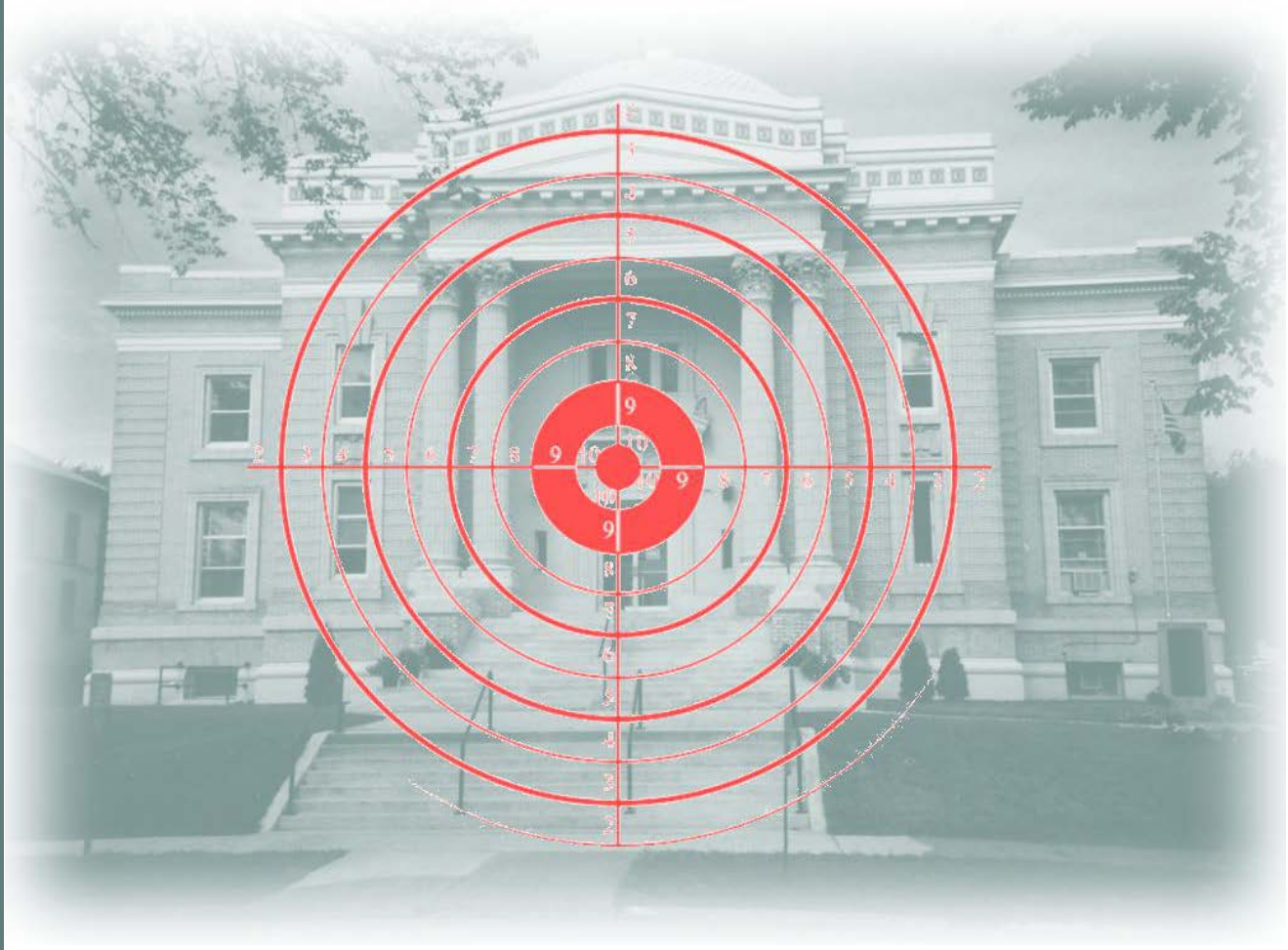
COURTHOUSE VIOLENCE IN 2010–2012

Lessons Learned



National Center for State Courts

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FINAL REPORT
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Timothy F. Fautsko, Project Director
Steven V. Berson, Project Coordinator

