



JUDICIAL SECURITY

10.1 PLANNING FOR HIGH SECURITY PROCEEDINGS

- A. **Proponent:** Judicial Security Division. Telephone: 202-307-6100, Fax: 202-307-9847.
- B. **Purpose:** This directive establishes policy, procedures and risk-based standards for developing comprehensive plans for high security proceedings.
- C. **Authority:** The Director's authority to issue written directives is derived from [28 U.S.C. § 561\(g\)](#) and [28 C.F.R. § 0.111](#). Specifically, [28 U.S.C. § 566 \(e\)\(1\)\(A\)](#) establishes the U.S. Marshals Service's authority to provide personal protection to federal jurists, court officers, witnesses, and other threatened persons in the interests of justice where criminal intimidation impedes on the judicial process or any other official proceeding.

- D. **Policy:**

Planning of High Security Proceedings: Generally, many judicial proceedings do not require extensive prior planning or a written operational plan to ensure successful completion. However, under certain circumstances, variables may arise which will require the district to complete a written operational plan to address high security proceedings. In these cases, non-routine security measures are required to ensure the safety of all participants, as well as the security of the courtroom and surrounding areas. Examples of these types of situations are: multiple in-custody defendants; protected witnesses; death penalty defendants; international or domestic terrorists; street or prison gangs; violent individuals; and cases involving extraordinary media attention. As the examples mentioned above are not all-inclusive, the district must determine (based upon the known factors) whether the upcoming proceeding will require a written action plan.

If determined by the U.S. Marshal or Chief Deputy U.S. Marshal that a written plan is necessary, or if one is requested by JSD, a Criminal Investigator Deputy U.S. Marshal (CIDUSM) shall be designated to coordinate and produce the written operational plan. If deemed appropriate by district management, this CIDUSM may additionally be assigned as Deputy-In-Charge (DIC) to supervise the high security proceeding. If necessary, the supervision of the proceeding may be reassigned to an additional Senior DUSM other than the operational planner. If technical assistance is required in planning the proceeding, the assigned DUSM(s) should coordinate with the District Judicial Security Inspector (DJSI) to aid in this aspect of the proceeding. To aid in this endeavor, an [Operational Plan Checklist](#) may also be accessed to aid in the pre-planning of the proceeding.

- E. **Procedures:** Upon completion of a preliminary review of the circumstances, district management may determine that the proceeding cannot be adequately staffed utilizing district resources. In these cases, a request for special assignment resources may be submitted. A written operational plan must be submitted along with the [USM-535, Request for Special Assignments Resources](#). The policy and procedures necessary to request this support are outlined in the USMS directive entitled 2.4, [Special Assignments](#).

 - 1. **Reporting/Routing Requirements:** Once the proceeding has been designated as a high-security proceeding requiring the preparation of a written operational plan, the

following reporting procedures will be adhered to in all cases--including those situations when special assignment resources are requested.

- a. The designated CIDUSM will report the high security proceeding (as soon as it is identified as such) to the Operational Support Team (OST), Judicial Security Division (JSD), via electronic mail (e-mail). This e-mail should include a brief description of the factors which necessitate elevating the proceedings to high security.
 - b. Upon completion of the written operational plan, the DIC will provide a copy to the district management for review and approval. Once approved by the district, all copies of the plan will remain in a secure location until disseminated. When the plan is disseminated, it shall be marked with a control number for accountability. Upon completion of the detail, the DIC will ensure that all copies are accounted for and then destroyed by an approved method.
 - c. The U.S. Marshal, or designee, may also request on-site and/or remote technical assistance from the JSD to prepare and implement the operational plan. Districts must first obtain authorization from the OST before expending funds for a high security proceeding, and provide additional information when requested.
 - d. One copy of the written operational plan will be maintained by the district in a secure location for possible use by other districts which may require guidance to assist them in the preparation of future operational plans.
2. **Operational Plan:** Each written operational plan may be different in nature due to the variables posed by each unique judicial proceeding. Several examples of previously executed high security operational plans may be obtained from the OST. Additionally, a sample comprehensive operational plan may be accessed via the USMS intranet. While these plans may not address each individual district's specific requirements for every type of proceeding, they will provide a general framework to guide in the construction of the district's unique plan. The plan shall contain, but is not necessarily limited to, the following sections:
- a. **Cover Page:** to include the title of the case, author's name, date of plan, and a document control number established by the district.
 - b. **Table of Contents:** to include page numbers for the various sections.
 - c. **Statement of Confidentiality:** paragraph denoting that the written plan is considered a law enforcement sensitive document, and will not be released outside of the designated recipients.
 - d. **Statement of Mission:** a description of mission objectives for USMS personnel to accomplish during the detail.
 - e. **Background on Proceeding:** a short synopsis of case background, including a description of the defendant(s) characteristics or situation which designates the proceeding as high threat. This section will also contain the unclassified intelligence gathered from various sources (e.g., USMS Office of Protective Intelligence, JTTF, state/local law enforcement, etc.) on the defendants and/or their associates.
 - f. **Command Structure Outline:** this section will briefly outline the command group responsible for the proceeding. Generally, this will entail listing the district

management team in descending order, i.e., USM, CDUSM, SDUSM, detail supervisor, etc.

