

Montana Department of Justice
Division of Criminal Investigation

Courthouse Security Inspection



Project Overview and Recommendations

Overview

In 2005 the Montana Supreme Court, through the Supreme Court Administrator's office, formed a Court Security and Safety Advisory Group composed of representatives from district court judges, clerks of court, county commissioners, sheriffs and the Montana Department of Justice. As a result of planning by this group, security surveys were sent to all of the district courts, law enforcement, and other court-related entities asking for input into current security procedures, equipment and capabilities within the district courts. Upon review of the surveys, the decision was made to conduct site inspections of all county courthouses in the state.

The Montana Department of Justice, Division of Criminal Investigation (DCI) was requested by the Montana Supreme Court Administrator's Office to conduct a systematic inspection of every district court location. The purpose of the physical inspection process was to inventory security equipment, review procedures/policies, and identify needs and wants of the jurisdictions. Due to personnel and time constraints, the scope of the inspection was limited to the district courtroom, the judge's chambers, the clerk of court office, jury room, youth court, public waiting area and prisoner transport routes within the courthouse.

The inspection team was composed of DCI Agents who have extensive training and experience in the field of law enforcement and public safety. It should be noted that because of the mentioned constraints, threat and risk vulnerability assessments were not conducted. A full threat and risk vulnerability assessment is beyond the experience and training of the inspection team members. All members of the inspection team understand that Montana has a tradition of open government and access to elected officials. Security recommendations will strive to balance the security of the courts, personnel and the general public with a maximum of accessibility and a minimum of intrusiveness.

The Process

Beginning in January of 2006, an inspection team began a systematic visitation to each district courthouse in the state. Inspection team members met with various court staff members, law enforcement, juvenile probation, and building maintenance personnel. A walkthrough of the courtroom and related offices was conducted at each site. The site walkthrough and discussions with court staff were the basis for the recommendations of the inspection team.

The DCI physical inspection worksheet was similar in format to the self-assessments completed earlier by each jurisdiction. Topics covered in this worksheet included: exterior lighting, parking areas, entrance/exit doors, windows, key control, emergency power systems, alarm systems, fire protection, elevators, stairways and hallways, communications, public areas, witness rooms, attorney/client rooms, jury rooms, judges' chambers, the courtroom and furnishings, youth court facilities, and procedures related to emergencies within the court facilities.

Inspection team members were well aware of the limitations of this type of inspection. The courthouses in all of the jurisdictions house numerous public offices and entities that are vulnerable to problems merely by the proximity of these offices to the courtroom. However, enhancing the security procedures in the court should strengthen security throughout the facility.

The diversity in courtroom activity across the state does not provide for an easy "one size fits all" solution. Several of the courthouses contain multiple courtrooms with daily activity. Some of the courtrooms are used very infrequently, with lapses in time of years between trials. The diversity continued in the wide spectrum of attitudes of court personnel to the issue of security. Some court personnel were very receptive to the idea of improving security; others felt that there was no need for any additional security measures than they currently had in place.

Many of the courthouses visited were built in an era when there was minimal thought given to security measures. Currently, many counties do not have the financial means, and in some cases, the desire to change the architectural integrity of the building in order to construct security measures. In the current climate any solutions toward security concerns must be practical, cost effective, and justifiable considering the activity of the court. Further, any security solution must be accepted by the personnel. Without the "buy-in" of personnel, security measures will not be fully implemented nor maintained if implemented.

Recommendations

During the interview and inspection process, court personnel had the opportunity to discuss specific security wants and needs with the inspection team. Inspection team members also provided input on devices that would enhance security at the location. In review of the inspection reports, team members identified 32 different items requested or suggested through the process. (See Attachment #1)

Brief descriptions of the 32 items listed on the attachment are as follows:

Closed Circuit Cameras – Provide real time view of activity in key points around the court offices and passageways.

Closed Circuit Digital Video Recorder – Allows for the preservation and review of events that were captured by the camera system.

Closed Circuit Monitors – Provide court staff the ability to see what the camera is showing.

Concrete “Jersey” Barriers – Provides protection from a vehicular assault on vulnerable areas of the courthouse.

Convex Mirrors – Many of the courthouses had “blind corners” where staff has no idea whether they are walking into a potential hazard. Convex mirrors can be placed in strategic positions allowing for the staff to observe what is around the corner before entering into the passageway.

