

# **Court Security Officer**



**Course # 10999**

**Texas Commission on Law Enforcement**

**December 2017**

## **Court Security Officer** (TCOLE Course: 10999)

**Abstract:** The purpose of the Texas Commission on Law Enforcement (TCOLE) approved course for the Court Security Officer class is to give the court security officer a basic understanding of the threats associated with court settings as well as technology and techniques for court security operations in compliance with Government Sec. 158.002.

To qualify for a Court Security Certificate, an applicant must meet all proficiency requirements per Texas Administrative Code Title 37, Part 7, Chapter 221, as well as completion of course #10999.

It is the responsibility of the training coordinator to ensure that lesson plans are constructed for each of these courses per the attached course objectives and instructor resource guide and this curriculum and lesson plans are kept up to date and on file at your individual department or academy. This procedure should be completed per guidelines obtained from the rules section of the commission website at: [www.tcole.texas.gov](http://www.tcole.texas.gov).

The committee recommends continuing education in court security up to and including the TCOLE court security specialist certification curriculum.

### **Hour Submission Criteria:**

Due to the legislative mandate status of this course:

- It can only be reported and submitted in the TCLEDDS electronic reporting system by an academy or a contract training provider.
- Students who do not have a PID number due to non-licensure status will need to obtain such through submission of a C1 by a training provider.
- Certificates of completion should be given to students by the training provider at successful completion of course.
- Additional proof of course completion can be obtained by:
  - TCOLE PSR print out OR
  - If desired, a formal certificate from TCOLE obtained by completion of TCOLE request form and a fee of \$35.00.

**Equivalency:** TCOLE Court Security Specialist Certification

**Instructor(s):** TCOLE Court Security Specialist or documented subject matter expert to include experience in content area of court security or similar security areas.

**Prepared by:** This version of the instructor resource guide was prepared by the TCOLE curriculum committee consisting of: Susan K. Gregory-Brundage, TCOLE; Constable Randy Harris, Tom Green County Pct. 4; Marshal John Morris, City of Waxahachie; Chief Deputy Constable Bobby Gutierrez, Travis County Pct. 5; Sgt. Terry Fahrlender, Lubbock County Sheriff's Office; Sgt. Derrick Wagoner, Arlington Police Department; Chief Scott Rubin, Fair Oaks Ranch Police Department; Officer Fred Pitcher, Georgetown Police Department; Scott Griffith, Texas Office of Court Administration.

**Time Allotted:** Minimum of 8 hours for this cohort and no more than 16 hours.

**Target Population:** This course is intended for all personnel designated to obtain basic certification in court security pursuant to Government Code Section 158.002.

**Prerequisites:** None are required

**Number of Students:** The number of students is limited to the size of the classroom capacity and number of available seats if conducted in classroom environment.

**Space Requirements:** A standard classroom with sufficient seating for all participants to take notes if conducted in classroom environment.

**Evaluation Procedure:** Each participant must actively interact in the learning environment as well as complete evaluative tools as instructor and department deems appropriate.

If a written exam is given, a minimum passing score of 70% or higher must be scored.

**Method/Techniques:** Lecture  
Demonstration  
Scenario/Role-Play  
Class Discussion or  
Online interactive environment

**Training Material:** LCD projector  
Movie screen or clear wall space  
Computer with presentation software (PowerPoint, Keynote or other online presentation interactive software if conducted in an online environment)  
Note taking material  
Handouts  
Test and answer key

## **Learning Objectives:**

### **Introduction to Court Security**

**Goal:** Provide the student with the history of court security and the recent legislation affecting court security.

- 1.0 Summarize the history of court security
- 2.0 Cover Senate Bill 42 and its provisions
- 3.0 List allowable collection and use of the court security funds

### **Bailiff Function in Court Security**

**Goal:** Basic information of the bailiff's role in court security and their respective duties to the court.

- 1.0 Bailiff duties and security
- 2.0 Jury protection
- 3.0 Emergency plans

### **Court Security Screening Basics**

**Goal:** Basic methods and implementation of security screening

- 1.0 Legal aspects of court security screening
- 2.0 Available court security screening equipment and processes
- 3.0 Incident reports and screening evidence

