

PPAC Subcommittee on Court Security

“State of Security” in Wisconsin Circuit Courts Report March 2010

**Planning and Policy Advisory Committee (PPAC)
of the
Wisconsin Supreme Court**

STATE OF SECURITY IN WISCONSIN COURTS

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I. Introduction

In 2008 the PPAC Subcommittee on Court Security released the “State of Security” survey to the judicial contact for each county security and facility committee. This lengthy survey sought to provide the subcommittee and the Director of State Courts with a greater and more detailed understanding of the security and facility conditions in Wisconsin’s courthouses.

This report is intended to provide a summary of findings to PPAC, the PPAC Subcommittee on Court Security, the Director of State Courts, and survey respondents. Given the quantity of data collected, the subcommittee felt it necessary to develop a report separate from its final conclusions and recommendations.

II. Methodology and Timeline

Over the course of the first year of subcommittee meetings, members and staff worked to develop the survey and process of distribution. In July of 2008 the “State of Security” Survey was released to county court security and facility committee contacts via a memo distributed by email which described the process and included directions on how to complete the survey. Contacts were strongly encouraged to complete the survey with their committees as the survey included many questions that likely could not be answered by the individual who received the survey. Initially a response time of 30 days was provided but it became evident early on that it was going to take longer than that to gather responses. Responses were received within a 3-month period. During these 3 months, staff was in communication with respondents to troubleshoot submission issues, clarify specific survey questions, and provide deadline extensions.

Please note the following caveats. Not all respondents answered every question. The information that follows is reported in percentages of respondents who answered the question. A number of respondents used the “other/please explain” answer to either restate that the specific question was not applicable to them or to provide further details about their specific situation. Finally, the subcommittee learned that the wording of some questions left their intent open to interpretation by those who were completing the survey. Therefore, some questions produced data that the subcommittee finds either contrary to practice or simply incomplete.

III. Survey Results

Sixty-six counties responded to the survey and provided information about 75 separate court facilities.

A. Security and Facility Committee

- 59 of 66 (89%) counties who responded have a committee
- Six counties do not have an active committee:

- | | |
|-------------------|------------|
| – Ashland | – Pierce |
| – Florence/Forest | – Sawyer |
| – Iron | – Washburn |

- Manitowoc County formed a committee in order to be able to complete the survey

Supreme Court Rule 70.39 states that security and facility committees shall be composed of the following representatives appointed by the presiding judge.

Table 1: Security and Facility Committee Membership

Percentage of responding committees containing each designated committee member.

One circuit judge _____	97%
Chairperson of county board _____	87%
County executive _____	73%
Clerk of the circuit court _____	95%
Court commissioner _____	86%
The district attorney _____	100%
The county sheriff _____	98%
One lawyer designated by the president of the local bar association... _____	81%
Representative of victim-witness support organization _____	74%
One representative of the criminal defense bar _____	76%

Table 2: Additional Security and Facility Committee Members

Individuals from the following agencies/departments are also represented on local security and facility committees.

Facilities/Maintenance Department _____	61%
District Court Administrator _____	24%
Emergency Management Coordinator _____	22%
Chief of Police/designee _____	20%
Court Security Officer _____	13%
Jail Administrator/supervisor _____	13%
Corporation Counsel _____	11%

Table 3: Committee Responsibilities and Activities

The percentage of security and facility committee that have undertaken tasks specified in SCR 70.39.

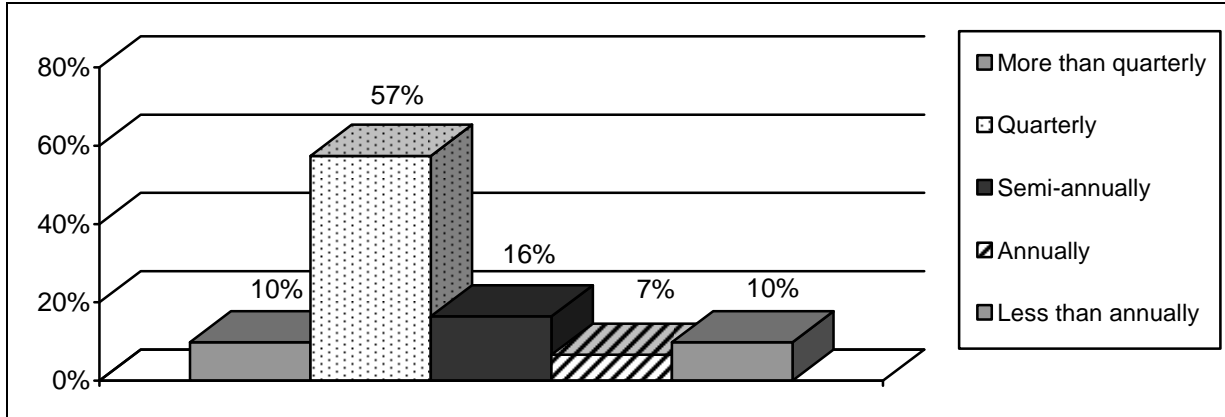
Develop local court security policies and procedures _____	98%
Ensure the proper dissemination of court security information _____	90%
Review and assess court security incidents _____	89%
Assist in developing security recommendations for courthouse renovation, construction and/or remodeling _____	80%
Ensure the uniform reporting of court security incidents _____	67%
Recommend site appropriate security training _____	67%
Other _____	13%

Frequency of Meetings

SCR 70.39 states that "...the committee shall meet quarterly..."

