</i>	Recognize Early Warning Signs of Violent Persons
Use Court Remedies - Restraining Orders and Commitments	Use of Existing Laws: Terrorist Threats, Harassment Stalking, etc.	Train Employees to Use Conflict-Resolution Techniques
Adherence and Consistency in Enforcing Personnel Decisions	Job Commensurate Pre-Employment Screening	Establish Off-Site Security Programs
Employee Acceptance of Individual Responsibility for Personal Security	Disseminate Caution Notices on Known Dangerous Individuals	Establish and Use Alternative Dispute Resolution (ADP) Panels
Encourage Use of Employee Assistance Programs	Close Secondary Public Entrances; Use One Main Entrance	Establish Policies and Procedures for After- Hours Visitors
Establish Multi-Cultural Diversity Training Program for Courthouse Employees and Security Staff - Avoid the Potential of Situational Conflicts Resulting From Unintentional Misunderstandings		
Issue a Single Form of Photographic Identification (ID) for Courthouse Employees - Instead of Several ID Badges from a Number of Agencies, these ID's can be Used to Readily Identify Courthouse Employees to Security Staff. It Should be Noted that in a Courthouse Type Environment the Prominent Displaying of ID Badges is Discouraged. The Reasoning behind this Recommendation is Made on the Same Basis as Marking Vehicle Parking Spaces by Name and/or Title is Discouraged. <b><i>SECURE YOUR ID UNTIL IT IS NEEDED / DON'T CREATE OPPORTUNITIES WHERE NONE NEED EXIST</i></b>		
Establish Set Policies and Procedures (General Public, Employees, and Law Enforcement) on the Prohibition of Firearms and Other Dangerous Weapons from the Courthouse - See Title 18 USC, Section 930		
Classifying Courthouse Operations and Employee Assignments by Security Levels - Thereby Resulting in a Direct and Desired Correlation between Higher Classification Levels and Elevated Court Security Measures		
<i>Continue Your Research into the Specific Factors Associated with Violence in the Workplace and Occupational Homicides - While Evaluation is Critical to Violence in the Workplace Prevention, Efforts Few In-Depth Studies Have Been Conducted to Evaluate Preventive Measures</i>		

## News Headlines: VIOLENCE IN THE WORKPLACE INCIDENTS

Ex-chess coach opens fire at city hall in Riverside, California <i>Mayor among 6 people wounded</i>			
10/98			
Former employee kills four, shoots himself at Ottawa bus garage <i>4/99</i>	<b>METRO:</b> Man fatally shoots friend, then himself at Eden Prairie firm <i>9/97</i>	Ex-worker kills 4 at S.C. plant <i>9/97</i>	
<b>USA TODAY</b> Gunman kills two, himself in San Antonio <i>10/97</i>		Sheriff's deputy kills wife inside Buffalo, NY elementary school <i>5/98</i>	
<b>Shots shock nations Capitol / Man charges past security fatally shoots two officers</b> <i>7/98</i>		<b>NATION</b> Fatal shooting spree at Milwaukee post office <i>Clerk's rage explodes</i> Associated Press <i>3/98</i>	
<b>New Hampshire gunman apparently held grudge against judge - kills her and 3 others during shooting spree</b> <i>8/97</i>			
Fired employee threatens suicide in Cascade, Iowa / later surrenders to police <i>4/98</i>	<b>County official shot over stadium tax in Phoenix</b> <i>8/97</i>	<b>METRO</b> 3 teens charged in fatal shooting on I-94 <i>3/97</i>	<b>Salt Lake City 71 year old gunman kills two wounds five others</b> <i>4/99</i>
California killer blamed former supervisor for having him fired / <b>kills four with AK-47</b> <i>3/98</i>	<b>NATION:</b> Connecticut Lottery accountant guns down 4 supervisors, <i>kills self</i> Associated Press <i>3/98</i>		<b>Man fatally shot at work</b> Co-worker at Eden Prairie firm is arrested <i>3/97</i>
<b>Three die, two wounded in small-town shooting spree / Fired employee in Wykoff kills 2, self</b> <i>8/96</i>			
Plant cleared as man kills woman, self ' <b>hundreds of employees evacuated in Plymouth Township, Michigan</b> ' Associated Press <i>9/97</i>		<b>Man convicted in shooting</b> shot former girlfriend at Apple Valley Health Care Center <i>4/97</i>	
Veteran surrenders to police after 14 hour standoff at VA Center in Waco <i>3/98</i>	<b>Fired city worker kill 5, self in Florida</b> <i>2/96</i>	San Diego State student kills 3 professors / <i>gun stowed in first aid kit</i> <i>8/96</i>	<b>Guilty plea in U of MN Hasselmo office shooting / Woman says she meant no harm</b> <i>2/97</i>

# PERSONAL SECURITY CONSIDERATIONS

A major component of any personal security program is the realization that persons must assume a certain degree of *Individual Responsibility* to ensure their own safety and security

The fact is, *security cannot be everywhere - to protect everyone - all the time - for every situation.*

The key to establishing a model court security program is to take into account all of those aspects relative to reasonably ensuring and enhancing safety and security levels. Each aspect must be thoroughly reviewed and addressed in order to successfully incorporate the necessary security standards, policies and procedures. This is done under a basis of understanding that the relative situational aspects for judicial officers include courthouse operations, building security systems and personnel, high threat/profile proceedings, conferences, inherent risks, threats, protective services, and off-site programs such as residential, travel, and personal security.

For court security programs to be successful, it is essential that they be supplemented with what can be labeled as *Employee Recognized Response Actions*. Simply meaning, for every likely security situational aspect, employees should be overly-familiarized with what is required of them. The Method and Extent (*see below for non-exclusive listings*) of how to manage and implement *Employee Recognized Response Actions* should be security driven and determined.

METHOD		
Security Awareness Training	Occupant Emergency Plans	Fire/Evacuation Drills
Informational Bulletins	Security Pamphlets	Training Videos

EXTENT		
No Action Required	Policy/Procedure Compliance	Duress Alarm Activation
De-Escalation Techniques	Security Consciousness	Report Suspicious Activities
Contact Security or Police	Active Training Participation	Building Evacuation

**This is never more apparent or necessary than for Personal Security. Consequently, limitations should never be put on the methods or extent of *Employee Recognized Response Actions* for Personal Security.**

## EMPLOYEE RECOGNIZED RESPONSE ACTIONS - PERSONAL SECURITY

- **Be Aware of your Environment** - *A city street may be perfectly safe to walk on at noon, but the same street at midnight may be inundated with criminal activity.*
- **Eliminate Opportunities for Crime to Occur** - *Practice sound security habits.*
- **Establish a Personal Comfort Zone (Proxemics)** - *Subconsciously determined zones at which we are comfortable or uncomfortable with other persons. See table on Proxemics.*
- **Learn to Use your Skills of Observation and Intuition** - *Before entering a convenience store, you should look through the store's glass windows to observe, assess, and respond to any suspicious activity. Learn to assess non-verbal "Body Language" gestures.*
- **Have a Game Plan** - *Know What You Are Going To Do and How You Are Going To React. Where are the emergency exits? Where are the duress alarms? What are your options?*
- **Develop Personal Security Assurance** - *your familiarization and knowledge of personal security is evident by your confident attitude and actions.*
- **Expand Field of Studies** - *Examples of recommended reading include "The Gift of Fear" and "Protecting the Gift" both by Gavin DeBecker.*