- g. **Contact Numbers:** this section should list each of the contact numbers that may be necessary for the detail participants to utilize in various contingencies. The plan should list each of the available communication devices for each person/area (i.e., cellular phone, pager, fax, etc). Examples of areas in this section include: command post; USMS Communications Center (District and HQ); essential district and detail personnel (USM, CDUSM, SDUSM, DJSI, DIC, etc.); designated hospitals; fire/police departments; and specialized response units (HAZMAT, Bomb Response).
 - h. **General Operational Procedures:** a description of the procedures to be followed by assigned personnel during the detail, which will include, but is not necessarily limited to, the following: command post(s) description; equipment requirements and usage; reporting procedures; and radio procedures.
 - i. **Post Assignments:** this section will fully address the various post assignments necessary for safe operation of the court proceeding. Examples of the necessary areas to be covered in this section are the: Perimeter Security Team; Prisoner Transportation Team; Judicial Protection Team; Witness Security Team; Court Security Team; Sequestered Jury Team; etc. Designation of the specific individuals on each team, to include team leaders, is to be denoted in this section, as well as a complete description of the individual post orders for each assigned team. Motorcade and vehicle assignments should also be outlined in this section.
 - j. **Communication Procedures:** this section should specifically identify the various parameters that the detail participants will utilize regarding use of radios and telephones. Subjects to address will include assigned radio channels, transmission procedures, emergency codes, assigned call signs, and STU III capabilities.
 - k. **Emergency Contingencies:** this section should outline the designated responses to various emergency contingencies which may arise during the high security proceeding, to include, but not limited to: Canine Explosive searches; Bomb Threat Evacuation Procedures; Fire, Power Failure Evacuation Procedures; Medical Emergencies; Chemical/Biological situations; Civil Disturbances/Protests; Hostage Situations; Prisoner Riots/Disturbances; and natural disasters.
3. **Use of the U.S. Marshals Service Special Operations Group (SOG):** In certain high security proceedings, advance planning may determine that certain portions of the detail cannot be adequately addressed with conventional USMS resources. In these cases, the U.S. Marshal, or his designee, may wish to consider requesting SOG assistance to address these considerations. The policy and procedures to request this assistance are outlined in USMS directive [Special Operations Group](#). Examples of situations where SOG may assist during a high security proceeding are: transport of high risk prisoners; court security of violent prisoners; specialized weapons for perimeter security; etc. If the district already possesses resources (district tactical team, local law enforcement SWAT team, etc.) which could replicate the services requested from SOG, the USM and/or CDUSM should consider this option during the pre-planning phases. However, if district management determines that the services required would best be accomplished through SOG, the request for their services should be made. In either case, districts are advised to consult with the SOG Commander to assist in making this determination or if

operational questions exist which require SOG expertise. See attachment [Factors to Consider in Assessing Necessity for Presence of SOG to Support High Security Trials](#).

4. **Use of the U.S. Marshals Service Hazardous Response Unit (HRU):** If operational intelligence for the high security proceeding determines a potential threat from Chemical/Biological weapons, the U.S. Marshal, or his designee, will contact the USMS HRU for technical assistance.
5. **Consideration of Specialized Equipment:** Based on the particular detail parameters, the use of certain types of specialized equipment may be necessary to augment the district's normal resources. Although this list is not all-inclusive, some considerations to include in the planning phase are:
 - a. Use of armored vehicles to move high threat prisoners and witnesses. If planning efforts deem this to be a prudent step, contact the JSD, OST, at (202) 307-9505 for assistance.
 - b. Use of Specialized Prisoner Restraints. If traditional prisoner restraints are not appropriate for the situation, or if a physical restraint is determined to be necessary during a proceeding, supplemental restraints such as the Electronic Restraint Belt (USMS Directive [Less Lethal Devices](#)) may be appropriate for this purpose. Questions on this and other available restraints should be addressed to the Prisoner Operations Division, as well as the Chief, USMS Training Academy.
 - c. Electronic Surveillance Equipment (examples: night scopes, thermal imagers, concealed cameras, etc). If the planning shows a necessity for this equipment, contact the OST for assistance.
 - d. Advanced Countermeasures: Depending on the threat level of the proceeding and the physical requirements of the court facility, the district may wish to contact the OST for recommendations and/or approval to deploy auxiliary countermeasures. This includes items such as electronic "bomb sniffers," chemical/biological weapons detectors, portable vehicle barriers and anti-surveillance electronic devices.
1. **After-Action Report:** Upon completion of the high security proceeding, an [After-Action Report](#) (copy attached) will be completed by the DIC outlining the measures taken during the proceeding, as well as the results of those measures and the overall conclusion. This report will be completed and submitted to the USM, or designee, for review and approval. Once approved, a copy of the After-Action Report will then be submitted via e-mail, or facsimile transmission, to the OST.
2. **Security Briefing:** All personnel assigned to a high security trial shall attend a briefing conducted by the U.S. Marshal, or designee, regarding the trial and their individual responsibilities. Copies of the approved operational plan should be disseminated to all assigned personnel at this meeting. Those copies are considered accountable property and will be retrieved at the conclusion of the meeting.