### **Explosives Recognition and Awareness**

**Goal:** Basic familiarization with explosives and their connection with the court security function

- 1.0. Familiarize court security personnel with explosives and their illicit uses
- 2.0. Familiarize court security personnel with basic methods of prevention and detection of explosive devices in a court security setting
- 3.0. Familiarize court security personnel with basic methods of responding to potential or actual explosive devices

### **Court Security Technology**

**Goal:** Basic understanding of current technology as it relates to court protection practices

- 1.0 Familiarize court security personnel with available technology related to court security
- 2.0 Familiarize court security personnel with relevant purchasing, repair, and installation information

### **Judicial Protection**

**Goal:** Basic understanding of Judicial Protection

- 1.0 Suggested practices to enhance judicial security
- 2.0 Suggested personal protection information for judges

### **Case Studies**

**Goal:** Analyze known incidents in court security and review them for educational value and solutions.

- 1.0 Students will critique provided scenarios
- 2.0 Students will analyze case studies

## **Instructor Resource Guide:**

### **Overview**

- This course consists of basic information on court security. This instructor resource guide has been developed to help in the ease of presenting the information to participants and to assist instructors in organizing the overall program.
- The following is covered in this guide:
  - The program abstract (see abstract above)
  - The program goals and objectives (see above)
  - The program contents
    - Introduction to Court Security
    - Bailiff Function in Court Security
    - Court Security Screening Basics
    - Explosive Recognition and Awareness
    - Introduction to Court Security Technology
    - Judicial Protection
    - Court Security Case Studies

### **Introduction to Court Security**

**Goal:** Provide the student with the history of court security and the recent legislation affecting court security.

#### **1.0 Summarize the history of court security**

- Overview of significant events affecting court security and relevance to court security
  - Assassination of U. S. District Judge John Wood in San Antonio (significance – origination of the Federal Court Security Program)
  - Attack at the Smith County Courthouse Tyler, TX February 2005 (significance – lack of long guns available to court security screeners to defend against an attack of this magnitude)
  - Prisoner attack and escape resulting in 4 deaths at the Fulton County Courthouse, GA March 2005 (significance – liability related to mandatory attendance in court by law enforcement as required by law as it relates to Texas statutes)
  - Attack on Travis County Judge Julie Kocurek at her home (significance – the origination of Senate Bill 42)

#### **2.0 Describe Senate Bill 42 and its provisions**

- Training Mandates
  - Government Code Chapter 158
  - Occupations Code 1701.267
- Court Security Committees
  - Government Code 29.014, 30.00007, 74.092(13)
- Protection of Judges Outside of Jurisdiction
  - Government Code Sec 411.0485
- Mandatory Court Security Reporting

- CCP 102.017 (f)
- Protection of Judges' personal information
  - Government Code 72.016, 552.117, 572.002, 572.035; Election Code 13.0021, 15.0215; Local Government Code 133.058; Property Code 11.008; Tax Code 25.025 (Cover more in depth in Judicial Protection section)
- Establishment of fees and grants for Court Security Training
  - Government Code 51.791, 101.06111, 106.08111, 101.10111, 101.12121, 101.1411, 56.003 (h), 56.004 (b)(3)
- Establishment of Court Security Division
  - Government Code 72.015

### **3.0 List allowable collection and uses of the Court Security Fund**

- CCP 102.017

### **Bailiff Function in Court Security**

- **Goal:** Basic information of the bailiff's role in court security and their respective duties to the court.

#### **1.0. Explain Basic Bailiff Duties and Security practices**

- Basic Bailiff Duties
  - Search the courtroom prior to use and after use or after breaks
    - Look for anything that should not be there or does not look right (looks suspicious)
- Positioning
  - Three components of tactical positioning in the courtroom
    - Be visible to everyone in the courtroom
    - Be able to see all entrances to the courtroom
    - Be able to intervene if anyone rushes the bench or jury box
- Securing of unruly prisoners during trial
  - Deck vs. Missouri 544 U.S. 622 (2005)
  - Illinois vs. Allen 397 U.S. 337 (1970)
  - Prevent jurors from seeing defendant in restraints
- The rule
  - Monitoring of witnesses in the courtroom
- Threat Assessment
  - Pre-planning and research of upcoming dockets
  - Communication with court staff on known issues with subjects
  - Victim impact statements

#### **2.0. Explain Jury Protection**

- Jury Protection
  - During jury selection
  - During trial

- During deliberation
- After trial
- Prevention of mistrial from improper conduct