Chart 1: Frequency of Security and Facility Committee Meetings

The frequency with which respondents hold committee meetings.



B. Court Facility - Screening

- 21% of facilities have screening at the building entrance(s)
- Of those facilities with screening, screening is conducted by: (Respondents checked all that apply):

Table 4: Who Conducts Court Facility Screening?

Law Enforcement	53%
Retired Law Enforcement	22%
County Employee	19%
Private Contractor	16%
Other	16%

- 19% of respondents either do not screen or screen on an as needed basis e.g. high profile court activities

Table 5: Prohibited Items at Screening

What is your practice if a person has a prohibited item at screening?

Involve law enforcement if item is illegal	88%
Allow individual to remove from building	84%
Allow individual to dispose of item on site	53%
Permit person to check and retrieve item	31%
Other/Explain	28%

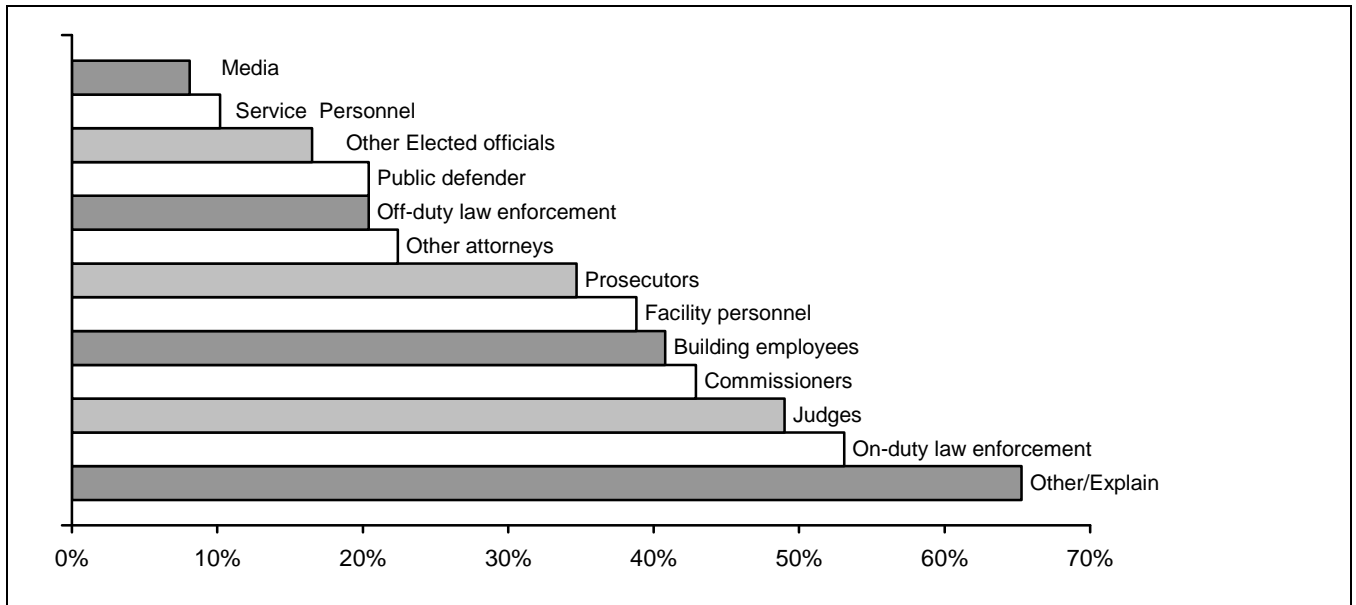
- 82% of facilities do not screen mail deliveries and/or packages

Court Facility - Building Entrances

- 64% of facilities have separate building entrances for employees or designated parties
- 42% of facilities allow employees or designees to by-pass screening at any entrance

Court Facility-By Pass Screening

Chart 2: Individuals Allowed to By Pass Screening
Some courthouses permit various persons to by pass security screening



Court Facility – Building Access

Chart 3: Key Cards

Is there a policy for distribution and collection of key cards?