Daniel J. Hall, Vice President
Court Consulting Services
707 Seventeenth Street, Suite 2900
Denver, Colorado 80202-3429

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This publication is dedicated to the following representatives of six courthouses who came together in Denver, Colorado:

- Circuit Judge Paul Burch, Chesterfield County Courthouse, South Carolina
- District Court Judge James Caputo, Tulsa County Courthouse, Oklahoma
- Lieutenant Lee Clough, New Castle County Courthouse, Delaware
- Circuit Court Judge Gary Cottrell, Crawford County Courthouse, Arkansas
- Major James Dixon, Chesterfield County Courthouse, South Carolina
- Superior Court Judge David Edwards, Grays Harbor County Courthouse, Washington
- Sheriff Mark Falk, Cook County Courthouse, Minnesota
- Captain Shawn Firestine, Crawford County Courthouse, Arkansas
- Family Court Judge Roger Henderson, Chesterfield County Courthouse, South Carolina
- Deputy Wes Rhodes, Tulsa County Courthouse, Oklahoma
- Administrative Lead Worker Kim Shepard, Cook County Courthouse, Minnesota
- Deputy State Court Administrator James Wright, New Castle County Courthouse, Delaware

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INTRODUCTION

Tragic events unfolded at the Fulton County Courthouse in Atlanta, Georgia, on March 11, 2005. On that day a judge, a court reporter, and a court security officer came to work and died at the hand of an in-custody defendant. Since that fateful day, state courts around the country have improved court security and training for their employees. However, more needs to be done as the recent incidents in the six courthouses described below demonstrate.

- On September 13, 2011, a man angry at the judge handling his child visitation case came into the courthouse in Crawford County, Arkansas, with an automatic weapon. After shooting and wounding the judge's case coordinator, the assailant continued through the courthouse looking for the judge. He tried to fire his weapon five or six more times but his weapon jammed. Ultimately the assailant was shot and killed by law enforcement officers.

- On December 15, 2011, inside the courthouse in Grand Marais County, Minnesota, a man convicted that day of sexual assault shot and wounded the county attorney and the father of one of the main victims. The assailant was subdued by law enforcement officers.

- On March 7, 2012, a man started shooting just outside the courthouse in Tulsa, Oklahoma. The shooting occurred on the one-year anniversary of the shooter's brother's death during gunfire exchange with police. The assailant shot and wounded a police officer and a civilian bystander before being wounded and taken into custody by law enforcement officers.

- On March 9, 2012, a man stabbed and wounded a judge and a deputy sheriff inside the courthouse in Grays Harbor County, Washington. The assailant was in the courthouse to steal a file containing his conviction for domestic violence. The assailant fled the courthouse and was apprehended the next day by law enforcement officers.

- On February 11, 2013, the father of a litigant in a child-support matter walked into the lobby of a courthouse in New Castle County, Delaware. In a shooting spree in the front lobby, the assailant shot and killed his former daughter-in-law and her friend, and then shot and wounded two law enforcement officers before fleeing and taking his own life.

- On February 13, 2013, a man involved in a child-support matter waited outside the courthouse in Chesterfield County, South Carolina. When the child's mother exited the courthouse, the assailant (the child's father) shot and wounded the child's mother and then shot and wounded the child's grandfather. The assailant was apprehended by law enforcement officers after a high-speed car chase.

On August 22 and 23, 2013, representatives from these six courthouses – judges, law enforcement officers, and court administrators – met in Denver, Colorado. The chief judge of each of these courthouses was asked to send representatives with an appropriate level of responsibility for and involvement in the incident. The representatives met to share their collective experiences, having all endured these tragic events, to identify lessons learned, and to offer their hard-earned advice to their counterparts in courthouses throughout the country.

As a result of the tragedies they faced, these individuals who convened in Denver gained first-hand knowledge about what it takes to withstand and recover from these incidents. This publication reflects that first-hand knowledge, compiled into practical guidelines that will be a valuable resource to judges, law enforcement officers, and court administrators throughout the country.

Those who have lived through these violent incidents have a simple message for their state court counterparts throughout the country:

Don't think these types of incidents won't happen in your courthouse.

It's not a matter of IF - It's a matter of WHEN!

