

COURT SECURITY

Post 9.11 - Are Courts Really Secure?

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The Situation

Even before the attacks on the Pentagon and the World Trade Center, judges and court administrators nationwide have been conflicted over how to keep their courts both accessible but, at the same time, secure for the customers they serve. Should they adhere to national court performance standards allowing full and easy access to justice? Or, should they prepare for the worst and risk making their courts armed camps? Since September 11, 2001, court professionals both nationally and internationally have expressed an immediate need to review the security procedures they presently have in place and to increase efforts at better protecting the public and court personnel. Hence, in defining one of the most important new trends 2001 is to answer the question, "Post 9.11 - Are Courts Really Secure?"

The Problem

According to a National Sheriffs' Association study, most security incidents happen around criminal and domestic relations courts. Over half of the incidents recorded in courts involved person-to-person assaults. Effect courthouse security programs encompass detection, deterrence, and limitation of damage. However, in order to accomplish this, a court must determine that they want an effective security program. Planning is the first step. Security planning requires the active and visible support of judges in order to be effective and three areas or issues must be considered: Operations, Technology, and Architecture.

The Solution

The development of an effective security program can be broken down into several steps. First, establish a Court Security Committee to plan and implement security improvements for the Supreme Court. One or more judges and court staff should serve on the committee and it should meet regularly during the planning process. Second, set objectives for the Court's security program and identify the known problems. Third, once problems are identified, conduct an in-depth staff, equipment, and facilities audit. Fourth, after this is accomplished, prepare a written audit report and prioritize and develop solutions into an action plan. Many solutions in the action plan can be accomplished without additional resources in a short time, while others may take more time or need funding. Fifth, from the action plan develop written policy and procedures statements, train employees so they understand them, and make sure they are enforced. For example, if the Court requires its customers and employees to pass through a magnetometer, it is imperative to support the integrity of the Court's security system by enforcing the rule that all customers and all employees, including all judges, with all of their belongings are checked through the magnetometer.

Implementation

For an improved court security program to be successful, it must meet four requirements: strong leadership, resources, professional planning, and enforcement. The leadership of the Court must have a commitment to involve all levels of employees in the Court in improving its security program. And, improvements to the security program must be individually tailored to meet the needs of the Justices and court personnel alike. As well, the security program in the Court requires appropriate funding and security personnel and court personnel will need training in the new operations and procedures.

The planning process for improving the security program cannot occur in a vacuum. Instead, it must involve law enforcement officials¹, emergency agencies, and court staff. Once it is enacted, the Court's improved security program will only be as effective and strong as the enforcement of its policies and procedures.

Current Issues in Court Security Post 9.11

Questions about court security issues can be directed to the National Center for State Courts Knowledge and Information Service at 1-800-616-6164 or send email to knowledge@ncsc.dni.us. You can also check some of these resources:

- **Disaster Recovery Planning**
 - See National Association for Court Management [Disaster Recovery Planning for Courts: A Guide to Business Continuity Planning](#), Williamsburg, VA: NACM, 2000.

- **Mail Handling**
 - United States Postal Service responds to issues about mail security. <http://www.usps.com/news/2001/press/serviceupdates.htm>
 - Kimball Perry. "Court Revises Mail Procedure", *Cincinnati Post* (Oct. 30, 2001) <http://www.cincypost.com/2001/oct/30/mail103001.html>.
 - The Michigan Department of Community Health has put up a web site on dealing with bioterrorism concerns. <http://www.mdch.state.mi.us/bioterror/phepr.htm>

- **Data Security**
 - "Homeland Security Briefing Sheets Show Role of IT" *Government Technology* (Oct. 26, 2001) <http://www.govtech.net/news/news.phtml?docid=2001.10.26-3030000000003477>

¹ Court Security Guide, National Association for Court Management, Security Guide Subcommittee, 1995

- **Additional Measures for Courthouse Security**
 - Frankie Vitino. “Wise County Court House Officials Consider New Security Measures,” (Oct. 1, 2001). <http://www.salisburypost.com/2001sept/091901c.htm>
 - Randall I. Atlas. “Designing for Security in Courthouses of the Future”, 5th Court Technology Conference, National Center for State Courts, 1997. <http://www.ncsc.dni.us/NCSC/TIS/CTC5/304.HTM>
 - Julian McCartney. “Courthouse Security a Major Concern for Judges”, Salisbury Post (Sept. 19, 2001) <http://www.salisburypost.com/2001sept/091901c.htm>
 - Victor Flango and Don Hardenbergh, eds. Courthouse violence : protecting the judicial workplace. Thousand Oaks, CA : Sage Publications, c2001. (H1 .A4)