

United States Marshals Service

Court Security Division



Court Security Survey

**Codington County Courthouse
Watertown, South Dakota**



Department of Justice
United States Marshals Service
District of South Dakota

Sioux Falls, South Dakota 57102

December 9, 1992

Henry E. Hudson, Director
U. S. Marshals Service
600 Army Navy Drive
Arlington, VA 22202-4210

Dear Director Hudson:

I have recently received requests for assistance from two South Dakota State Circuit Judges, and I believe that personnel from the Court Security Division would be the most able to provide these services.

Fifth Circuit Judge David Gilbertson of Sisseton, SD and President-Elect of the South Dakota Judge's Association, has asked the Marshals Service to provide a speaker for the annual meeting of that association on June 17, 1993, in Sioux Falls, South Dakota. Judge Gilbertson has asked that the speaker present a program concerning the personal safety of the judges and their families outside of the courthouse environment. The length of the program could vary from one to two hours.

Third Circuit Judge Robert Timms asked that the Service conduct a security evaluation of the Codington County Courthouse in Watertown, South Dakota. Although, I have relayed this request to the Court Security Division last August, I have not yet received a commitment from the Division regarding this matter.

I do believe that it would be appropriate for the Court Security Division to provide the services asked for by these Judges, and I am convinced that these two requests could be combined into one trip to South Dakota by Court Security Division personnel.

I am attaching copies of the letters from both judges for your review. I would ask that you authorize the Court Security Division to provide these services to our state judges, so that we may continue to maintain productive working relations with our colleagues at the state and local levels and continue to cultivate our well-earned reputation as the foremost authority on court security matters.

Sincerely,

GENE G. ABDALLAH,
United States Marshal

cc: Donald Horton, Chief, Court Security Division
Hon. David Gilbertson
Hon. Robert Timm



U.S. Department of Justice

United States Marshals Service

District of South Dakota

Sioux Falls, South Dakota 57102

January 8, 1993

Honorable Robert L. Timm, Circuit Judge
Third Judicial Circuit Court
P. O. Box 1054
Watertown, SD 57201

Dear Judge Timm:

I am pleased to inform you that the U. S. Marshals Service Court Security Division has scheduled a court security survey of the Condington County Courthouse.

The security survey will be conducted at no cost to Codington County, and will be performed on June 15-16, 1993. These dates were chosen because the Inspector from the Court Security Division will also be presenting a program on judicial security and safety at the South Dakota Judges' Association Annual Meeting in Sioux Falls on June 17, 1993.

I appreciate being given the opportunity to serve the state judiciary in this manner. If you have any questions, please contact myself or Chief Deputy John Whitelock at 605-330-4351.

Sincerely,

GENE G. ABDALLAH,
United States Marshal

cc: Inspector Wes Rife, Court Security
Eastern District of Missouri
108 United States Courthouse
1114 Market Street
St. Louis, Missouri 63101

*Called
Aug 10. pm*



U.S. Department of Justice

United States Marshals Service

Eastern District of Missouri

108 United States Courthouse

1114 Market Street

St. Louis, Missouri 63101

January 3, 1994

Honorable Robert L. Timm
Third Judicial Circuit Court
P.O. Box 1054
Watertown, South Dakota 57201

Dear Judge Timm:

Enclosed please find the completed security survey report for the Codington County courthouse. I apologize for the delay in getting this report to you. If you have any questions, or if any areas in the report need clarification, please contact me at (314) 539-2077.

Sincerely,

Wes Rife

Wes Rife
Inspector, Court Security Division
P.O. Box 1389
St. Louis, Missouri 63188

COURT SECURITY SURVEY

FACILITY SURVEYED:

**Codington County Courthouse
Watertown, South Dakota**

SURVEY CONDUCTED BY:

**Inspector Wes Rife
United States Marshals Service
Court Security Division
St. Louis, Missouri**

REPORT PREPARED BY:

**Inspector Wes Rife
Court Security Division
St. Louis, Missouri**

DATE OF SURVEY:

June 14-15, 1993

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INTRODUCTION

At the request of Circuit Judge Robert L. Timm, Third Judicial Circuit Court, the Court Security Division of the United States Marshals Service conducted a security survey of the Codington County Courthouse in Watertown, South Dakota.

The survey focused on the areas of judicial and physical security in the Codington County Courthouse. The report lists security concerns in those areas and makes recommendations to enhance security in the courthouse.

Optimal courthouse security involves a fine balance between building design, allocation of security manpower and installation of security systems and equipment. Surveillance cameras and other security equipment may increase security, but more security equipment alone does not necessarily improve security. The right combination of equipment and manpower must be considered in establishing a program.

The initial installation, operation and cost of security equipment are very difficult to measure in terms of cost versus visible benefits or value. The equipment, however, is an important part of a complete security program and should be considered equally when establishing a program. When considering any of the physical security equipment recommendations, it is necessary to weigh the advantages of the system and its application over the initial expense or use of the system. As an example, to install bullet resistant material behind the judge's bench is expensive, however this simple enhancement may someday save a judge's life.