You need to be prepared to

- Prevent the incident if at all possible; or, more likely,
- Mitigate its impact and manage its aftermath.

During their meeting in Denver, the representatives of the six courthouses spent many hours in reflective thought and rigorous discussion. They grappled with many difficult questions. In the final analysis, they endeavored to provide answers to the following two fundamental questions:

1. What are the important "lessons learned" from these six incidents of courthouse violence?
2. As a result of the lessons learned, what are the most important things that every judge, court administrator, and law enforcement officer should always keep in mind to possibly prevent, prepare for, mitigate, and manage the impact of an act of serious violence in a courthouse?

This publication addresses the answers to these two fundamental questions. It is based on detailed notes taken during the course of the two-day meeting in Denver. This publication has

been reviewed in draft by each representative of the six courthouses to ensure that it faithfully reflects the tenor and substance of their discussions.

Question #1: What are the important "lessons learned" from these incidents?

There are four major lessons learned from these terrible incidents: (1) everything during a violent courthouse incident happens unbelievably fast; (2) it may not be possible to prevent a violent incident, but there may be "indicators" in advance of the incident; (3) there are obvious needs for certain security measures, and courts need to be proactive in making sure those measures are in place; and (4) these violent incidents have a significant impact on court staff and their families.

Lesson Number One: Everything during a violent courthouse incident happens unbelievably fast.

From the representatives of the six courthouses, in their own words

- You don't have time to think.
- You have just seconds to make vital decisions.

All representatives from the six courthouses noted that they had been startled at just how quickly everything happens as a violent incident unfolds in a courthouse. You don't have time to think. You don't have time to consult a procedures manual. You have just seconds, literally, to make decisions that will affect the life and safety of the public and those who work inside the courthouse.

Judges, court administrators, and law enforcement officers who are called upon to make these life and death decisions may ultimately have to rely on their instincts. But no less important than their instincts is any meaningful training they have received. And meaningful training must entail constant practice and drills. The lack of practice and drills is a certain recipe for enhanced chaos in the event a serious act of violence occurs in or outside a courthouse. Practice and drills need to include everyone that works in the courthouse; so everyone can be on the same page. Communication between and among all courthouse stakeholders affected by an incident of violence is a key ingredient and must be part of training and drills.

Everyone—judges, court administrators, and law enforcement officers—has a role and responsibility during a serious act of violence in a courthouse. Every individual needs to

understand exactly how they are expected to react. Inevitably, everyone must expect the unexpected to occur. It is only through training and practice drills that everyone can truly understand their role and responsibility and can be reasonably prepared to deal with the unexpected.

Lesson Number Two: It may not be possible to prevent a violent incident, but there may be "indicators" to look for in advance of the incident.

From the representatives of the six courthouses, in their own words

- Be prepared. Be alert. Don't be complacent. Listen to your instincts. Act on your instincts.
- There was no obvious red flag.
- Communication is key.

Representatives from all six courthouses believed, in retrospect, that the incidents in each of their courthouses could not have been prevented, given the security resources and measures that were in place at the time of the incidents. On the other hand, the representatives firmly believed that there are "indicators" that might predict violent behavior with respect to an individual coming into a courthouse. There needs to be a heightened awareness on the part of everyone working in the courthouse to look out for such indicators. If these indicators are identified and communicated to the appropriate officials, there is at least the possibility that a violent incident will be averted, or at least the impact of such an incident might be mitigated.

For some of the six incidents, there were absolutely no indicators, even with the benefit of 20-20 hindsight. But with other incidents there were very subtle hints which might have been detected in advance if there was heightened awareness on the part of everyone in the courthouse through training and practice drills. For example, for one of the perpetrators there had been a call to do a welfare check. In another incident, there had been a noticeable change in the assailant's appearance and demeanor just before the attack. The family of another assailant had once been on America's Most Wanted television program for absconding with children to South America. In these particular cases, even if these indicators had been picked up in advance, it still would have been highly unlikely that the incidents could have been prevented. Nonetheless, it is clear to the representatives of the six courthouses that being on the constant lookout for indicators is extremely important because there will inevitably come a time when the indicators will lead to the prevention or mitigation of an incidence of violence.