Crash Bars – A device that allows for egress from a certain area but locks when the door is closed.

Deadbolt Locks – Deadbolt locks that have a “throw” switch on one side. These will be placed strategically allowing for a quick way to secure doors to create a temporary safe zone.

Door Alarms – Allows for an audible alert when access to a secure area has been breached.

Door Viewers – Commonly known as “peep-hole” viewers. Provides a quick way to view what is going on in a particular room prior to entry, or to verify identity of persons trying to gain access to a controlled area.

Duress Alarm Buttons – Commonly known as “panic” buttons. Allows for near instant notification to law enforcement of an emergency situation.

Duress Alarm System – The hardware/software necessary to support the duress alarm buttons. Wireless systems are available.

Electromagnetic Door Lock – Allows for authorized entry into a specific non-public secured area.

Emergency Lighting Units – Provide for emergency lighting in the courtroom in the event of a power outage.

Handheld Metal Detectors – Allow for a weapons search to be conducted prior to entry into the courtroom. Handheld devices allow for greater flexibility than stationary units.

In-Custody Courtroom Restraints – Most of the courts do not allow for in-custody defendants to be in physical restraints in the presence of a jury. This device is in essence a stun belt that can be placed under the defendant's clothing and is not visible to the public. The device allows for an immobilizing shock to be delivered to the person should he/she try to attack anyone in the courtroom. This is a wireless system.

Intercom System – Allows for communication between various secured entry points and court personnel.

Key Control Locker – Provides a secure area to keep spare and master keys.

Key Pad Locks – Provides keyless entry into specific areas where it would be impractical to deploy a complete Proximity Card System.

Light Switch Cover Box – Provides some measure of security for courtroom light switches which are easily accessible by the public.

Motion Alert System – This allows notification to staff that people are entering certain areas. This is particularly relevant in courthouses where individual staff members are located far from other workers.

Pistol Locker – Provides for secure storage of handguns when law enforcement is entering a secured area where prisoners may not be in restraints.

Prisoner Transport Video Monitoring System – Allows for law enforcement to maintain visual surveillance of prisoners that are being transported in a vehicle.

Proximity Card Lock System – This system allows for secure access control to an area that has numerous doors and numerous personnel. Key control is achieved by electronically limiting access to specific areas. Audit capabilities exist to allow authorities to know which employees' cards were used to gain access to specific areas. This particular item includes software necessary to run the system.

Proximity Card Readers – The card readers are placed in the vicinity of the doors to which they control access. One card reader is listed for each door that needs access control.

Public Address System – Allows for rapid notification of an event or potential emergency to a large number of people.

Retractable Belt Posts – Allows for a system of crowd control that can be configured in numerous ways depending on the event.

Signs and Sign Holders – Allows each courthouse to inform the general public that restrictions may apply upon entering the courthouse. Examples would include “weapons prohibited” and “subject to search” type messages.

Smoke Alarms – Many of the buildings were constructed prior to the common use of smoke alarms. Smoke alarms would provide a basic warning system in the event of a fire. Because of potential wiring problems with some of the buildings, these alarms would be battery operated with long lasting lithium batteries.

Solid Core Doors – These doors would replace non-secure decorative doors at critical areas. With a proper locking device, these doors create temporary safe zones.

Speaker System – Allows for an upgrade to a currently working audio/video monitoring system.

Stationary Metal Detector – Allow for a more rapid flow of persons through a checkpoint than would be available with a handheld detector.

Window Locking Device – Provides for a locking mechanism on windows that are non-secure.

In addition to these items that are readily available for purchase, several of the jurisdictions requested items that required construction and related materials. Areas discussed included ballistic reinforcement of benches, building walls to create safe passageways, and building solid wall sections to replace glass partitions. The inspection team was unable to estimate these costs and no provision was made for these items on the attached list.

Further, many jurisdictions reported that one of the primary safety concerns they have is the lack of law enforcement officers in the courthouse and around the courtroom. With rare exception, most law enforcement agencies in the jurisdictions visited are unable to dedicate an officer to the court on a full-time basis during court hours. Given the reality of manpower shortages, any of these positions would have to be filled with new hires or through overtime shifts. The inspection team was unable to estimate these costs and no provision for this request was included in the attached list.