### **3.0. Outline Emergency plans and considerations**

- Emergency Plan Considerations
  - Disruption
    - In the courtroom
    - Outside the courtroom
  - Active shooter
    - In the courtroom
    - Outside the courtroom
  - Communication
    - Adequate emergency communication
      - Duress buttons
      - Radio
      - Phone
  - Evacuation
    - Fire
    - Weather
    - Bomb Threat

### **Court Security Screening Basics**

- **Goal:** Basic methods and implementation of security screening

#### **1.0. Explain Legal aspects of court security screening**

- Review of case law on court security screening
  - *Downing v. Kunzig*, 454 F.2d 1230 (1972)
  - *Barrett v. Kunzig*, 331 F.Supp 266 (1971)
  - *McMorris v. Alioto*, 567 F.2d 897 (1978)
  - *Jensen v. City of Pontiac*, 113 Mich App 341; 317 NW2d 619 (1982)
  - *People v. Alba*, 440 NYS2d 230 (1981), app dismd 450 NYS2d 787, 436 NE2d 193
  - *Commonwealth v. Harris*, (Mass 1981) 421 NE2d 447
  - Administrative search test
- Mandatory signage as required by case law on screening
  - Implied consent to search based on signage
- Requiring identification as a condition of entry into the courthouse
  - *United States v. Wendell Smith*, Docket No. 03-1588-cr (2d Cir. Oct. 17, 2005) (*Winter, Sotomayor, Parker*)
  - *Waller v. Georgia*, 467 U.S. 39, 45 (1984)

#### **2.0. Compare and contrast available court security screening equipment and processes**

- Equipment



- Magnetometers
- X-ray machines
- Held-held screening wands
- Trace detectors
- Identification card systems
- Procedures
  - Policy
  - Who do you search
    - Employees
    - Law Enforcement
  - Prohibited items
    - Weapons
      - Penal Code 46.03; 46.035
    - Contraband
      - Illegal drugs, cuff keys, items harmful to court environment etc.
    - Items prohibited by court order or rules
      - Weapons that are legal to possess but restricted by court rules
        - Legal knives, scissors, crochet needles, chemical sprays, electronic weapons, etc.
      - Phones, electronic devices, backpacks, large handbags, etc.
- Methods
  - Hand searches
  - Metal detector searches
  - X-ray machine searches

### **3.0. Summarize incident reports and screening evidence**

- Follow departmental policy
- Reports must contain the following questions at a minimum:
  - Who
  - What
  - Where
  - When
  - Why/How
- Additionally reports should contain:
  - Information on security signage present and the verbiage included
- Photograph all evidence
  - Security signage
  - Screening area
  - Items seized
  - Images on X-Ray equipment
  - Equipment used to make the detection

- Follow department policy on chain of custody and evidence submission

### **Explosives Recognition and Awareness**

- **Goal:** Basic familiarization with explosives and their connection with the court security function
  - 1.0. Familiarize court security personnel with explosives and their illicit uses**
  - 2.0. Familiarize court security personnel with basic methods of prevention and detection of explosive devices in a court security setting.**
  - 3.0. Familiarize court security personnel with basic methods of responding to potential or actual explosive devices.**

*Note to Instructor: Due to the nature of explosive detection and handling, all students should be reminded that this is not an EOD tactics or explosive handling class. This is only a class for basic explosives information.*

- Recent incidents at court facilities (bomb threats, explosive incidents)
- Improvised explosive devices
- Home grown terrorism
- Detection and response to possible known explosive devices

### **Court Security Technology**

- **Goal:** Basic understanding of current technology as it relates to court protection practices
  - 1.0. Familiarize court security personnel with available technology related to court security**
  - 2.0 Familiarize court security personnel with relevant purchasing, repair, and installation information**
    - Equipment
      - CCTV
      - Body Cameras
        - Judge's Policy on use of cameras courtroom
      - Access Control
      - Identification Systems
      - Alarms
        - Intrusion
        - Fire
        - Panic/Duress

### **Judicial Protection**

- **Goal:** Basic understanding of judicial protection practices.
  - 1.0 Discuss suggested practices to enhance judicial security**