Lesson Number Three: There are obvious needs for certain security measures, and courts need to be proactive in making sure those measures are in place.

From the representatives of the six courthouses, in their own words

- We're in a small rural county, nothing happens for years and people become complacent.
- If your courthouse has been free of violence for the past 50 years, that is no assurance that it will not become the scene of violence tomorrow.

In addition to training and practice drills, there are certain fundamental security measures that need to be in place in a courthouse to avoid a violent incident or to mitigate its impact. Foremost among these measures are weapons screening at the front entrance and the presence of law enforcement officers inside and outside the courthouse. In three of the six courthouses there was no weapons screening in place at the time of the incident. It is likely that the violent incidents in these three courthouses could have been avoided if there had been weapons screening stations at the front entrance. There was weapons screening in place at the remaining three courthouses, and it is likely that the presence of these screening stations prevented the perpetrators from going inside the courthouse and causing additional carnage.

The presence of law enforcement officers around the interior and exterior of a courthouse is imperative. Without exception, the representatives of all six courthouses emphasized over and over again how crucial and effective a role law enforcement officers played in responding to the incidents and minimizing further injuries and loss of life. Moreover, in the three incidents that occurred even though there were weapons screening stations in the courthouse, these incidents very likely may have been averted had there been more law enforcement presence and patrols in these courthouses, particularly around the exterior of the courthouse.

Frustrated by the lack of adequate funding for security measures, it is understandable that judges, court administrators, and law enforcement officers might become complacent about improving courthouse security. But complacency is not an answer. The imperative is to be proactive, and not to settle for anything less than continuous improvement of courthouse security.

Lesson Number Four: Impact on court staff and their families.

From the representatives of the six courthouses, in their own words

- Social media is crazy now, as soon as it (incident) happened the phones were going crazy.
- Just take that one moment when you have the time, communicate with your loved ones.
- In our small community, you can't anticipate the impact an act of violence will have on the community, staff, and even staff that were not there. We're still dealing with it. Victims are wider than those directly involved in the incident, and you need to prepare for that.

Representatives of the six courthouses emphasized how serious an impact the incidents had not only on court staff, but on their families as well. Staff were traumatized, sometimes with lasting effect. For example, a judge's secretary took an unplanned early retirement as a result of the incident. The threat of loss of life or serious injury, coupled with uncertainty and confusion that surrounds an incident, can be extremely traumatic on court staff. Even the "good guys" can add to the negative impact during the course of the incident. In one of the six courthouses, court staff were agitated by the SWAT teams clearing the building and pointing weapons at staff along the way.

Moreover, the traumatic impact extended beyond the confines of the courthouse, out into the community and in particular to the family and friends of court staff. The "word" spread quickly about the incident. Family members and friends waited anxiously to hear if their loved-ones were safe and out of harm's way.

Question #2: As a result of the lessons learned, what are the most important things that every presiding judge, court administrator, and law enforcement officer should keep in mind to possibly prevent, prepare for, mitigate, and manage the impact of an act of serious violence in a courthouse?

Recommendation Number One: Training, practice, and communication.

From the representatives of the six courthouses, in their own words

- Have a plan. Practice the plan. Know the plan. Keep the plan up to date.
- Train, train, train. Practice, practice, practice.

The representatives of the six courthouses recommend that every courthouse in the country have a plan to deal with a serious act of violence. But having a plan is not enough.

Everyone who works in the courthouse needs to be trained on the plan. Training means practice, having regular "drills" that require everyone in the courthouse to participate. All of this – the plan, the training, the drills – must be based on a threat assessment. Court leadership and security professionals must try to anticipate all of the various sorts of violent events that might possibly take place in the courthouse and plan accordingly.

The representatives also acknowledged that it can be difficult to get court employees to pay a necessary and sufficient amount of attention to matters of courthouse security. Even getting staff to participate in evacuation drills can be difficult. Some staff simply stay in their offices.