The prices used in the creation of this work product are estimations based on a survey of different security product vendors. Prices will vary on the exact equipment chosen. Vendors may provide a price break if items are bought in quantity. Prices shown do not include shipping or installation. The DCI would recommend that purchasers consider the Underwriters Laboratories (U.L.) approval seal as the standard to meet or exceed when choosing equipment.

Further Recommendations

Inspection team members noted a number of general safety and security measures that could be deployed immediately at most courthouses across the state. For the most part, these measures can be addressed through training, or remedied at a minimal cost. In most instances, some sort of safety enhancing devices were located in the courthouses. In many instances these devices were either being underutilized or not being used at all.

There are a number of security enhancing suggestions listed in this section. Inspection team members identified these areas of concern as being the most common throughout the state and elected to address these issues in a general manner. It should be noted that the topics outlined are not directed toward each and every courthouse. A number of courts are currently utilizing appropriate safety procedures.

Common Security Enhancing Suggestions:

#1 – Lock and strictly control the unauthorized access to the attic, roof, basement, boiler room or any other sensitive area. Additional security should also be given to auxiliary or back-up power locations, air intake systems and rooms containing junction boxes/wiring for telephones and computer systems.

#2 – Lock and strictly control the unauthorized access to all unoccupied court-related offices: judge's chambers, jury room, courtroom, witness rooms. Consideration must also be given to other offices that allow access into these court-related offices.

#3 – Reduce the number of public entrances to an absolute minimum. These public entrances would be secured in a fashion to allow egress in emergency situations in accordance with fire codes and building policies.

#4 – All alarms (fire, duress, intrusion, etc.) should be tested on a regular basis.

#5 – The implementation of a covert phrase to be used among the court staff in the event of an emergency situation. The use of a covert phrase can tip other employees to notify law enforcement of a potentially dangerous situation. Law enforcement's knowledge of the covert phrase will allow law enforcement to respond in an appropriate manner.

#6 – The implementation of security sweeps in the courtroom, judge's chambers, jury room, witness waiting rooms, restrooms, and any areas adjacent to the courtroom. This sweep should be conducted by a member of the court/building staff or law enforcement. The purpose of the sweep is to identify any questionable objects, persons, or locate any possible contraband that may have been secreted and used to interrupt the proceedings or be passed to an in-custody defendant.

For district courtrooms that are not utilized on a daily basis and are routinely left unlocked, or where local policies allow for general access into the courtroom or other activities, we recommend that security sweeps be given a high priority.

Security Committees/Policies and Procedures:

Very few court houses have established security related policies and procedures. It is the recommendation of the inspection team that each courthouse form a safety committee minimally consisting of representatives from the judiciary, attorneys, sheriff's office or applicable law enforcement agency, clerks, probation and parole and building maintenance. The purpose of this group is to develop written policies and procedures related to courthouse operation and security. These policies and procedures should include emergency evacuation plans, designate escape routes and establish safe zones for judges, jurors, and staff. Plans should be made for emergency evacuation of prisoners including transport from the facility.

Advance planning for potential emergencies allows for well thought out responses. As the committees work through a number of different scenarios, they may find that a general plan can work for many different situations. For instance a fire evacuation plan may be the same as a bomb threat plan. At a minimum, plans formulated by the committees should include emergency plans for fire, medical emergencies, bomb threats, hostage situations, and courtroom disturbances.

In addition to employee safety, committee members should be mindful of additional elements they may have to contend with, such as jury safety and integrity in the case of an emergency evacuation. The inspection team recommends that juries be given clear direction as to evacuation policies should an emergency occur.

It is the inspection team's suggestion that judicial staff and/or the respective court security committees emphasize the importance of adequate training. Plans, procedures and policies are vital first steps in providing for a safe workplace. Training ensures the ability for these plans to be instantly implemented and successfully completed if ever needed. The DCI will be developing a security awareness training program specific to court house employees. This training will be available upon request from the district courts.

Conclusion:

The recommendations contained in this document are suggestions of the inspection team members. Implementation of the recommendations is left wholly to the court administrators and other responsible parties. The decision to implement any of the following recommendations will only serve to increase the court communities' overall security.