For many years, the typical law enforcement approach to court security has been *reactive*. A crime or incident occurs and the law enforcement agency reacts to solve the crime or control the

incident. The recommendations in this report are based on the *proactive* approach to court security. Simply stated, this approach attempts to prevent the possibility of the incident from occurring in the first place. An example would be a security screening post at the designated public entrance to the courthouse. Everyone entering the building must pass through a walk-through metal detector and have their possessions (briefcases, packages, purses, etc.) screened by use of an x-ray machine. This system is an effective means of prohibiting the introduction of illegal weapons and other dangerous items into the courthouse and judicial areas.

In the federal courthouses where security screening occurred last year (1992), the U.S. Marshals Service detected 228,851 concealed weapons and other items of contraband before the items entered the judicial areas. One can only speculate what might have happened if those items had entered the building.

BACKGROUND

The Codrington County Courthouse is a four-story facility with a basement. The courthouse was built in 1928, and is listed on the National Register of Historic Places.

The perimeter of the building is partially illuminated at night. There is a parking lot on the south side of the building, with several reserved spaces for the judges and clerk of court.

The building is generally open to the public from 6:00 a.m. to 5:00 p.m.. There are two main entrances to the building, and the doors at these entrances are equipped with panic hardware for emergency egress.

RECOMMENDATIONS

PROCEDURAL AREAS OF CONCERN

1. Court Security Committee.

Establish a court security committee to examine the current security conditions, and develop policies and procedures to upgrade or enhance security at the courthouse. The committee should consist of key representatives from the judiciary, the clerk of court's office, the sheriff's office, and the state's attorney's office. A chairperson should be selected and given the responsibility of coordinating the planning, implementation and continuous review of the security program for the courthouse. Any changes to the security program developed by the committee should have the written approval of the chief judge and the sheriff. The following plans and policies should be developed by the committee:

A. Building Security Plan.

The facility should have a building security plan to provide for the protection of property, personnel, facilities and material against unauthorized entry, trespass, damage, sabotage or other illegal or criminal acts. This plan should also deal with control of access to the building, and should contain response procedures to specific types of emergencies, such as bomb threats, fires, natural disasters and building evacuation. The building security plan should include:

- a diagram of the building layout
- the floor plans containing the judicial areas
- the description and location of installed security systems or equipment.

In addition, the plan should provide for the testing all emergency equipment, such as the duress alarms, battery powered emergency lighting systems, closed circuit television cameras and anti-intrusion alarms, on a monthly basis.

B. Judicial Security Plan.

The judicial security plan should identify specific procedures for handling routine and high risk trials, and threats to the judiciary. This plan should also establish the appropriate security response to such events.

The plan should be based upon identifying various levels of anticipated risk and actual threat conditions in the courtroom. The indicators to determine the level of security required for a given case should include:

- whether the matter is civil or criminal
- the stage of the proceeding
- the subject matter of the case
- the number of defendants in the case, and
- the identity of the parties in the proceeding.

By using these factors it can be determined that there is a need for security in criminal matters, but not in all civil matters, unless there exists a potential risk of disturbance or violence. In civil cases, the more basic, visible or personal the right or matter under litigation, the greater the risk of a disturbance.

C. Firearms Policy in the Courthouse.

The court security committee should adopt the policy that only individuals performing assigned law enforcement duties in

the courthouse should be allowed to carry firearms. Firearms should not be allowed to be carried into the courthouse by other law enforcement officers, attorneys, county prosecutors, or spectators. Firearms should be secured in a gun locker located at the security checkpoint. An eight-compartment gun locker is recommended for use at the security checkpoint to secure other law enforcement officer's weapons.

2. Building Security.

A. Exterior.

Install additional perimeter lighting to illuminate the exterior of the building, especially along the west side of the building. Outdoor lighting has considerable value as a deterrent to attackers, thieves, and vandals. In addition, it makes the act of sabotage more difficult.

Install an exterior closed circuit television camera to monitor the judicial parking spaces and to view persons entering the courthouse through the south entrance. This camera should be monitored at the Codrington County Sheriff's office.

B. Controlled Access.

Access to the building should be controlled through one primary entrance. The 2nd Avenue South entrance should be designated as the primary entrance and a security checkpoint should be set up near this entrance to screen people and packages entering the building. The 1st Avenue South entrance should be closed and locked, and posted with signs directing the public to enter through the 2nd Avenue South entrance. To meet fire and safety codes, the 1st Avenue South doors must be

equipped with an emergency crash bar or panic hardware on the interior side to allow for emergency egress from the building.

Signs should be prominently displayed at the main entrance advising that all persons and packages entering the building may be subject to search. Warning signs, prohibiting the introduction of weapons and/or other illegal items into the building, should be displayed at the primary entrance and at all other exterior doors of the building.