Judges representing the six courthouses acknowledged that judges can be the worst offenders when it comes to deciding not to participate in practice drills. They also acknowledged that it is imperative for judges to play an active role when it comes to courthouse security. The message to judges from all the representatives of the six courthouses is that judges need to remember that courthouse security is not just about keeping judges safe; it is about making the courthouse a safe place for the public and for people to work. This should be a high priority for judges. It is part of access to justice. The judges representing the six courthouses all agreed that the leadership of judges in promoting security measures is imperative, because people will listen to judges. The chief or presiding judge in each courthouse has a particular leadership role when it comes to courthouse security. The chief or presiding judge can use their position to persuade other judges to pay proper attention to matters of security, including participation in practice drills. The chief or presiding judge needs to win over judges who are resistant to participating in drills.

Judges have family at home, and another "family" at the courthouse. Judges need to understand that they are responsible for both of their families. Judges need to be involved in security, to participate seriously for the benefit of both families. Start with a judges training task force, publish newsletters, and offer lunches to meet with people in a courtroom to talk about what incidents have happened in the last three-four months. Provide judges with incremental pieces of information they can use. Provide, for example, home security audits for judges.

The representatives of the six courthouses emphasized the need to conduct a comprehensive shooter-in-place drill by closing the entire courthouse for an hour or so. Participating in the drill must be mandatory for all judges and court staff. Every law

enforcement agency that might be called upon to respond to a real emergency should be invited to participate in the drill. It is extremely important that law enforcement officers become very familiar with the precise layout of the courthouse. It is also very important that all law enforcement agencies have proper cooperation protocols and lines of communication in place. Radio frequencies and other technical elements of communication systems need to be thoroughly tested. Law enforcement officials need to be able to communicate dependably with court officials and with each other. When drills are conducted, it will take everyone's participation to get it right. Communication systems play a crucial role in response to security incidents. It is helpful to have an ability to send alerts out to an area, to let people know what is going on. It is likely that "911" dispatchers may be flooded with calls at the time of an incident, and it is important to have the capacity to receive and handle such calls.

In conducting a drill, it is important to make sure that there is an established command center in the courthouse. There needs to be a secure location for all decision makers in the midst of a crisis to meet and work. Drills can involve multiple people playing the role of the assailant(s). Consideration should be given to firing blanks during the drill so that people understand the impact of the loud noise of gunfire and the extra confusion it generates.

Recommendation Number Two: Maintain a heightened awareness, look for indicators, and trust your instincts.

From the representatives of the six courthouses, in their own words

- Don't get complacent. Every customer is a potential threat.
- Be prepared for the unexpected.
- Take every day and every situation seriously.
- It's not just law enforcement's responsibility, it is everyone's responsibility. If you see something out of place, regardless of how minor, let someone in authority know.
- It's not possible to be too paranoid.

Every single person who works in the courthouse has the potential to materially enhance the safety and security of their work environment, to be the "eyes and ears" of a workforce, and to be constantly alert to risks and threats. By being constantly alert for anything or anyone that looks or acts suspicious, it is possible for judges, courthouse staff, and law enforcement officers to identify potential assailants and either prevent a serious act of violence or mitigate its impact.

The following are examples of the sorts of indicators that judges, courthouse staff, and law enforcement officers should be on the lookout for:

- Someone milling around the courthouse with no particular purpose.
- Someone wearing inappropriate attire for a courthouse. This might include apparent "bulges" in areas of clothing such as the waistband or back.
- Someone with a focused stare, or withdrawn, shying away.
- Someone with tunnel vision, totally dismissing some people and focusing on others or locations; someone who does not want to face you to talk to you.
- Someone sitting in the courtroom who does not have a case on the docket, perhaps sitting in the back next to the door.
- Someone evidencing inappropriate communication.

Two elements need to be in place in order for this "eyes and ears" function to work properly. The first element is that there needs to be a protocol for reporting suspicious behavior. For example, if one sees something suspicious, they should report it immediately to their supervisor who will in turn report it immediately to the officer at the courthouse security command and control center, or to such other designated official as may be appropriate. The second element is that there needs to be inculcated into the culture of the courthouse a protocol that everyone takes these reports of suspicious behavior seriously. Representatives of the six courthouses discussed situations where court staff had reported suspicious behaviors and supervisors were dismissive. Dismissing legitimate suspicions might ultimately be what allows a courthouse assailant to commit his act of violence.