## PROXEMICS

<b>Intimate Zone: 6"-18"</b>  <i>Used for emotionally based relationships and close friendships</i>	<b>Personal Zone: 18"-4'</b>  <i>Where we normally converse with others on a one-to-one basis</i>	<b>Close Social Zone: 4'-7'</b>  <i>Where we conduct impersonal business, converse with strangers</i>
<b>Far Social Zone: 7'-12'</b>  <i>Used for formal social affairs or business - i.e. police desk sergeant</i>	<b>Close Public Zone: 12'-25'</b>  <i>Marks the limits of interpersonal concerns - conferences &amp; training</i>	<b>Far Public Zone: Beyond 25'</b>  <i>Used by persons addressing large or formal groups</i>

Court employees should evaluate their *Personal Comfort Zone*, self-determine which zones create personally-heightened concerns, and make a conscious decision as to their response when someone "violates" these zones. *For example:*

*An agitated person violates your comfort zone - your immediate response is to step back - you tell the person to stay where he is, and once again he violates your comfort zone - you now know that this person has repeated non-verbal actions that you consider threatening - now you should respond to the extent you have been trained (i.e. de-escalation techniques, signaling another employee to call for security, activating a duress alarm, etc.)*

<b>CRIMINAL ACTIONS - 3 TYPES</b>		
<b>Crimes of Opportunity</b>	<b>Crimes of Intent</b>	<b>Opportunity-Imposed Crimes of Intent</b>
<i>The criminal action occurs only because the opportunity presents itself</i>	<i>The criminal action is based on a desire or intent against the target victim</i>	<i>The criminal action against the target victim is desired and intended, but will occur only when the opportunity presents itself</i>

<b>TELEPHONE SECURITY CONSIDERATIONS</b>		
<b>Threatening Calls</b>	<b>Harassing or Obscene Calls</b>	<b>Nuisance Calls</b>
<p><i>Calls in this category may require intervention by law enforcement agencies</i></p> <p><b>What to do:</b></p> <ul style="list-style-type: none"> <li>◆ Hang up immediately</li> <li>◆ Use available telephone security features</li> <li>◆ Record all threat information and contact the police department</li> </ul>	<p><i>These calls may include silent calls</i></p> <p><b>What to do:</b></p> <ul style="list-style-type: none"> <li>◆ Hang up immediately</li> <li>◆ If the calls persist, unplug your phone or do not answer</li> <li>◆ Use available telephone security features</li> <li>◆ Contact telephone security to discuss alternative options</li> </ul>	<p><i>These calls are intended to irritate you, such as constant and frequent hang-up calls</i></p> <p><b>Prank Calls</b> - generally calls made at random, and if the caller does not get the response they want, will usually stop after one or two attempts.</p> <p><b>Anonymous Calls</b> - typically are attempts to get information.</p>

<b>TELEPHONE SECURITY FEATURES</b>	
<b>CALLER IDENTIFICATION</b>	Electronic attachment that displays the caller's name, telephone number, and possibly the date and time of the call.
<b>CALLER IDENTIFICATION BLOCK</b>	Permits the caller to <i>block</i> the name, number, etc. from the line being used to place the call. <b>To use, press *67 or 1167 on a rotary phone</b>
<b>CALL REJECTION</b>	Allows customers to program into their line the telephone numbers of calls they don't want. <b>To use, press *60 or 1160 on a rotary phone</b>
<b>CUSTOMER ORIGINATED TRACE</b>	Allows customers to <i>trace</i> the last incoming call to that line. <b>To use, press *57 or 1157 on a rotary phone</b>
<b>LAST CALL RETURN</b>	Automatically dials the last person who called you, whether the call was answered or not. Will not return blocked calls. <b>To use, press *69 or 1169 on a rotary phone</b>
The listed Telephone Security Features are those available from U.S. West Telephone. They may or may not be available in your communications area, dependant upon whether automated services have been programmed and who your telephone provider is.	

<b>SAFE DRIVING TIPS</b>	
<b>BEHAVIORS OF AGGRESSIVE DRIVERS</b>	<ul style="list-style-type: none"> <li>◆ Running Stop Signs and Red Lights</li> <li>◆ Speeding, Tailgating, and Weaving between Lanes</li> <li>◆ Passing on the Right of a Vehicle</li> <li>◆ Making Inappropriate Hand and Facial Gestures</li> <li>◆ Screaming, Honking the Horn, and Flashing Headlights</li> </ul>
<b>WHAT TO DO WHEN CONFRONTED BY AN AGGRESSIVE DRIVER</b>	<ul style="list-style-type: none"> <li>◆ Make every attempt to Safely Move Out Of The Way</li> <li>◆ Do Not Challenge by Speeding Up</li> <li>◆ Do Not Challenge by Holding Your Own Lane Position</li> <li>◆ Always Wear your Seatbelt</li> <li>◆ Avoid Eye Contact</li> <li>◆ Ignore Gestures and Do Not return them</li> <li>◆ Report Aggressive Drivers to the Authorities</li> <li>◆ Safely Use a Cellular Telephone to Call the Police</li> <li>◆ If you Believe an Aggressive Driver is Following you - Do Not Go Home - Go Directly to the Nearest Police Station</li> <li>◆ If an Aggressive Driver is Involved in a Crash, Stop a Safe Distance from the Crash Scene, Wait for the Police to Arrive, and Report what you Witnessed</li> </ul>

<b>NEIGHBORHOOD PARKS - SAFETY TIPS</b>		
Be Aware of your Surroundings and Circumstances	When Possible, Run or Walk with a Friend	Keep the Volume on your Headsets Down
Carry a Personal Panic Alarm	Be Alert when Running or Walking near Wooded Areas	Let Someone Know Where you are Going and How Long you'll be gone
Know where you can go for Help or a Telephone	Wear Reflective or Light-Colored Clothing	Park your Locked Car in a Lighted Parking Area
Don't Take Chances or Be over Confident	Carry Identification and your Car Keys ( <i>if driving</i> ) at all times	Put Valuables in the Trunk Before you arrive at the Parking Area
Be Aware of the Possibility of Danger - Learn/Rely on Intuition	Carry ( <i>self-determined</i> ) Mace and Be Ready to Use it.	Be Aware of and Avoid Suspicious Persons or Groups