F. Responsibilities:

1. **U.S. Marshal (or designee):** Assesses risk and assigns personnel to lengthy trials, determines if proceedings require the preparation of a written operational response plan, approves the operational plan and coordinates with the Judicial Security Division on headquarters support, conducts a briefing for extraordinary trials and ensures that all assigned personnel are present at the proceedings.

2. **Judicial Security Division:** The Judicial Security Division is responsible for ensuring the training of all USMS Judicial Security Inspectors in high security proceedings planning and operations execution. Additionally, the Division advises the district of the need for preparation of a high security operational plan in certain instances (e.g., special assignment funds request). Moreover, the Judicial Security Division is responsible for ensuring that high security trials supported by USMS Special Assignments Fund resources are planned and executed in the most cost-effective manner possible.

Attachments

U.S. Marshals Service			
HIGH SECURITY PROCEEDING CHECKLIST			
TRIAL SUPERVISOR:		TRIAL DATE:	
U.S. v.		JUDGE:	
INDIVIDUAL TRIAL ASSIGNMENTS	ASSIGNMENT STATUS		
	COMPLETED	PENDING	N/A
As Directed - Brief Marshal and Chief Deputy on Trial Status and Operational Considerations			
Secure and Review all Trial Requests and Information			
Identify/State Trial Objectives - <i>providing protective services</i>			
Assess/State Scope of Trial - <i>significant influencing factors</i>			
Identify Trial, Pre-Trial, and Prisoner Detention Facilities			
Specify District and Out-of-District Commitments			
List Trial Contacts (<i>Judicial, Attorney, and Law Enforcement</i>)			
Secure and Review Judicial Personnel Profile, USMS Courthouse Contingency and Occupant Emergency Plans			
Review Prototype Trial Plan			
Assign In-District Personnel - Schedule Shift Assignments			
Conduct Threat and Risk Assessment(s)			
List Primary and Alternate Routes to USMS Contract Jails			
Confirm Separatee Status for Defendants and Witnesses			
Coordinate with Prisoner Ops. re: Air Lift/SOAP/Commercial			
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			
Complete Request For Special Assignment Resources Form USM-535 - Obtain Signature of Marshal or Chief Deputy and Submit to USMS Judicial Security Division			
Prepare High Threat/Profile Trial Operational Plan and Individual Trial Deputy Briefing Packets. Submit to Marshal and Chief Deputy for Review, Briefing, and Authorization			

Factors to Consider in Assessing Necessity for Presence of SOG to Support High Security Trials

NOTE: These risk-based standards should be used in conjunction with the Risk-based Standards for Assessment of High Security Proceedings, Protection Details, and Protective Investigations.

1. Are the defendants part of an organized, historically (or potentially) violent criminal organization (armed robbery gang, street gang, terrorist organization, outlaw motorcycle gang, international drug cartel, family criminal enterprise)?
2. Are the defendants charged with crimes of violence (e.g., robbery, murder, narcotics trafficking, weapons/explosives offenses)?
3. Have there been any credible reports of an escape conspiracy?
4. Is there a past history of escape conspiracy or escape attempts?
5. Do the defendants have to be transported a relatively long distance from their incarceration locations to/from the court facility?
6. Do the defendants have substantial outside resources, whether manpower or financial, to effect an escape attempt?
7. Do the defendants have the skills, training or violent disposition to be an above ordinary physical danger to DUSMs handling the prisoners in court, cellblocks or detention facilities?
8. Does the district have a trained, capable Special Response Team (SRT) capability?
9. Are the defendants' political or other views sufficiently supported by other members of the public that they could pose a risk to transport/court personnel without the defendants' complicity?
10. Is the court facility itself deficient in physical and personnel security?

AFTER ACTION REPORT

Prepared By:
(Deputy-In-Charge)

Date of Report:

(Include start/completion date of operation)

Type of Operation:

(i.e., Protection Detail, High Security Proceeding, Conference, etc.)

Identify Individuals or Groups Involved:

(i.e., defendants, protectees, witnesses, etc.)

Location(s)/District:

USMS Personnel Utilized:

(Staffing-In-District/Out-of-District)

Other Resources Utilized:

(Other law enforcement, Explosive Ordnance Disposal (EOD), canine, tactical, etc.)

Summary:

(Provide a summary of the event and identify any significant situation, incident or issue which occurred (if any), to include: personnel, medical, security, judiciary, media, equipment, communications, etc.)

Critique/Lessons Learned:

(Provide an overall assessment of the operation. Identify positive actions which may be useful to incorporate into future events, as well as negative situations which might be avoided)

Termination:

(Date and circumstances)