Another important factor to consider is training. Court staff can be trained on what to look for to detect suspicious behavior. Staff can be sensitized to the types of indicators listed above. Training sessions can present scenarios of various indicators, e.g., what to look for and what to do when you see something suspicious.

It is also important to consider the mining and sharing of intelligence. Case files and other sources may contain crucial clues about the potential for violence on the part of litigants, witnesses, or family members. There needs to be a system in place for court staff to systematically alert law enforcement officers of individuals coming into the courthouse who may require special observation and attention.

Finally, there may be ongoing opportunities to anticipate violent behaviors. One example cited by the representatives of the six courthouses is when a judge is about to announce a guilty

verdict or a prison sentence, he should always give some sort of subtle signal in court to his deputy so that the deputy can be ready to immediately restrain the defendant.

Recommendation Number Three: Rigorously pursue and obtain the implementation of certain essential security measures.

From the representatives of the six courthouses, in their own words

- The obligation to keep your courthouse safe must be shared by law enforcement and all persons who work in the courthouse.

Beyond training and practice drills and looking for indicators, there are other security measures that need to be in place in a courthouse. As indicated above, foremost among the security measures imperative to be in place are: (1) weapons screening at the front entrance; and (2) the presence of law enforcement officers inside and outside the courthouse. If both of these measures had been in place in all of the six courthouses, it is quite possible that the violent incidents might have been avoided, or at the very least, their adverse impacts mitigated.

Weapons screening

From the representatives of the six courthouses, in their own words

- Comprehensive weapons screening at the entry of the courthouse is crucial.

It is virtually impossible to prevent acts of serious violence in a courthouse unless people are prevented from bringing firearms, knives, and other dangerous items into the courthouse. A weapons screening station at the courthouse entrance, consisting of one or more magnetometers and x-ray machines, is essential. Until such time as a fully equipped and staffed screening station is operational, there are interim steps that a court can take to try to prevent weapons from coming into the courthouse. For information on this, please see the NCSC's publication *Steps to Best Practices in Court Building Security.* This publication is available on the NCSC website at ncsc.org. The representatives of the six courthouses discussed in particular one very important and relatively inexpensive interim step that can be taken. That is to limit the number of ways that the public can access a courthouse. There should be only a single entrance and a single exit available to members of the public.

Presence of Law Enforcement Officers

From the representatives of the six courthouses, in their own words

- No acts of violence can be fully anticipated, only deterred. Security officer presence is the best deterrence.

Without exception, representatives of the six courthouses had only the highest praise for the law enforcement officers that responded to the acts of violence and assumed responsibility for managing the incidents. The impact of the incidents might have been far more severe had it not been for the bravery and skill of the officers involved. Moreover, it is quite possible that the impacts could have been further mitigated, and perhaps the incidents prevented all together, if there had been greater presence of law enforcement officers in the courthouse.

As discussed previously, three of the six incidents took place either outside the courthouse or prior to the time the assailant would have been required to pass through a screening station. The presence of additional law enforcement officers around the exteriors and entrances to these courthouses may have had a deterrent effect on the assailants in these three incidents. The presence of law enforcement officers is possibly the most effective security measure that can be in place at a courthouse. Unfortunately, it is also the most expensive measure.

Representatives of the six courthouses suggested less expensive alternatives that might be relied on until such time that increased staffing levels of law enforcement officers can be achieved. One inexpensive measure is simply to have one or more patrol cars always parked at or near the courthouse entrance, or in parking lots. Just the sight of a patrol car could have a deterrent effect on a potential assailant. Another example of an inexpensive measure is to have signs posted in parking lots and on the exterior of the courthouse advising that surveillance cameras are in operation.

In addition to weapons screening and the increased presence of law enforcement officers, the following are other security measures discussed and recommended by the representatives of the six courthouses.