<b>INTERNATIONAL TRAVEL SECURITY ADVISORIES</b>	
<b>APPEARANCE</b>	<ul style="list-style-type: none"> <li>◆ Whenever possible maintain a low-profile appearance.</li> <li>◆ Downplay your official status as a judge, government employee, etc.</li> <li>◆ Dress casually when possible and leave obviously expensive clothing and jewelry home.</li> </ul>
<b>LUGGAGE</b>	<ul style="list-style-type: none"> <li>◆ Use hard-sided luggage that can be locked.</li> <li>◆ Don't use luggage tags that state your name and home address. Use your business address.</li> <li>◆ Don't carry a briefcase everywhere you go.</li> </ul>
<b>DESTINATION</b>	<ul style="list-style-type: none"> <li>◆ Plan and know your itinerary in advance.</li> <li>◆ Share your itinerary with family members and trusted associates only.</li> <li>◆ Plan direct flights.</li> <li>◆ If you must make a connection, avoid airports with a history of incidents.</li> <li>◆ Don't rely on taxicab drivers for directions and advice.</li> </ul>
<b>SECURITY/SAFETY ADVISORIES</b>	<ul style="list-style-type: none"> <li>◆ Contact the U.S. State Department <i>Citizen Emergency Hotline</i> at #202-647-5225 for information on overseas travel advisories, obtaining security pamphlets, and emergency information on U.S. citizens traveling abroad.</li> <li>◆ Pack copies of your birth certificate, visa, and passport in your checked baggage.</li> </ul>
<b>MEDICATIONS</b>	<ul style="list-style-type: none"> <li>◆ Take twice your anticipated need and place them, in their original bottles, in two different bags.</li> <li>◆ Have your doctor write a prescription to include the generic brand name for any essential medications you need to take along.</li> <li>◆ Contact your doctor or local health clinic for specific country questions.</li> <li>◆ Schedule a doctor's appointment for required or precautionary immunizations well in advance of your travel plans.</li> </ul>
<b>PERSONAL and FINANCIAL</b>	<ul style="list-style-type: none"> <li>◆ Confirm departure time at least one hour before you leave for the airport.</li> <li>◆ Arrive early.</li> <li>◆ Move to the secured area as soon as practical. Most problems occur in ticketing and baggage claim areas.</li> <li>◆ Wait at your departure area unless you are traveling to a country listed in State Department security advisories. In that case, wait for boarding at an adjacent gate's departure area.</li> <li>◆ Avoid sitting near luggage lockers or large windows/glass.</li> <li>◆ Be cognizant of unattended luggage and discreetly advise the authorities.</li> <li>◆ Don't leave your luggage unattended.</li> <li>◆ Upon arriving at your destination and reclaiming your baggage, directly exit the airport.</li> </ul>
<b>AIRPLANE</b>	<ul style="list-style-type: none"> <li>◆ Avoid aisle and first-class seating.</li> <li>◆ Request window seats toward the rear of the aircraft.</li> <li>◆ Place carry-on items in overhead compartments.</li> <li>◆ Pay attention to the flight attendants' explanation of emergency evacuation procedures.</li> <li>◆ Avoid personal and/or business conversations that strangers can hear.</li> </ul>
<b>HIJACKING</b>	<ul style="list-style-type: none"> <li>◆ Don't protest, question, challenge, or stand up from your assigned seat.</li> <li>◆ Don't distinguish yourself from others. Don't volunteer for anything.</li> <li>◆ Avoid abrupt movements. Do exactly what you are told.</li> <li>◆ Don't do anything without requesting permission.</li> <li>◆ Don't talk with other passengers. Remember, they may be accomplices intermixed among the flights crew and passengers.</li> <li>◆ Avoid eye contact with any of the hijackers.</li> <li>◆ The most critical time in a hijacking is the first thirty minutes. Hijackers are tense and ready to react. Prepare yourself mentally for questioning. Use your time to think about possible situational contingencies.</li> </ul>
<b>ACCOMMODATIONS</b>	<ul style="list-style-type: none"> <li>◆ Stay at busy, recognized, major hotels.</li> <li>◆ Ask for a room on the second through fourth floors. These floors are high enough to discourage most burglars and low enough to allow escape during fires or other emergencies.</li> <li>◆ When registering, inquire into hotel emergency procedures.</li> <li>◆ Locate emergency exits and fire extinguishers near your room.</li> <li>◆ Count the number of doors from your room to the emergency exit.</li> </ul>

	<ul style="list-style-type: none"> <li>◆ Determine how your windows open and lock shut. What is located outside your window?</li> <li>◆ Use the hotel safe to secure your valuables.</li> <li>◆ Leave a radio or television on normal volume when you leave your room.</li> <li>◆ Don't leave your room key at the front desk.</li> <li>◆ Be careful about leaving sensitive information around your room.</li> <li>◆ Reconsider what you throw away in the garbage. Your itinerary, address, credit card receipts, etc. can be used by experienced criminals.</li> <li>◆ Use the peephole and privacy locks/chain in your room.</li> <li>◆ Call the front desk before admitting anyone who claims to be hotel staff.</li> <li>◆ If a fire alarm sounds, check the door before exiting. <ul style="list-style-type: none"> <li>- Is the hallway full of smoke? If not, grab your room key and flashlight and head for the nearest exit. Stay low if you encounter smoke/noxious fumes.</li> <li>- Do not use the elevators even if other persons are.</li> <li>- Head in the direction of downstairs - only go the roof as a last resort.</li> <li>- If you elect to stay in your room - fill the bathtub with water - block the bottom of doors and vents with wet sheets or towels - keep all windows closed to avoid creating a draft for fire and smoke.</li> </ul> </li> </ul>
<b>STREET</b>	<ul style="list-style-type: none"> <li>◆ Stay alert and aware of your surroundings.</li> <li>◆ Be wary of persons "accidentally" bumping into or distracting you.</li> <li>◆ If you feel you are being followed, contact the police and/or head for a busy establishment.</li> <li>◆ Don't accept packages from strangers.</li> <li>◆ Know how to use the pay phones and carry the correct change.</li> <li>◆ Carry on your person all numbers you will need in an emergency.</li> <li>◆ Carry your passport with you at all times - required in some countries.</li> <li>◆ Obey local laws and customs.</li> <li>◆ Exchange currency only with licensed financial institutions.</li> <li>◆ Check your credit card after each use and request all carbon copies.</li> <li>◆ If you hear gunfire: Don't Run - Get Down - Stay Down Until It Is Safe.</li> </ul>

## MINIMIZING VIOLENCE - PERSONAL CONDUCT TECHNIQUES

**DO**

- ◆ Situate yourself so visitors cannot block your path to an exit.
- ◆ Project calmness, move and speak clearly, quietly and confidently.
- ◆ Be an empathetic listener; encourage the person to talk and listen patiently.
- ◆ Focus your attention on the person - Appear interested.
- ◆ Maintain a relaxed, attentive posture.
- ◆ Position yourself at a right angle (*a non-threatening defensive stance*) instead of right in front of the person.
- ◆ Acknowledge the person's feelings - Indicate that you can see they are upset.
- ◆ Ask the person to move to a quieter area to discuss their situation.
- ◆ Use delaying tactics to give a person time to calm down - offer a drink of water.
- ◆ Be reassuring and point out other options.
- ◆ Avoid any physical contact or finger-pointing.
- ◆ Avoid extended periods of eye contact.
- ◆ Watch your non-verbal "body language" gestures. Use positive gestures.

**DO  
NOT**

- ◆ Use styles of communication which generate hostility or apathy.
- ◆ Stand in a challenging stance - directly opposite someone, hands on hip or arms crossed.
- ◆ Make accusing or demanding comments.
- ◆ Make sudden movements which can be seen as threatening.
- ◆ Issue challenges or threats.
- ◆ Attempt to belittle or embarrass the person.
- ◆ Criticize, act impatiently, or attempt to bargain
- ◆ Try to make the situation appear less serious than it is.
- ◆ Make false statements or promises you cannot keep.
- ◆ Try to impress the person with your personal or business credentials.
- ◆ Take sides or agree with obviously distorted versions of the truth.
- ◆ Use a lot of complicated or technical language when explaining information.
- ◆ Invade a persons personal space "*proxemics*" - stay within the *Close Social Zone* of 4'-7'.

# ***RESIDENTIAL SURVEY CONSIDERATIONS***

It is recommended that Residential Security Surveys be extended to all judicial officers and those courthouse support staff personnel who have been threatened.

The completed survey will generally consist of a (1) *Title Page*, (2) *Introduction* - to include survey preparer, date, location, description, and existing security systems, (3) *Table of Contents*, (4) *Body* - to include sections on site specific recommendations, hazardous materials found within the home, fire prevention, security lighting, security systems, miscellaneous security information, etc., and (5) *the survey Conclusion*.

## **Fire Prevention and Hazardous Material Information**

General and specific information on *Fire Prevention* and *Hazardous Materials* in the home can be obtained from the National Fire Protection Association in Batterymarch Park, Quincy, Massachusetts. Additional informational brochures are also available reference the topics of:

- *Emergency Exit Drills*
- *Fire Safety Points*
- *HVAC Systems*
- *Smoke Detectors*

## **Security Lighting**

A primary concern and deterrent to any intruder is the threat of observation, which is greatly enhanced with the installation and utilization of outdoor security lighting. Criminal intruders profit from opportunity, if one exists they will eventually attempt to take advantage of it. If you eliminate or minimize these “opportunities”, criminals will likely move on to an easier target.

