

Study on court security measures management essay



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Discuss the nature of risks associated with high profile criminal cases as compared to civil and domestic cases in terms of risk assessments, preparations, responses, vulnerabilities, training, and/or cooperation within the court facilities and community.

Use your knowledge and experience to note the differences that exist between small rural courthouses and large metropolitan court facilities which often include not only multiple buildings but numerous locations within the same jurisdiction. The functions and purposes of particular courts and offices typically located in courthouses as well as the architectural designs of aged, older, and newly updated or constructed facilities may also be issues within a single jurisdiction as well as between rural, suburban, urban, and major metropolitan jurisdictions.

The courtroom and courthouse security varies significantly throughout the United States. In some states for example the Sheriff is required to 'attend court' while in other states the task is not assigned to anyone. In most the counties of the United States, local trial courts perform their functions in a centrally located courthouse which may double as a house for county governmental offices. Most of the courthouses are usually located in the county seat. However, large metropolitan counties have satellite or annex premises for their courts. This implies that these buildings are divided to serve judicial and administrative functions. Judges officiate at civil marriage ceremonies in their courthouse chambers.

Every district court in the United States has a federally owned building that contains judges' chambers, courtrooms, and clerk's offices. Most of the

federal judicial districts are further subdivided into specialized divisions. These divisions may also have their own courthouses; however every so often minor divisional court amenities are located in buildings that house other government agencies and state offices. Some district court houses such as ' the United States District Court for the Eastern District of California have specialized courthouse that hear misdemeanors and petty offences.

Arguably, the courthouse is iconographic of the American society and is equivalent to city halls as symbols of the municipium in European cities. Courthouses in America range from small-town rural buildings with few courtrooms to large metropolitan complex courthouses that take up large portions of prime land. The American architecture design that is used also varies, with common styles including federal, neoclassicist, revival, and contemporary.

Both rural and metropolitan courthouses in America have security checkpoints due to concerns over potential violence. Metropolitan courthouses in American have advanced security checkpoints where all persons that are entering the courts are scanned for weapons, through the use of X-ray equipment for all bags and a walk-through detector, similar to those used in airports. For example, the Los Angeles Superior Court has enhanced its security by adding such checkpoints to all entrances to its main courthouse in Downtown Los Angeles after a tragic incidence occurred, where a woman was shot dead by her ex-husband in court in 1995. In Oklahoma, the federal government moved in to fortify all main federal buildings, including urban courthouses after a bombing incidence.

Furthermore, some of the metropolitan courthouses are connected to <https://assignbuster.com/study-on-court-security-measures-management-essay/>

correctional complex via underground tunnels. This significantly minimizes security threats such as the threat of terrorist attack or disruption of court proceedings by allowing security agencies to monitor and control the environment of the trial venue and to spot suspicious activity.

Define vulnerability and identify the points of weakness that should be assessed in evaluating court house security.

Remember to cover the exterior and interior areas as well as the public and non-public/private areas.

Vulnerabilities are opportunities for crime, rule breaking, and for loss. By definition, vulnerability is simply a gap or a weakness in a security program that can be easily be exploited by threats to gain unauthorized access.

Vulnerabilities can be structural, procedural, human and other factors that provide opportunities to attack a facility or its assets, courthouses in this case.

Vulnerability assessments on the other hand are the processes that are used to identify weaknesses or gaps in security programs that can easily be exploited by threats for gaining unauthorized access to a facility and/or its assets. In as much as most vulnerability assessments are usually conducted using the similar process, the way in which they are conducted varies significantly based on the target of the vulnerability assessment team. A good example is where the vulnerability assessment team focuses on particular assets, such as people (jurors, court employees, etc) when conducting the assessment. On the other hand, the team may focus on specific threats, such as judges' safety, when conducting the security

survey. It is the focus of the team that determines the nature of the vulnerability assessment; whether it is asset-based or threat-based.

Identify the most dangerous areas in or near the courthouse and the parties who are the most vulnerable in each. You may present these in bullet lists or charts

Judges chambers; judges are the most vulnerable

Parking area; court employees, witnesses and spectators

Judges bench; judges, prosecutors and court clerks.

Jurors bench; members of the jury

Witness stand; witnesses and lawyers.

Defendants dock; defendants and police officers on duty.