Governance

The representatives from the six courthouses discussed and recommended that there be a security committee in place for every courthouse. It was noted that there are generally two types of security committees. The first type is limited to the court and includes judges and court

administrators. The second, and preferred, type is an inter-agency courthouse security committee. This type of committee should have the presiding judge as its chairperson, and it should include as members the court administrator, as well as representatives from the law enforcement agency, the county commission, the county facilities department, the district attorney, the public defender, and the bar. Without such a committee it is difficult if not impossible to properly assess and address the various security challenges facing court and law enforcement leadership. This committee should establish task forces on various subject matters, such as training, budgeting, facilities, screening, and contraband reports. Task forces should report to the committee on a regular basis. In this way, the members of the security committee can be more of a decision-making body and assign specific tasks to the members of the task forces for research and recommendation for action. For example, a training task force should be chaired by a member of the security committee and be responsible to set up a comprehensive training schedule, curricula and activities, presenting its recommendations for approval to the full security committee.

As another governance issue, the group discussed who should be "in charge" during an incident. The unanimous opinion is that law enforcement should be in charge. Challenges may be presented when there are multiple law enforcement agencies responding to a courthouse incident. Again, training and practice drills can help to establish protocols for multiple agency involvement. It is important to determine beforehand who is responsible for each piece of the response puzzle. In one of the six courthouses, there was a memorandum of understanding in place, signed by different law enforcement agencies, indicating the authority for each to respond. This worked really well.

Communication

Communication in general is an important measure to enhance security in a courthouse. A constant flow of information from a source of authority will help to keep court staff alert to security issues, and serve to avoid complacency. A newsletter or regular e-mail can be an effective communication vehicle. Frequency and consistency in these types of communications is what is important. Personal safety tips for judges and court staff should include information to help them be safer at work and at home. It is also important to publish a monthly list of dangerous items discovered and confiscated at the weapons screening station.

Other Security Measures

The importance of courthouse risk-assessment was also discussed. Have an expert conduct a thorough assessment of security risks and vulnerabilities in the courthouse. This assessment can then form the basis of a plan to address the risks, as well as justification for budget requests to fund necessary security measures.

Representatives from the six courthouses also emphasized the need for aggressive security policies. Everyone who works in the courthouse needs to follow the rules. This includes judges. There should be zero tolerance for potential assailants. Every threat should be taken seriously. If you "mess-up," you get "locked-up."

Other security measures discussed by the group included: the need for secure parking for judges, surveillance cameras appropriately placed and consistently monitored, and a public address system.

Funding

From the representatives of the six courthouses, in their own words

- Funding is always the issue.
- Funding sources must realize that courthouse security is a regular expense of doing business, not a luxury when something bad happens.
- We as a group should do a better job of educating our elected officials who control the purse strings.
- And it's hard to get money, but the question is, what price do you put on someone's life?
- Be proactive, use inherent powers. Do not wait for a tragedy to occur before you take action to implement what you think is necessary.

Finally, the representatives of the six courthouses discussed the extremely important issue of how to obtain funding for vital security measures. Every member of the group acknowledged the difficulty of obtaining adequate funding. They also acknowledged that more funding was forthcoming immediately after the violent incidents in their courthouses. One of the six courthouses received funding for a screening station in response to the incident. Another courthouse received funding for some additional law enforcement officers. Unfortunately, as it was noted, "it may take a tragedy to get something done." And, post-incident funding may be available only during a sort of a "honeymoon" period. After a while, the effect wears off, and needed funding is just as difficult to obtain as it was prior to the incident.

The group urges courts to be proactive when it comes to the funding issue, to use inherent judicial powers as necessary and appropriate, and to not wait for a tragedy to occur before taking action to implement necessary security measures. The presiding judge at one of the six courthouses signed a court order to enforce a state statute requiring sheriff deputies to be present when court is in session. The sheriff readily complied, and this got the attention of the county commissioners. The judge issued this order after the violent incident occurred. In retrospect, there was nothing to preclude the judge from being proactive by issuing the order before the incident occurred. The deputies could have been in the courtrooms earlier. Judges need to fight complacency with respect to opportunities such as this.

A representative from another of the six courthouses related how he advised the grand jury and county council about the condition of the courthouse. The press was made aware, and that got things done. If you have a strong grand jury system, that can send a message.

In the final analysis courts and law enforcement have ultimate responsibility for seeking funding for courthouse security. However, it is a responsibility that cannot be successfully discharged alone by courts and law enforcement. Cooperation and coordination with a host of other organizations is imperative. These other organizations are stakeholders who have a shared interest in courthouse security, which includes the safety of their employees and the public they serve. Stakeholders may have the capacity to help courts obtain the resources needed to make court buildings more secure. Many parties interested in the same issues and working together can serve to accomplish two significant goals for court building security:

- Developing a unified vision of what resources are needed to provide a reasonable level of security within and around a court building.
- Developing and executing a unified strategy for obtaining the resources needed.