There are a variety of types and models of security lighting commercially available to select from. They extend in range from the following:

- *Fluorescent, Halogen, Quartz, or Infrared Lighting.*
- *Manually operated, Timer Programmed, or Light and Motion Sensitive.*
- *Low Voltage, Battery, Solar, or Photo Cell powered.*
- *Traditional Security or Decorative Security Lighting.*

All of these can be purchased directly from building supply or outlet stores. Although security companies do install security lighting systems it is far more cost effective to commercially

purchase a homeowners self-installed security lighting package (only minimal electrical experience required).

Motion sensitive controlled lighting is considered ideal for security as any movement detected will immediately illuminate a designated area. This illumination will highlight the intruder (*prior to invading your home*), invoking a concern (*perceived or actual*) of detection, causing a desired response to vacate the effected area.

The number and placement of security lights should be sufficient to adequately illuminate all points of ingress (*doors, accessible windows, and crawl spaces*) into a residence. Appropriate placement will enable a single light to cover multiple areas of concern.

## **Residential Security Systems**

When contemplating the purchasing of a home security system there are certain factors which require consideration and response:

### ***SIZE, REPUTATION, and LOCATION***

- Is the company able to handle your security equipment requirements?
- Does the companies reputation indicate quality and reliable service?
- Is the company located within close and convenient proximity, or have sub-contractors available, in the event of emergency servicing and/or warranty replacement?
- If 24-hour security monitoring is determined what are the employment qualifications of monitoring personnel and responsible supervisors?
- Are background investigations (type and length) conducted on company employees?

### ***SYSTEM WARRANTY and SERVICE CONTRACTS***

- What is the length of duration for each piece of equipment?
- What actually is covered in it's entirety by the warranty and service contracts?
- Are the warranty and service contracts factory or company issued?
- Does the company provide annual servicing and testing of equipment and if so at what added cost.
- What is the maximum length of time as guaranteed by the company (*policies, scheduling, and availability*) to service and/or replace equipment?
- If the equipment needs to be replaced what is the estimated replacement time? and Does the company install temporary equipment until your replacement part arrives and is installed?

### ***PERSONAL CONSIDERATIONS***

- Are you most concerned about security when at home or away from home?
- Do you want a secure environment 24 hours a day?

- Do you want the security system to be alarmed and monitored solely at your home, company (*central station monitoring*), office, or all stated locations?
- How vulnerable does the size and space design of your home make you?
- Are you more security conscious when in certain areas of your home?
- Where is your home located? and What are the neighboring surroundings?
- Do you review neighborhood criminal statistics to assess and determine security needs?
- Do you participate in a law enforcement organized neighborhood watch program?

A residential security survey is a viable means of addressing these questions. There are a number of companies that specialize in security systems installation who conduct these surveys at no cost.

The completed survey should provide you with a written evaluation delineating specific security systems, equipment, and cost options. In addition, both basic and complex systems should be incorporated into the survey to allow flexibility in separating options by cost and preference.

It is recommended that prior to purchasing any home security system, a minimum of two on-site surveys be conducted by two independent companies. This will allow the accurate comparison and evaluation of company services, systems, and equipment. Further, as technology in this area improves and systems become standard with slight variances in performance, principal areas of consideration such as warranties and monitoring may be negotiable with certain vendors.

*It is noted that security companies are in the business of offering a service (selling a product) which should be appropriately considered by homeowners for each and every survey they commission.*

## **EXTERIOR DOORS**

Dead-Bolt locks are specifically designed to prevent forced entry, a majority of which occurs through the primary entrance door of a residence. It is recommended that all exterior doors have dead-bolt locks installed to supplement any factory/builder installed lock mechanism. A dead-bolt lock fitted with an inside latch facilitates the locking and unlocking (emergency evacuation) of doors. Consideration of this type latch should be weighed against any potential access via the breaking of adjacent side windows. Those exterior doors constructed with a window opening(s) should have a protective film (armorcoat or comparable type) installed. This protective covering will secure the window and minimize glass breakage during extreme weather conditions and accidental or intentional breaking. Augmenting the protective film with an iron wrought window “guard” can be installed for increased security.

All exterior doors (*including the frame and lock mechanism*) should be routinely inspected for attempted forced entry, decay, or vandalism. Inspections should be so thorough as to ensure that all components function properly.

All necessary repairs should be completed in an expeditious manner with suspected criminal damage brought to the attention of the Sheriff and/or local Police Department for a threat assessment.

Main exterior doors where you are not able to visually identify a person prior to opening the door should have a security door viewer or “peephole” installed. Peepholes with acceptable standards will allow approximately 180 degrees of clear unobstructed visibility. In lieu of a door viewer adjacent windows may provide the same desired effect. However, these windows should be furnished with appropriate window coverings as recommended under *windows* below.

## WINDOWS

While *two-thirds* of all burglars break into homes through main entrance doors the remaining *one-third* gain access through window openings. Factory/builder issued window locks should be inspected to insure that they meet minimum-security standards. As for doors, window areas should be routinely inspected. If the survey dictates, windows can be further secured by *pinning*. This involves (1) drilling a small diameter hole where your upper/lower or side by side windows meet, and (2) inserting a metal pin to secure both vertical and horizontal movement.

All windows that permit persons to see into a house should have curtains and/or blinds installed. The preferred option of having certain or all of the window coverings drawn at any given time is a positive one. A primary advantage is the obvious limiting of visibility into a home while realizing a desired effect of denying outsiders any glimpse or knowledge of occupants currently within the house.

After dusk, main level windows should always be locked and secured. No main level windows should be unlocked and unattended for any extended period of time. Only second or third story windows should be used for ventilation or summer cooling purposes.

## MISCELLANEOUS SECURITY INFORMATION

Cellular telephones are desirable and essential for emergency communications in the event of severed telephone lines or power failures. Portable telephones while extremely convenient are rendered inoperable when telephone lines are interrupted. With recent technological advances the purchasing of cellular communications has been made relatively inexpensive and should be thought of as an enhancement to any residential security program.

Local law enforcement agencies have readily available information concerning state *crime watch* and *operation identification* programs. Police and Sheriff Departments (attn: *Crime Prevention Officer*) can be contacted to obtain program instructional guides and other residential security and safety information.

Vehicles should be parked and locked inside garages (day and night) with overhead doors closed and locked to prevent unwanted access. If a vehicle is to be left in the driveway for any reason it

should be locked with the engine turned off. Automatic garage door openers are ideally suited to increase security levels when entering and exiting your garage. Certain opener models are able to control interior and exterior lights for added security when coming home at night to a dark house.

House address numbers should be adequately sized and positioned to assist medical and law enforcement personnel in locating residences during emergency situations.

**The American Red Cross has printed information available on the below listed *Four Steps to Safety*:**

- Find out what could happen to you - *contact your local emergency management or civil defense office and American Red Cross chapter.*
- Create a Home Disaster Plan - *meet with your family and discuss why you need to prepare for disaster. Explain the dangers of fire, severe weather, natural disasters, and the inherent risks associated with your employment.*
- Complete an Emergency Checklist.
- Practice and Update your Plan.

## **CONCLUSION**

The completed survey is designed with the intent to provide a general introduction on residential security and safety as well as focusing on specific on-site recommendations. There are certain aspects which can and should be implemented immediately (*provide notation*) and others which can be addressed as personally determined. Significant recommendations and individual comments contained in the survey should be stated again to re-emphasize their importance.

The final paragraph should include a statement to the effect “If you have any questions concerning this survey or would like the Sheriff’s Department to brief you on it’s findings please do not hesitate to contact Deputy (*insert name*) at telephone (*insert number*).

## **SURVEY PREPARATION RECOMMENDATIONS**

Copies of completed surveys are to be considered as **LIMITED OFFICIAL USE** and should be secured as such.