Discuss the importance of non-verbal behaviors of defendants in terms of potential courtroom disruptions. Give two examples of how the demeanor of parties in a courtroom might tip off observant courtroom security personnel and/or the court work group. What security measures might be effective in preventing or reducing disruptive behaviors during court proceedings?

Effective communication is fundamental to all interactions within the courthouse. It influences ones' perceptions and judgments of other people and also the facts and circumstances of cases, touching on the decision-making process in ways that are subtle. The court system strongly relies on the communication skills of and the type of communication between the various parties. Court security agents need to be aware of defendants' <https://assignbuster.com/study-on-court-security-measures-management-essay/>

nonverbal communication or body language during court proceedings. The goal here is to identify the nonverbal behaviors that suggest court disruptions or contradict what the defendants are saying. Of critical concern is the defendant who is threatening to disrupt the court by his/her actions or words. In as much as there is no single behavior that reveals deception during court proceedings, careful observation of defendants' behavior can help court security agents to identify when defendants deviate from their "normal" pattern of behavior or activity.

An integrated system ties a number of security devices and physical security operations together in such a way that if one device or procedure fails, another will be present to act as a back-up. Discuss the importance of defense-in-depth and the key planning issues involved.

Court Security in itself is an integrated part of the judicial process that ensures the integrity and safety of the court system and the parties involved by effectively planning, evaluating, and pro-actively managing threats and potential threats directed toward the entire court system. Effective crisis management requires prior planning, training, and practicing of plans.

Contemporary disaster preparedness demands for interagency collaboration and coordination. The court system engages in a myriad of activities, mainly trials which implies that record keeping is fundamental to effective court operations. Focus should be on how to store, protect, and maintain access of case management records. In as much as records must be easily accessible during a recovery attempt, their safety should be guaranteed. Courts should arrange for off-site storage of their data and develop a system that will ensure that data is effectively backed-up to minimize loss. In spite of the

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high costs, these attempts to preserve data are advisable options to retrieving lost information.

On a wider level, issues related to business continuity planning, or the ability of a court to quickly restore operations in the face of a disastrous condition is also critical. Aspects of continuity planning such as; disaster recovery, business recovery, contingency planning, and crisis management should all be integrated in court security planning and design. Arguably, business continuity should be incorporated into court security systems right from the beginning. All participating teams should be encouraged to think about the crucial tasks that need to be undertaken and to create a priority list in addition to conducting of a risk assessment as part of the planning process. It is recommended that plans should include a strategy for evacuating court employees and other people in the courthouse, as well as the opening alternative work sites, protection of facilities and records, and developing a communication strategy for employees as well as the public regarding the court's status.

Many excellent security surveys have had little effect because there was not follow-up review of the actions taken to carry out recommendations. The requesting authority should be urged to require periodic inspections and reports on whether actions have begun” (NSA/CODA, 2006, p. 62). Review the basics of integrated security systems for judicial facilities in the Jones text (2003, pp. 12-25) and the detailed physical security information presented in Chapter 4 of the Court Security Resource Guide (NSA/CODA, 2006, pp. 52-62).

Once you have reviewed this information, identify five things that might be a hindrance to effective security within and around court facilities that hinge on the professional awareness and behaviors of court security officers. Offer two suggestions for each of the five short-comings you identify that might effectively mitigate courthouse security officers’ shortcomings

Many obstacles lie in the path of effective security within and around the court these include; denial, apathy, territorial issues, and a lack of cooperation. Courts are institutions with unique characteristics including the adversarial aspect of legal proceedings. This implies that the symbolic and political relevance of these institutions overlaps with executive agencies in the provision of the various components of security. Additionally, courts receive their funding from multiple sources, they have limited financial resources. Other hindrances include architectural constraints, managerial complexity, and sharing of government facilities. These characteristics of courts can complicate efforts towards continuity planning and disaster preparedness. Hence, planning in this context is an issue of leadership that

requires a major investment of time and resources. Generally, the courts have the ability to assume the role of leadership in the local justice system, which can help in opening communication lines and coordination of the various stakeholders in the system and community. This type of coordination is challenging, hence long-term institutional dedication is critical. After top level support has been obtained, the process must involve all stakeholders including those that will respond and manage the event.