The process for securing additional funding includes fashioning and prioritizing requests arising out of carefully completed risk assessments. It also includes stakeholders vigorously advocating for funds from local and state sources. Moreover, other outside sources of funds to improve courthouse security should be identified and considered, such as accessing funds from private foundations, the Department of Homeland Security, and/or the Bureau of Justice Assistance.

One funding approach to consider is a security assessment fund, based on filing fees or some other source. Several jurisdictions have successfully adopted such funds by implementing fees on criminal cases and dedicating the funds toward the improvement of court security.

Adequate funding must not be the reason for waiting until a tragedy occurs before taking action to implement necessary security measures. Courts and law enforcement agencies must constantly overcome complacency. They must continuously strive to make sure that those individuals who make funding decisions understand without warning, serious acts of violence will happen in courthouses. Measures must be implemented to reduce the risks of such acts.

Recommendation Number Four: Pay attention to concerns of staff and their families.

From the representatives of the six courthouses, in their own words

- Courts need to be able to deal with the media and give them information; otherwise the media will put out information on their own.

Courts need to have a comprehensive and vigorous plan, in the event of an incident of serious courthouse violence, to quickly address the legitimate fears and concerns of staff, their families, and members of the community at large. The plan needs to include timely and accurate communications. It also needs to include timely and effective counseling and other assistance for court staff.

Representatives of the six courthouses related how quickly information, often misinformation, can travel in the wake of a violent incident in the courthouse. Given the predominance today of social media, almost as soon as the incidents happened, the phones in the courthouses "were going crazy." One judge called his wife and told her he was okay, and minutes later his daughter called from another location to ask what was going on. The representatives from the six courthouses strongly urge everyone to just take that one moment when you have the time, and communicate with your loved ones. Courts should consider establishing a specific location for family members to gather, to be reunited with their loved-ones, and to receive information and counseling.

Other steps for courts to consider include offering counseling services for court staff and others who have been adversely affected by the event. Courts should also consider allowing time for court staff to deal with an incident without having to immediately provide services to public. It is important for leadership to have immediate interaction with court staff, for example, the chief judge speaking to staff and hearing employees' concerns and suggestions.

There also needs to be a plan in place to deal quickly and effectively with the media. It is important that accurate information be disseminated through the media. Reporters will often talk to court staff randomly and get different stories. Accurate and timely information through the media can serve to help mitigate and manage the consequences of courthouse violence. Misinformation through the media can have just the opposite effect.

CONCLUSION

This publication demonstrates that judges, court administrators, and law enforcement officials "on the ground" firmly believe there is a critical need to improve security in state and local courthouses throughout the country. Representing six courthouses that have experienced serious acts of violence, they have documented "lessons learned" and have offered suggestions of how to improve security at state and local courts. All of the representatives made it clear that they have a heightened sense of security awareness now after experiencing violent incidents in their courthouse. They further emphasized that if this sort of heightened sense of awareness had been present at the same level before the violent incident occurred, they would have been better able to anticipate, prepare for, and respond to the incident. Although it is apparent there is not one simple answer or solution, there are directions that can be taken to improve court security in this country. These directions include: (1) accepting the challenge that doing nothing is not an option; (2) obtaining additional funding to improve staffing and equipment; and (3) coordinating and supporting court security programs.

With this in mind, courts in this country must rise to the occasion and listen to these painful lessons learned. Court leaders must not only analyze their vulnerabilities, but they must be proactive to correct them. They also must know that a judge as well as an entry level clerk have families and those families are concerned about their well-being at work. The challenge is for court leaders to take the time to talk to staff, listen to their concerns, and provide them the necessary training and skills to protect themselves. It is only when these challenges are met that a courthouse truly can be a safe place to work, where people plan, prepare and know how to protect themselves during a serious act of violence in a courthouse.

"So, it really is important to listen to the Lessons Learned.

They may save your life."