**“Limited Official Use” information can be defined is unclassified information of a sensitive, proprietary or personally private nature which must be protected against release to unauthorized individuals. Residential Security Surveys are classified as “Limited Official Use” under the official categorization of: Reports that disclose security vulnerabilities.**

It is strongly suggested you take interior and exterior photographs of the residence (*especially for those areas where you plan on making specific recommendations*) during your on-site survey inspection - the photographs will also refresh your memory while you are drafting the survey in the following days. When the survey is completed these same photographs can then be included in the final report for additional emphasis.

Depending upon your writing style and final preparation the finished survey report should be approximately 40-50 pages in length. This includes not only your recommendations and comments, but discussed brochures, bulletins, and if desired, a criminal statistical summary covering a two-block radius of the survey residence.

All residential surveys completed on the judiciary should be so noted in their individual judicial personnel profile. Any specific information of the survey that effects the stated objective of these judicial personnel profiles should be added as a supplement to the profile. Further, the secured location of the survey itself should be included in an appropriately marked section of the judicial personnel profile.

A sample residential security survey form is included to assist personnel during the on-site survey inspection. This form has been designed as a *fill in the blank* format simply for convenient use. Its restrictions should not limit the extent of survey findings or the final report.

# ***RESIDENTIAL SECURITY SURVEY FORM***

<b>GENERAL INFORMATION</b>							
<b>STYLE</b>		<b>TYPE</b>		<b>DESIGN</b>			
One Story		Single Family		Ranch			
Split Level		Town House		Rambler			
Two Story		Condominium		Bungalow			
Attic		Apartment		Cape Cod			
Basement		High Rise		Colonial			
Garage		Other		Other			
<b>EXTERIOR WALL COMPOSITION</b>		<b>OVERALL RESIDENCE DIMENSION</b>		<b>FENCING TYPE</b>	<b>FENCE HEIGHT</b>		
Wood		Length:	Width:	Wood:			
Brick		Ceiling Heights	Wall Thickness	Chain:			
Concrete				Other			
Aluminum							
Other							
<b>EXTERIOR DOORS</b>							
<b>Door Type</b>	<b>Number</b>	<b>Number of Solid Core</b>	<b>Number of Hollow Core</b>	<b>Number of Glass</b>	<b>Opens IN</b>	<b>Opens OUT</b>	<b>Screen YES NO</b>
Single							
Double							
Sliding							
<b>EXTERIOR WINDOWS</b>							
<b>TYPE</b>	<b>QUANTITY</b>	<b>LOCATION</b>	<b>LOCKING MECHANISM</b>				
Plate Glass							
Slide Up/Down							
Slide Side by Side							
Storm Windows							
Shuttered Windows							

EXTERIOR EQUIPMENT		EXTERIOR WALL VENTS	
Lights		None	
Sprinkler System		Dryer Exhaust	
Other		Other	
ROOF MATERIAL		FLOOR MATERIAL	
Composition Shingle		Wood	
Tile		Carpeted	
Gravel		Linoleum	
Cedar Shake		Tile	
Other		Other	
ROOF STYLE		CRAWL SPACE	
Pitched		Attic	
Flat		Foundation	
FOUNDATION TYPE			
Concrete Slab:		Pier and Beam:	
		Other:	
LIGHTING TYPES			
Incandescent	Fluorescent	Combination	
<i>Number of Telephone Outlets</i>		<i>Number of Telephones</i>	
Telephone Types: Conventional		Portable	Cellular
Locations of telephones:			

LOCATION OF HEATER(S)		LOCATION OF AIR CONDITIONER(S)		
<b>UTILITIES:</b> enters residence from:	Electric Power	Telephone Service	Natural Gas Service	Water Service
NORTH				
SOUTH				
EAST				
WEST				
EXPOSED				
UNDERGROUND				
HOME SECURITY SYSTEMS and LIGHTING				
System Type:	Lighting Type:		Miscellaneous:	
Intrusion	Motion		Security Patrol	
Duress	Timer		Monitoring	
CCTV	Manual Switch		Police Response	
Intercom	Exterior		Local Alarm	
Sensors	Interior		Remote Alarm	
Other	Other		Other	
Security Company Contact Information:				
<i>Listing of persons having access (possessing keys, codes, etc.) to the residence</i>				
NAME	RELATION		CONTACT NUMBER	

<b>CRIMINAL STATISTICAL SUMMARY</b>			
Completed		Agency:	
Date:		Copy Attached	
<b>NEIGHBORS</b>			
Direction (facing house)	NAME	Direction (facing house)	NAME
RIGHT		FRONT	
LEFT		REAR	
<b>INDUSTRIAL ENVIRONMENT</b>			
Transportation and Communication Services within one mile of residence		Specify Description, Direction, and approximate Distance from residence	
Major Streets, Highways and Intersections			
Railroad Tracks and/or Yards			
Airports and/or Runways			
Television and/or Radio Stations			
Ground Radar Sites			
Other			
Describe approximate distance and location of electrical transformers that are within one hundred yards of survey residence:			
<b>Landscaping Condition:</b>			
<b>SURVEY PHOTOGRAPHS</b>			
Taken:		Locations:	
YES	NO	Attached:	
		YES	NO

# ***CARRYING CONCEALED WEAPONS***

Occasionally, a judge may find the need to be armed or carry a concealed weapon. As judges become more and more prone to attack by disgruntled participants and others who may be upset with the judicial process, it is incumbent on them to become trained in the use of firearms.

The first consideration by a judge is to choose a firearm that is comfortable, easy to fire, and easy to handle. This can be determined by going to a commercial shooting range and renting various revolvers or semi-automatic pistols, or by trying different models at a police or sheriff's range. The next step is to go through firearm familiarization training, called FAM (Firearms Automated Training System) firing. This instruction should be under the direction of a qualified firearms instructor, as the phrase implies, for familiarization with the firearm. Once the judge is familiar with the firearm, the next step is to become proficient in its use, cleaning, dismantling and reassembly.

Before applying for a permit to carry a firearm, it is recommended that a judge go through the FATS to quicken and sharpen skills in an assault or combat setting -- shoot - don't shoot! It is not enough to be proficient on the range. It is necessary to be faced with the reality of when to shoot and when not to when confronted with a hostile or life-threatening situation. This training is available through various police and sheriff's departments. Once a firearm is selected, a Permit to Purchase should be obtained from the police chief in the municipality where the judge resides or from the sheriff, if the judge lives outside of an incorporated municipality. After obtaining the Permit to Purchase, the judge should then apply for a Permit to Carry through the same office.

In deciding how to carry a firearm, a judge should be aware of a number of considerations. First, a firearm may be carried in a belt holster, purse, fanny pack or belt pack, an ankle holster or a shoulder holster. Second, a judge should consider carrying it in the same way in the same place. The reason for this is that we all develop a muscle memory. A classic example of this is touch-typing or keyboarding. Our fingers run across the keyboard and they do so by muscle memory. Another example of muscle memory is when we drive a rental car and the shift location is in a different location from that of our own vehicle, and we find that we are either going to the steering column or to the floor console, out of habit, custom or muscle memory.

If the firearm is carried in a shoulder holster during the cooler portion of the year, the warmer summer months may not be conducive to such carry and the location may have to be changed. A purse may not always be with women when they go somewhere, nor may a fanny pack or belt pack. An ankle holster may be cumbersome, but it is a good position for concealment. A belt holster or belt location is something that you always have with you. A belt holster or belt location may be on the strong side, meaning on the right side behind the hip bone if you are right-handed, or it may be a cross draw, which is on the opposite side or left side if you are right-handed. The advantage of the cross draw location is that it is more easily accessible while traveling in an automobile. The disadvantage is that it is more easily grabbed by someone facing and close to you.