- Parking lot
  - CCTV coverage of judicial parking and routes to and from the court building
  - Fenced parking if possible
  - Bailiffs should escort judges to and from vehicles
  - Keep parking lots well lit
  - Do not mark judicial parking spaces “judge” or anything that would identify that the space is assigned to a judge
  - Always inspect the interior of the vehicle before getting inside
  - Provide the judge with personal duress alarm
- Building
  - Bailiffs should escort the judge to and from the courtroom
  - Chambers should always remain locked
  - Courtrooms should remain locked when not in use
  - Judges should have emergency plans in place for the following to address all locations in the building:
    - Active shooter
    - Disturbances
    - Severe weather
    - Bomb threat
    - Evacuation
  - Security equipment
    - Panic/Duress alarms
    - CCTV systems
    - Access control systems
    - Designated safe rooms
- Judicial Threats
  - Threat assessment
  - Home security
  - Transportation security
  - Is the judge armed?
    - Qualification with officers

## **2.0 Interpret suggested personal protection information for judges**

- U. S. Marshals self-assessment for judges
- Judicial personal safety checklist
- Protection of Judges’ personal information
  - Government Code 72.016, 552.117, 572.002, 572.035; Election Code 13.0021, 15.0215; Local Government Code 133.058; Property Code 11.008; Tax Code 25.025

### **Case Studies**

- **Goal:** Analyze known incidents in court security and review them for education and solutions.

### 1.0 Students will critique provided scenarios

- During each module of training students will be asked to critique examples related to that module.

### 2.0 Students will analyze case

- Examples will be presented throughout the training with the goal of finding solutions to issues presented in the case studies.

### References:

This is a list of suggested reference for materials for training. Instructors should not limit themselves to this list but should search out other information as well so that the learning objectives are met.

- Department of the Treasury – Bureau of Alcohol, Tobacco and Firearms, “Letter and Package BOMB Detection Techniques,” [http://www3.cutr.usf.edu/security/documents/ATF%5Cbomb\\_broch.pdf](http://www3.cutr.usf.edu/security/documents/ATF%5Cbomb_broch.pdf)
- CCJ/COSCA, “Court Security Handbook: Ten Essential Elements for Court Security and Emergency Preparedness”
- Rob DeGroot, “The Customer is not Always Right: A Common Sense Approach to Safety and Security in the Courthouse”
- Timothy F. Fautsko, (2008) “Entry Screening: The Court’s First Line of Defense” <http://www.ncsc.org/topics/courthouse-facilities/court-security/resource-guide.aspx>
- Timm Frutsko, Steve Berson and Steve Swensen, “Courthouse Security Incidents Trending Upward: The Challenges Facing State Courts Today,” (2012) <http://www.ncsc.org/sitecore/content/microsites/future-trends-2012/home/better-courts/1-1-courthouse-security-incidents.aspx>
- “Gavel to Gavel,” <http://gaveltogavel.us/tag/texas/>
- Court Security for Judges, Officers and other Court Personnel, Judge Richard Carter and Constable Randy Harris, <https://www.blue360media.com/court-security-for-judges-officers-and-court-personnel.html>  
History of Court Security, <http://www.sheriffs.org/publications/brief-history-of-court-security>
- Manuals and Standards, [www.courtsecurityconcepts.com](http://www.courtsecurityconcepts.com)
- National Center for State Courts, “Court Security Resource Guide,” <https://cdm16501.contentdm.oclc.org/digital/collection/facilities/id/170>

- National Center for State Courts (2010), “Guidelines for Implementing Best Practices in Court Building Security” <http://www.ncsc.org/Services-and-Experts/Areas-of-expertise/Emergency-planning-and-security/Steps-and-Guidelines.aspx>
- National Incident Management System (NIMS) (2011), “Overview”
- National Institute of Justice, “Court Security and the Transportation of Prisoners,” <http://www.sheriffs.org/sites/default/files/tb/images/benefits/fs000165.pdf>
- Special Agent James Oswalt, Texas Commission on Law Enforcement, “Bailiffs 101/Courtroom Security”
- PoliceOne.com, “Courthouse Security,” <http://www.policeone.com/courthouse-security/>
- Texas Code of Criminal Procedure, Chapter 102 – Cost Paid by Defendants
- Katie Tefft, Program Attorney, TMCED, “Municipal Court Building Security and Technology Funds”
- U.S. Department of Justice, United States Marshal Service, “Strategic Plan: 2012-2016, Online Edition” [www.usmarshals.gov](http://www.usmarshals.gov)
- Vermont Judicial Branch (1993), “Court Security Specialist”