Physical security can be defined as a system of barriers designed to:

- (1) detect intruders within protected areas and inform security forces of the intruders' presence**
- (2) either delay the arrival of intruders at their targets or prevent them from taking any action, and**
- (3) deter potential intrusion” (NSA/CODA, 2006, p. 52).**

Security surveys represent a proactive process to prevent and/or minimize the potential for future security incidents . . . by means of an on-site inspection. . .”(Jones, 2003, p. 16). Professional awareness of court security personnel on the job can be a crucial factor in recognition and diversion of potential threats. Identify the seven essential items, according to Jones (2003, p. 17) that should be contained in a thorough security survey of courthouse facilities and tell and one negative outcome that could be related to complacency on the part of the court security personnel.

Read about Electronic Immobilization Devices (EIDs) in your text and locate two court cases where the use of an EID was specifically an issue. Discuss the specifics of each case, including the arguments for and against the use of the particular device and the outcomes. Present your work as a brief professional paper using proper English, and proofing and editing carefully.

Much controversy has surrounded the use of Electronic Immobilization Devices (EIDs) and much has been written about these devices. In general, manufacturers are of the opinion that their products are non-lethal alternatives to the use of deadly force by law enforcers. They argue that

their product's safety features are clear to follow and they even training to accompany their wares. Nevertheless, none has escaped the controversy that has surrounded these products, especially the use of the stun gun with regard to the associated risk factors. In the following two cases illustrate how the use of EIDs has been a contentious issue.

Graham v Conner

In spite of being a form of less-than-lethal force, the use of EIDs by police officers must be in harmony with the law. In order to comply with constitutional requirements, police officers must be adequately trained to use their discretion with regard to the amount of force to use in a particular situation. The officers' judgments must be based on facts and circumstances facing them in the very incident. In the landmark case of are clearly analyzed under the Fourth Amendment's " objective reasonableness" clause. The Court ruled that:

" In the matter of objective reasonableness, the court will consider the following: The severity of the crime; whether the suspect poses an immediate threat to the safety of the officers or others; whether the suspect is actively resisting arrest or attempting to evade arrest by flight. In addition, the court acknowledges that the right to make an arrest carries with it the right to use some degree of physical coercion or threat thereof." (Graham 396).

Draper v. Reynolds

In general, the use of EIDs is constitutional, especially when a subject is aggressively resisting arrest. In *Draper v. Reynolds*, 22 a deputy sheriff used an EMD to restrain a truck driver in a traffic stop. The court held that, from the time the deputy met the driver, the driver was unfriendly, aggressive, and disobliging. More than five times, the deputy asked the driver to present his documents from the truck cab, but the driver refused to cooperate. Instead, the driver used profane language, paced around in agitation, and continuously yelled at the officer. During appeal, the court saw the need for reasonableness for some use of force in this particular arrest. Whereas being struck^[1]by an EMD is an unlikable experience, the officer used less force the deputy - a one-time shocking was proportionately reasonable to warrant more force and no serious injury was inflicted. Therefore, the officer's use of the EMD did not comprise disproportionate force, and the officer's action was lawful.

It is clear from the two cases that law enforcement agencies must at the outset deliberate on whether to utilize electronic control devices as an alternative tool to use of force. Constitutionally, it is quite clear as to when a police officer can legally use an EMD. With regard to the current legal precedent, it is constitutional to use electronic control devices in enforcement circumstances when a suspect is aggressively resisting an officer. On the contrary, authoritative medical information is lacking with regard to the safe use of these devices. This is complicated by the fact that the law is less than clear as to the application of negligence principles to the use of the electronic control devices. If EMDs are deployed, police officers

must be well trained under the modern, generally accepted safety standards before using them.

Training court personnel about the specific needs of the judiciary, their staff, and their families is an important function of court security personnel. “[T]he degree of security provided for both judges and their families, according to the NSA/CODA Court Security Resource Guide (2006, p. 43), “ is dictated by the judges’ wishes, as well as the nature of the threat.” What are the minimum safety procedures that should be in place for judges, particularly during high risk/high profile trials? Support your answer with information from this course and at least one outside source.

It is highly recommended that all persons involved in the court process should be trained on matters of court security by certified agencies, or by in-house instructors. The training can be in the form of lectures as well practical drills involving courthouse situations. One of the most important areas is the issue of communication, all deputies and other security personnel must have adequate communications both inside and outside of the courthouse and/or courtrooms. Effective communications will allow all security officers to communicate to each other in addition to having the capability of contacting emergency services outside of the courthouse. Court house communication can include well configured hand held radios with multi-channel capabilities. Establishing a communication network between all courthouse operations can help to address threat issues threats to the judiciary members, witnesses, spectators, and law enforcers inter alia. Effective communication makes it possible to assess threats and to secure movement of individuals

drawn in the threat. In addition, communication must be well planned and a chain of command must be followed to tackle the threat.