The belt holster or belt location is preferred because it can be used under a jacket or even a golf or tennis shirt and is easily concealed. Even the small-of-the-back location is one that is easily reached and easily concealable and will accommodate virtually any kind of dress in any season. The consideration for muscle memory is that if the firearm is needed quickly, even a momentary delay caused by the firearm being in a different location may be too long. Holsters should have a safety retention strap over the hammer unless the firearm is carried under a jacket and thus less susceptible of exposure.

Once a judge qualifies for a permit to carry a firearm, monthly range visits are recommended for the first year, and once a quarter at a minimum thereafter.

If a judge determines it is necessary to carry a firearm for self-defense, it should not be taken into the courthouse complex without notifying the sheriff, in accordance with Minn. Stat. § 609.66. The judge may be the most vulnerable between the courthouse and the judge's personal vehicle. Once inside the courthouse complex, the firearm should be locked in the judge's desk in the chambers. It is not recommended it be taken into the courtroom, and it should only be used in self-defense, not to aid a court security officer. In no event should it be left on the bench or in a drawer or even locked in a bench drawer, where it could be stolen or grabbed by an assailant.

At all times when carrying a firearm, it is absolutely essential that judges also carry their credentials or credentials and badge, if they have one. The reason is simple. If, heaven forbid, it would ever be necessary to draw your firearm and hold an assailant at bay or fire in self-defense, the credentials should be displayed open, above the head, rotating them both behind and in front of you. As police or law enforcement help arrives, it immediately shows that you are a government official. Judges should never turn with a drawn firearm to face police assistance, lest in the heat of the moment, police fire on someone facing them with a firearm. By displaying your credentials or credentials and badge in that manner, a terrible tragedy can be avoided.

By following these few simple steps, maintaining proficiency, and keeping in mind the Ten Commandments for Handling Weapons in Section 7.10, *supra*, firearms can be carried safely and securely.

**It Is Extremely Important That Firearms Are Always Safely Secured When They Are Brought Home. The Threat Of A Family Member Being Seriously Injured By Your Firearm Is Far Greater Than Any Likelihood You Will Ever Use Your Firearm Against An Intruder.**

# ***CHAPTER 12***

## ***TRAINING OUTLINES***

# ***COURT SECURITY TRAINING OUTLINE***

*This outline has been designed to allow individual control in scheduling and covering the material from a range of one to eight hours in length. As appropriate, certain sections may be modified or omitted, depending upon the specific type of program and/or audience.*

## **INTRODUCTION**

- Sheriff's Role and Responsibilities
- Personal Biography and Experience
- Presentation Material to be Covered
- Active Audience/Group Participation
- Administrative Matters

## **COURT and BUILDING SECURITY COMMITTEES**

- Identifying Security Objectives
- Agency Representation
- Committee Structure
- Court Security Policies, Procedures and Guidelines
- Pro-Active vs. Re-Active Security Considerations
- Scheduling and Confirming Meeting Dates
- Security Awareness Training Programs
- Agency, Committee, and Individual Member Responsibilities

## **FACILITY SECURITY PLAN**

- Building Occupant Emergency Plan (OEP) - *Life Safety Plan*
- Protection of Life and Property
- Emergency Contingency Plans - *Fire, Natural Disaster, Weather, Bomb Threats, etc.*
- Courthouse Search and Evacuation Plans
- Building Security Policies and Procedures
- Agency Areas of Designated Control and Responsibility
- Designated Courthouse and Off-Site Areas of Refuge
- Employee and Agency Security Guidelines
- Facility Floor Plans, Photographs and Videos
- Emergency Contact Names and Numbers
- Search and Rescue Procedures

## **JUDICIAL SECURITY PLAN**

- Identify Policies and Procedures
- Standard Court Proceedings
- Trial Security-Risk Levels
- High-Threat Trials - *Criminal and Civil*
- High-Profile Trials - *Criminal and Civil*
- Threat Source Profiles and Assessments
- Prisoner Restraints - *Minimum and Maximum Applications*
- Courthouse Demonstrations and Courtroom Disturbances
- Courtroom Decorum - *Judicial Preference Form*
- Audio Visual Monitoring - *Media and/or Prisoner*
- Courtroom Seating Assignments - *Prisoner, Defendant, Media, Public, Security, etc.*
- Agency Space Design and Layout

## **COURT SECURITY EQUIPMENT and RELATED PROCEDURES**

- Duress/Panic Alarms - *Hard-Wired and Wireless*
- Ballistic-Resistant Material, Kevlar and Glazing
- Closed-Circuit Television Cameras - *CCTV*
- Courthouse Emergency Lighting - *Hard-Wired and Battery Powered*
- Judicial Entry Control Packages - *ECP*
- Intercoms and Paging Systems
- Electronic and Mechanical Locking Hardware
- Electronic Pin Pads - *Fixed, Digital and Scrambling*
- Controlled-Access Systems - *Interior and Exterior*
- Magnetometers (Metal Detectors) - *Walk-Thru and Hand-Held*
- Fluoroscopes (X-Ray Machines) - *Security and Mail Screening*
- Judicial Parking Areas
- Courthouse Secured Areas
- Agency, Judicial, Employee and Public Circulation Traffic Areas
- Security Screening - *Location, Policies, Equipment Type, and System Integration*
- Ingress and Egress Points - *Agency, Judicial, Employee, and Public*
- Remote Alarm and Security Equipment Monitoring - *Internal and External*
- Telecommunications - *Private, Public, and Secured*
- Enhanced 911 Systems
- Security and Site Surveys
- Risk Assessments - *Inherent, Secondary, and Primary*
- Concurrent Jurisdiction Agreements - *Federal, State, County, and City*

## **IMPROVISED EXPLOSIVE DEVICES (IED)**

- Mail, Letter, and Parcel Bombs Recognition Points
- Courthouse Notification Policies and Procedures
- Agency, Judicial, Employee, and Public Response Procedures
- Sheriff Telephonic Response Cards - *Instructions and Dissemination*
- IED Types and Delivery Systems - *Electrical, Mechanical, and Chemical*
- Primary Effects of an IED - *Blast Pressure, Fragmentation, and Incendiary*
- Observation and Searching Techniques
- Actual Case Studies - *Federal, State, County and Local Judiciary, Government, etc.*
- National Bombing and Incendiary Incidents - *ATF-Compiled*
- Low (*Black Powder*), Primary (*Blasting Caps*), and Secondary (*Det. Cord*) Explosives
- Main Explosives - *Dynamite, ANFO, Military Sheet Explosives, etc.*

## **SECURITY IN THE WORKPLACE**

- National Statistics on Violent Acts Occurring Within the Workplace
- Employee Prevention and Survival Techniques
- Avoiding Violent Confrontations and Pre-Violence Indicators
- Staff Awareness and Involvement - *Signals, Codes, Mutual Support, Scheduling, etc.*
- Understanding “Proxemics” - *Personal and Professional Comfort Zones*
- Proper Space Design/Layout and Effective Utilization of Security Equipment
- Defined Employee and Public Circulation Areas
- Advantages/Disadvantages of Personal Weapons - *Firearms, Chemical Sprays, etc.*
- Advantages/Disadvantages of Personal Alarms - *Annunciators, Whistles, Sirens, etc.*
- De-escalation Techniques and Self-Defense Strategies
- Effective Communication and Response Procedures
- Inappropriate and Threatening Communications - *Written, Telephonic, Verbal, etc.*
- Inherent Risk Factors and Occupational Threat Assessment
- Assessing Body Language and Interpersonal Communications
- Federal, State, and Local Statutes

## **MISCELLANEOUS SECURITY CONSIDERATIONS**

- Residential Security Surveys and Environmental Awareness - *Urban, Rural, or Suburban*
- Neighborhood Crime Watch and Crime Prevention Programs
- Personal Awareness - *Individual Responsibility*
- Neighborhood Criminal Statistical Summaries
- Security Systems Installation
- Remote and Local Monitoring - *Central Station Monitoring*
- Security Lighting - *First and Primary Consideration in Improving Residential Security*