Anti-intrusion alarms should be installed on all of the exterior doors. The alarm system should be activated when the building is closed and all doors and windows are locked for the evening. The alarms should annunciate at a control panel located in the Watertown Police Department's 24 hour dispatch center.

C. Security Checkpoint.

Establish an entry control screening point at the primary entrance to the building. All persons/packages entering the building must successfully pass through this security screening post. Employees, as well as the public, should be screened at this point.

3. Judicial Security.

A. Courtrooms and chambers.

Consideration should be given to adopting the simple and effective habit of locking all courtroom and chambers doors when these rooms are not in use. This will decrease the possibility of unauthorized access into these areas. Good

quality, 1 inch dead-bolt locks should be installed on all courtroom and chambers doors.

Install ballistic material on the interior sides of all of the Judge's benches. The ballistic material should withstand penetration by off the shelf ammunition up to and including the .357 magnum round. The purpose of the ballistic material is to allow the judge to take cover under the bench.

Install silent duress alarm devices under the judges' and court clerks' benches in the courtroom, and at the judges' desk in the chambers. The alarm should annunciate at a control panel located in the sheriffs' office and the Police Departments dispatch center. Separate alarm zones should be used for the courtroom duress alarm and the chambers duress alarm to allow the monitoring personnel to pinpoint the exact location of the alarm.

Install a peephole in each door between the judicial chambers and the courtrooms. This will allow the judge to determine the readiness of the proceeding without compromising security.

Install emergency lighting in the courtrooms. In the event of a power failure the lights should provide sufficient illumination to detect movement and to aid in evacuation of the courtroom. The lights should not be directed onto the judges' bench or on the exit to the judicial chambers. The lights should be battery operated and light instantly upon power failure. They should provide a minimum one and one-half hours illumination.

Courtroom light switches should be installed in a secure area. Current light switches accessible to the public should be converted to key-operation to prevent tampering.

B. Court support offices.

Install silent duress alarms at the public counter of the Clerk of Court's office, and any other support office dealing with the public or taking in substantial amounts of money. The duress alarms should annunciate at the sheriffs office and the dispatch center.

C. Spatial relationships.

An essential element of security is the physical separation of judges, staff, and court participants from the public (including attorneys, witnesses, the media, and spectators). Jurors, for example, should be able to go directly from the courtroom to a jury deliberation room.

The State American Legion office on the third floor should be relocated to space outside the courthouse, and the law library on the second floor should be moved to the third floor space. This recommendation will provide space for a jury deliberation room adjacent to Judge Bradshaw's courtroom, adjacent office space for Judge Timm's court reporter, and possibly space for a witness/attorney conference room.

4. Security Personnel.

All court security personnel employed at the courthouse should have the legal authority to make arrests and carry a firearm while on duty. Court security officers should be sworn members of the Sheriff's Department, and should possess the same skills, abilities, and training as Deputy Sheriffs.

Professionalism and training are two key factors involved in providing security in the courthouse, particularly for the security

officers involved in the screening of people and packages at the security checkpoint. The key to their effectiveness lies in the knowledge and skills attained through effective, up-to-date training.

All security personnel that are assigned to the courthouse should receive thorough training in the detection of weapons and prohibited items through use of the x-ray machine and walk-through metal detector. A policy should be developed regarding what will and will not be allowed into the courthouse and whether the person will be required to remove the banned item, store the item at the security checkpoint, or surrender the item to security personnel. In addition, all security personnel should be instructed on the policy of seizure of contraband and the procedure to follow involving arrests at the checkpoint.

Experience has shown that the maximum time a security officer should remain at an x-ray machine is 30 minutes; any longer and his concentration begins to deteriorate, causing the officer to become ineffective. There is a real danger of unwittingly allowing the security screening process to degenerate into a purely mechanical routine. This must be avoided.

CONCLUSION

This survey should not be viewed as a criticism of the current court security program or practices administered by the Codington County Sheriff's Department. There has always been the threat of disruption and violence in and around the courtroom. The past decade has seen an increase in disruption and violence to the point that it has become a major concern to the judiciary and law enforcement: federal, state, and local.

If the above security recommendations are carried out, overseeing a majority of the operation becomes the responsibility of the Sheriff's department. Security equates with inconvenience, and any changes brought about by the implementation of new security enhancements at this facility will meet with resistance from the public and some courthouse personnel. Planning, communication and training are needed to bring about a change in the attitudes of the public and building occupants toward security. In time, the public and building employees will adjust to the change and no longer think of the inconvenience.

Providing adequate court security is not simply a service to a special category of citizens, i.e., judges and staff, but a responsibility to the public who use -- or may use -- the facility. It is the government's obligation to make sure that when people assemble, their surroundings are safe and secure. This obligation is exercised in terms of fire and building codes, and should be exercised with equal emphasis in regard to security requirements.

The manner in which court facilities and courthouses are operated and maintained is evidence of whether the courts and the local government take their responsibilities seriously for providing security to the judiciary, the staff, and the public -- in respect to the judicial process.