Other safety measures include: Screening policy, where all individuals should be screened at the checkpoints; developing a protocol to specify law enforcement officers that are allowed to bring weapons into the courthouse; specifying prohibited items in court, such as Foods or drink, Cell phones and beepers, cameras and other electronics; Video Surveillance, a centrally controlled video surveillance system should be installed by the courthouse.

The video system should cover key areas including; Judges parking lot, Public parking lot, courthouse entry and exit point, courthouse perimeter, inmates housing and transportation areas, major corridors, and all business offices within the courthouse. In addition, an alarm system should be installed in most vulnerable places such as clerks' offices and file storage area. Other initiatives include public education and awareness campaigns which are geared towards address various issues involving the significance of courthouse security, holding regular meetings with courthouse employees on security issues and conduction press releases that stress the need for courthouse security.

Discuss the importance of written policy statements and procedures in the implementation of court security programs. Cover the reasons for such statements, the locations they may best be kept in, and legal issues

Despite the nature of event, surveying, developing and evaluating of courthouse security and disaster preparedness is a very important activity for the court system since, emergency management is pertinent to court

operations. Judges, judicial employees, as well as the public have the right to feel safe when they are conducting their judicial duties in courts.

Conventionally, safety has been a concern for court leaders. However, minimal action has been taken to assess the security of courthouses, especially their vulnerability to natural or artificial disasters and are yet to institute protection plans. As Jones, Radford stated “ Denial of the potential for a critical incident must be eliminated, for it is not if but when disaster will strike” (Radford 4). Therefore, disaster planning is a process that must begin before the actual occurrence of the calamity; otherwise it will be too late to do something.

There is an increasing tendency to recognize courts as unique institutions of government, which make the developing plans for security and disaster preparedness a complex affair because they depend on many governmental entities for their performance, over which they do not have direct control. This implies that, courts must have their security plans well as their policy statements and procedures in the implementation of court security programs. This will ensure that the courts will be able to continue serving the community even in times of crisis, in a much faster and effective way. This will also help in the recovery of information and important services, hence reducing liability and enhancing the public’s image of the court.

Locate the specific minimum qualifications for deputy sheriffs for the area you currently reside in, your hometown, or a location you plan to/or would consider moving to in the future. Get the entire employment package of information required to submit an application. If you are already employed with a county sheriff’s office then get this information for your present <https://assignbuster.com/study-on-court-security-measures-management-essay/>

position and for positions within the department/agency above the one you presently hold. Using this information, identify the three most important qualifications, in your opinion, that are related to quality court security duties included in your particular application packet. Additionally, identify important court security qualifications we have covered in this course that are not clearly specified in your particular application packet. Explain your answers.

In the Alexandria Sheriff's Office, being a deputy Sheriff is a well paying and challenging career in the disciplines of law enforcement corrections, as well as court security. Deputy Sheriffs primarily work under the immediate supervision Detention Center that houses about 450 local, state and federal inmates. The roles of a deputy sheriff involve the management of inmate living facilities, delivering of inmates' discipline, responding to inmate requests, supervision of inmates' activities, and resolving of inmate problems.

Alexandria Deputy Sheriffs wields both law enforcement and civil authority in carrying out of their duties and responsibilities. Deputy Sheriffs must have personal confidence as well as appropriate confidence required for their statutory authority, and have the capacity to lead and motivate others. To become a Deputy Sheriff in Alexandria, applicants must meet minimum qualifications, must not have any behaviors or situations that are disqualifying, and must pass selection criteria that include physical and mental tests and criminal records checks.

Deputy Sheriff Minimum Qualifications

To become an Alexandria Deputy Sheriff, you must:

Be a citizen of the United States

Be 21 years of age at the time of appointment

Hold a high school diploma or GED

Be in good physical and mental health (maximum body fat for men is 20% and 26% for women)

Have vision acuity of 20/100 or better in each eye, correctable to 20/20 in each eye (color blindness is disqualifying)

Have an excellent driving record and possess a valid license at the time of appointment

Have a clean criminal record

Be of good moral conduct and character