# ***PERSONAL SECURITY TRAINING OUTLINE***

*This outline has been designed to allow individual control in scheduling and covering the material from a range of one to eight hours in length. As appropriate, certain sections may be modified or omitted, depending upon the specific type of program and/or audience.*

## **INTRODUCTION**

- Sheriff's Role and Responsibilities
- Personal Biography and Experience
- Material to be covered during the presentation
- Active Audience/Group Participation
- Administrative Matters

## **PERSONAL SECURITY CONSIDERATIONS**

- Incident Awareness
- Proxemics - *Intimate, Personal, Close Social, Far Social, Close Public, and Far Public*
- Pre-Violence Indicators
- Avoiding Violent Confrontations
- Assessing Body Language and Interpersonal Communications
- Advantages/Disadvantages of Personal Weapons - *Firearms, Chemical Sprays, etc.*
- Advantages/Disadvantages of Personal Alarms - *Annunciators, Whistles, Sirens, etc.*
- Employee Prevention and Survival Techniques
- Inappropriate and Threatening Communications
- Terroristic Threats - *Federal, State and Local Statutes*
- Inherent Risk Factors - *Occupation, Gender, Age, Environment, Day, Time, etc.*
- Limiting/Defining Criminal Opportunity, Ability, Desire and Intent
- Heightened Awareness Levels
- Defensive Tactics
- Security Expectations
- Informational Resources - *Private and Public*
- Advance Preparation and Planning
- Environmental and Location Awareness
- Violent Crime Statistics
- Instinctive or Intuitive Reactionary Responses
- Road Rage - *Influencing Response Actions*

## **BUILDING SECURITY AWARENESS**

- Space Design Layout - *Areas of Refuge*
- Security Systems and Equipment - *Model, Type, and Location*
- Remote and Local Monitoring - *Central Station Monitoring*
- Duress/Panic Alarms and Call Stations
- Emergency Response Plans/Actions - *Fire, Natural Disaster, Weather, Threats, etc.*
- Emergency Communications - *Primary, Alternate, Mobile, Cellular, etc.*
- Security Personnel Staffing - *Quality and Quantity / Guard Force Hours 24/7?*
- Security and Mail Screening - *Individual Employee Considerations*
- After-Hours Considerations
- Controlled-Access Systems
- Public and Private Circulation
- Ingress and Egress Points - *Private and Public*
- Emergency Exits - *Stairwells, Corridors, Windows and Doors*
- Evacuation Plan Considerations
- Bomb Threat Action and Response Plans
- Interior/Exterior Parking Areas - *Controlled and Secured / Public and Private*
- Building Security Policies and Procedures - *Practicality vs. Necessity / Compliance*
- Security Lighting - *Exterior and Interior*

## **RESIDENTIAL SECURITY and SAFETY**

- Residential Security Surveys
- Security Systems - *Model, Type, Location and Servicing*
- Local and Remote Monitoring - *Central Station Monitoring*
- Security Lighting - *Locations, Coverage Areas or Zones, Illumination, Motion and/or Noise Active, Switches, Timers and Remote Control*
- Landscaping - *Security Advantages*
- Partnerships - *Neighborhood Crime Watch and Prevention Programs*
- Criminal Statistical Summary Review and Analysis
- Evacuation Plans - *Fires, Severe Weather, Home Invasions, and Areas to Meet*
- Emergency Exits - *Windows and Doors*
- Emergency Contact Numbers - *Security and Medical*
- Areas of Refuge in the Home
- Hazardous Materials - *Incendiary, Volatile, and Poisonous Liquids*
- Windows and Doors - *Types, Locking Hardware and Coverings*

# ***THREAT PROFILES TRAINING: RIGHT-WING EXTREMIST GROUPS***

## **INTRODUCTION**

- Sheriff's Role and Responsibilities
- Personal Biography and Experience
- Material to be covered during the presentation
- Administrative Matters
- Privacy Act Restrictions
- First Amendment and Constitutional Rights
- Audience/Group Participation

## **HISTORICAL and IDEOLOGICAL PERSPECTIVES**

- The 1960's to Present - *Foundation, Rise and Fall*
- Authoritative Belief System
- Zionist Occupational Government - *ZOG*
- Christian Identity - *Pseudo Religion Justifying Actions*
- The Turner Diaries Influence - *Right-Wing Blueprint for Violent Acts*
- New World Order - *United Nations Code-Named Plan to Dominate United States*
- Common Law Courts and Grand Juries
- Posse Comitatus - *Forerunner to Contemporary American Patriot Groups*

## **MARTYRS and SYMBOLIC RALLYING CRIES**

- Gordon Kahl Case Study - *Militant Posse Comitatus Member*
- The Covenant, The Sword, The Arm of The Lord (CSA) and Jim Ellison - *Self-Prophet*
- The Order or Silent Brotherhood - *Turner Diaries and Aryan Nations Influenced*
- Fort Smith Sedition Trial
- Ruby Ridge
- Waco
- Oklahoma City Bombing - *Turner Diaries and Militia Influences*
- Militia's and Paramilitary Groups - *Phineas Priesthood and Aryan Republican Army*
- Sovereignties and Republics
- American Patriot Movement

## **TRENDS and TACTICS of the RIGHT-WING**

- Paper Terrorism
- Indictments
- Abatements and Liens
- Allegations of Civil Rights Violations - *Movement Response to Legal Arrests*
- Public Notices and Wanted Posters
- Publications and Newsletters
- Protests and Demonstrations
- Internet Communications
- Counter-Surveillance Operations - *Military Acronym S-A-L-U-T-E*
- Illegal Sight Drafts
- Illegal Bonds and Money Orders
- Criminal Activities - *Counterfeiting, Armed Robberies, Murder, Drug Trafficking, etc.*
- Terroristic Threats - *On Government, Judicial and Law Enforcement Officials*
- Paramilitary Training
- Conspiracy Theories - *Anti-Government Based*
- Common Law Marshals - *Enforcing Common Law Judgments*
- Harassment and Intimidation Campaigns - *IRS Forms, Judgments, Default Notices, etc.*
- Inappropriate Communications - *Government, Judicial, and Law Enforcement Recipients*
- Citizen Juries - *FIJA*
- Jury Tampering and Influences
- Freemen Influence - *Justus Township*

## **INTELLIGENCE and INFORMATIONAL RESOURCES**

- Southern Poverty Law Center - Klanwatch - *Montgomery, Alabama*
- Anti-Defamation League - *National and Regional Offices in Major Metropolitan Areas*
- International Association of Counter Terrorism/Security Professionals - *Arlington, VA*
- Center for New Community - *Chicago, Illinois*
- Regional Information Sharing Systems - *Government Subsidized Regional Agencies*
- Federal, State and Local Agencies
- Northwest Coalition Against Malicious Harassment - *Seattle, Washington*

# ***CHAPTER 13***

## ***RESOURCE DIRECTORIES***

# ***COURT SECURITY and THREAT INTELLIGENCE ASSOCIATIONS, MEMBERSHIPS and TRAINING***

ASSOCIATION	CONTACT INFORMATION	AVAILABLE RESOURCES
<b>American Society for Industrial Security</b>	1625 Prince Street Alexandria, VA 22314 #1-703-519-6200	<ul style="list-style-type: none"> <li>◆ Security Management Magazine</li> <li>◆ Professional Development and Certification (CPP) Program</li> <li>◆ Security &amp; Educational Seminars</li> <li>◆ Networking</li> <li>◆ Security/Intelligence Publications</li> </ul>
<b>International Association of Court Officers and Services, Inc.</b>	1450 Duke Street Alexandria, VA 22314-3490 #1-800-424-7827	<ul style="list-style-type: none"> <li>◆ Court Security and Threat Group Training Programs</li> <li>◆ Professional Networking</li> <li>◆ Security Publications</li> </ul>
<b>National Fire Protection Association</b>	11 Tracey Drive Avon, MA 02322-9908 #1-800-344-3555	<ul style="list-style-type: none"> <li>◆ Fire Safety, Prevention, and Response Plans</li> <li>◆ Fire Code Regulations</li> <li>◆ Hazardous Materials Information</li> <li>◆ Fire Protection Handbook</li> </ul>
<b>International Association of Counter Terrorism and Security Professionals</b>	P.O. Box 10265 Arlington, VA 22210 #703-243-0993	<ul style="list-style-type: none"> <li>◆ Quarterly Publications</li> <li>◆ Bi-monthly Reports</li> <li>◆ Domestic and International Intelligence</li> <li>◆ Physical Security Information</li> <li>◆ Professional Networking</li> <li>◆ Conference Training Calendar</li> <li>◆ Tactical Technologies</li> </ul>
<b>National Public Safety Information Bureau</b>	3273 Church Street, Suite 201 P.O. Box 365 Stevens Point, WI 54481-0365 #715-345-2772	<ul style="list-style-type: none"> <li>◆ “Safety Source” National Public Safety Yellow Pages Buy Guide for Law Enforcement Personnel</li> </ul>
<b>Anti-Defamation League (ADL)</b>	823 United Nations Plaza New York, NY 10017 #1-800-343-5540 email: <a href="http://www.adl.org">www.adl.org</a>	<ul style="list-style-type: none"> <li>◆ Quarterly International/Domestic Terrorism Update Report</li> <li>◆ Quarterly Law Enforcement Bulletin</li> <li>◆ Domestic and International Terrorism Special Reports</li> <li>◆ Threat Group Publications</li> <li>◆ Hate Crimes Information Updates</li> </ul>
<b>Southern Poverty Law Center</b>	P.O. Box 548 Montgomery, AL 36104-0548 #334-264-0286 email: <a href="http://www.splcenter.org">www.splcenter.org</a>	<ul style="list-style-type: none"> <li>◆ Quarterly Intelligence Report on Domestic Terrorism</li> <li>◆ Intelligence Databases</li> <li>◆ Threat Group Statistical Summaries and Reports</li> <li>◆ Hate Crimes</li> </ul>

<b>Center for New Community</b>	6429 W. North Avenue, Suite 101 Oak Park, IL 60302 #708-848-0319 email: <i>burghart@newcomm.org</i>	<ul style="list-style-type: none"> <li>◆ Monthly Action Report on Far-Right Activity in the Midwestern United States</li> <li>◆ Threat Conferences</li> </ul>
<b>Varro Press - Tactics for Law Enforcement and Security</b>	P.O. Box 8413 Shawnee, KS 66208 #913-432-5856 email: <i>mvarro@aol.com</i>	<ul style="list-style-type: none"> <li>◆ Quarterly Magazine on Police Tactics, Security, Contingency Planning, and Intelligence</li> <li>◆ Training Conferences</li> </ul>
<b>Association of Threat Assessment Professionals</b>	P.O. Box 11234 Chicago, IL 60611 #312-321-3932	<ul style="list-style-type: none"> <li>◆ Professional Networking</li> <li>◆ Contemporary Assessment and Analysis Techniques</li> <li>◆ Case Management and Intervention Techniques</li> </ul>
<b>International Association of Personal Protection Agents</b>  <i>Formerly: Protective Service Alliance</i>	458 West Kenwood Brighton, TN 38011-6294 #901-837-1915	<ul style="list-style-type: none"> <li>◆ Protective Specialists Networking Forum</li> <li>◆ Protective Service Plans and Programs</li> <li>◆ Quarterly Newsletter</li> <li>◆ Membership Directory</li> </ul>
<b>Mid-States Organized Crime Information Center - MOCIC</b>  <b>Regional Information Sharing System - RISS</b>	1610 East Sunshine, Suite 100 Springfield, MO 65804-1313 #1-800-846-6242	<ul style="list-style-type: none"> <li>◆ Bi-monthly Criminal Informational Digest</li> <li>◆ Officer Safety Bulletins</li> <li>◆ Training and Conferences</li> <li>◆ Technical Assistance</li> <li>◆ Fugitive and Crime Alerts</li> <li>◆ Regional/National Networking</li> </ul>
<b>Coalition for Human Dignity</b>	P.O. Box 40344 Portland, OR 97240 #503-281-5823	<ul style="list-style-type: none"> <li>◆ White Extremists and Hate Groups</li> <li>◆ Domestic Terrorists</li> </ul>
<b>Western States Center</b>	522 SW 5 <sup>th</sup> Avenue, Suite 1390 Portland, OR 97204 #503-228-8866	<ul style="list-style-type: none"> <li>◆ Militia Threat Groups</li> <li>◆ Wise Use Movement</li> <li>◆ Domestic Terrorism</li> </ul>
<b>Midwest Gang Investigators Association</b>	Membership Director P.O. Box 16025 Des Moines, IA 50316  P.O. Box 94096 Cleveland, OH 44101-6096 #216-623-5543	<ul style="list-style-type: none"> <li>◆ Professional Networking</li> <li>◆ National and Midwest Gang Intelligence</li> <li>◆ Annual Gang Training Conferences</li> <li>◆ Quarterly Report on Gang Activity</li> </ul>

# ***FEDERAL and STATE LAW ENFORCEMENT***

AGENCY	CONTACT INFORMATION	AVAILABLE RESOURCES
<b>National Sheriff's Association</b>	1450 Duke Street Alexandria, VA 22314-3490 #1-800-424-7827	Bi-monthly Publication Professional Liaison/Networking Study on "Court Security and The Transportation of Prisoners" National Statistics and Surveys
<b>U.S. Department of Justice, Office of Justice Programs, The National Criminal Justice Reference Service</b>	P.O. Box 6000 Rockville, MD 20849-6000 #1-800-851-3420 email: <i>look@ncjrs.org</i>	Criminal Justice Findings Juvenile Crime Info. Crime Statistics Crime Victim Information Federal Funding and Programs Prison and Jail Construction, Design, and Financing
<b>United States Marshals Service</b>	600 Army Navy Drive Arlington, VA 22202-4210 #202-307-9500	USMS National Court Security Program Considerations/Training Protective/Threat Investigations and related Training.
<b>Minnesota Crime Alert Network</b>	Minnesota Dept. of Public Safety Office of Technical Support 444 Cedar Street, Suite 100-H St. Paul, MN 55101-2156 #651-282-6597	A communications network that allows law enforcement agencies to promptly and simultaneously alert other agencies, businesses, and the community about crimes.
<b>Federal Law Enforcement Training Center</b>	FLETC Glynco, Georgia #912-267-2345	Court Security, Facility Security, and Personal Security Training Programs Federal/State/Local Liaison
<b>U.S. Army War College</b>	Carlisle Barracks, PA 17013-5050 #717-245-4080 email: <i>pelletis@carlisle-emh1.army.mil.</i>	<b>STRATEGIC STUDIES:</b>  1. Terrorism National Security Policy and the Home Front 2. Responding to Terrorism Across the Technological Spectrum 3. A Theory of Fundamentalism: <i>An Inquiry into the Origin and Development of the Movement</i>
<b>National Crime Information Center (NCIC)</b>	ATTN: GANG FILE NCIC, GRBJ-3R Federal Bureau of Investigation Washington, D.C. 20535	Violent Gangs and Associated Subgroups and Individuals Terrorist Organizations and Associated Groups/Individuals