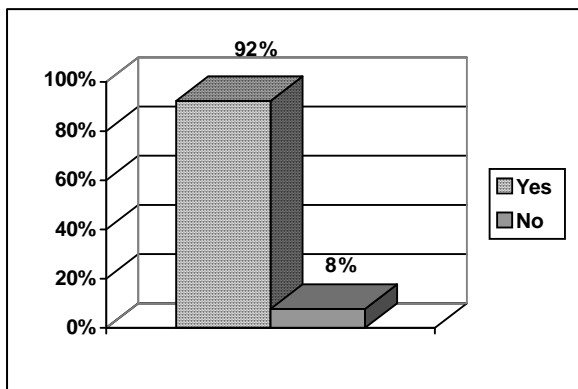
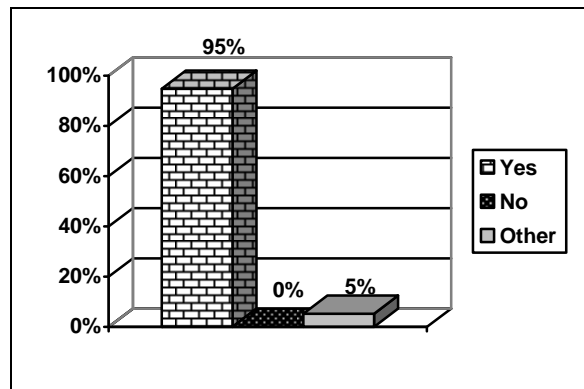


Chart 4: After Hours Access

Is there after-hours access to the building for designated personnel?



C. Building Layout - Facility

- 39% of court facilities do not have separate sectors
- 16% of facilities were built after SCR 70.39

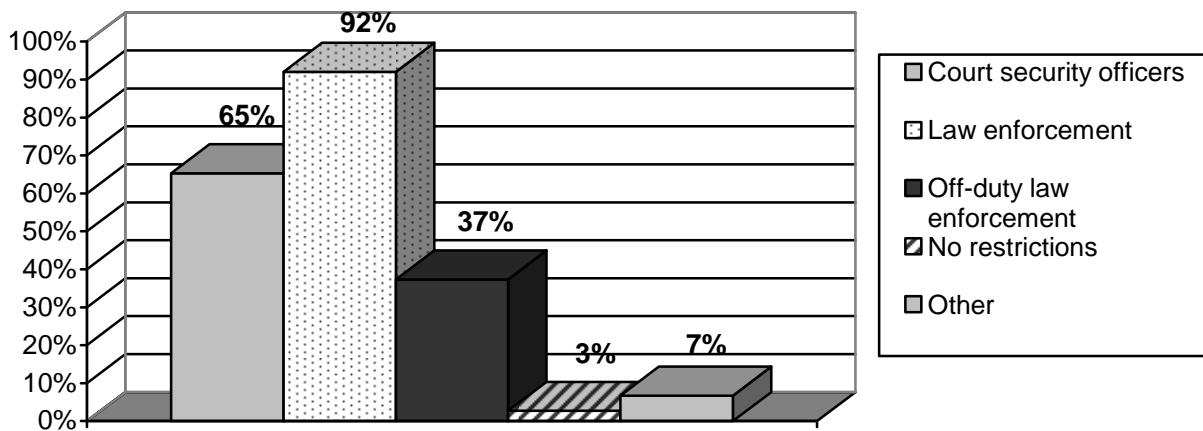
Building Layout - Courtrooms

- 84% of courtrooms have separate entrances for judges and court personnel
- 69% have separate entrances for in-custody defendants

D. Firearms

Chart 5: Firearms in a Court Facility

The following may possess firearms in the court facility (respondents check all that apply):



E. Courtroom Security - Duress Alarms

Chart 6: Duress Alarms

The following offices other than Chambers have duress alarms

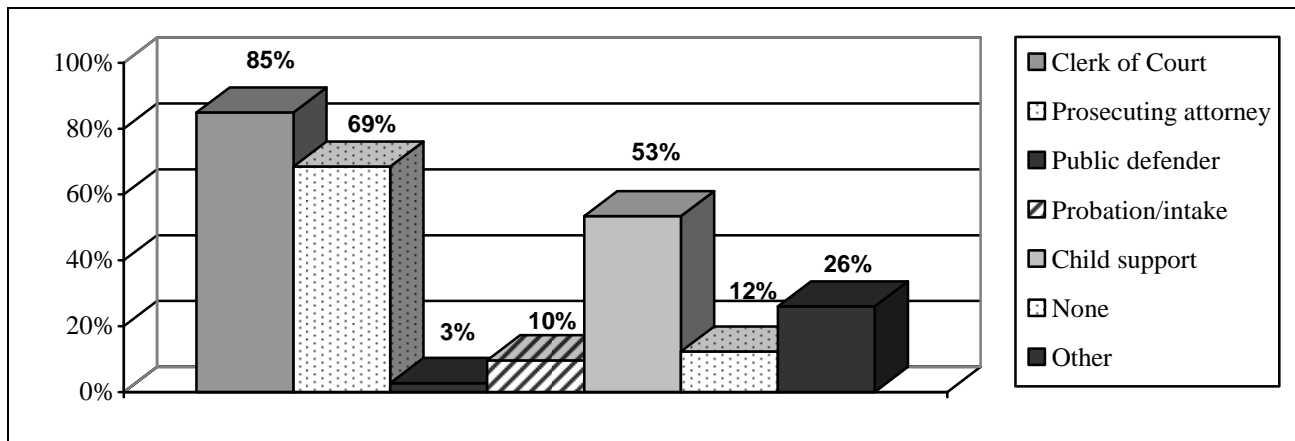
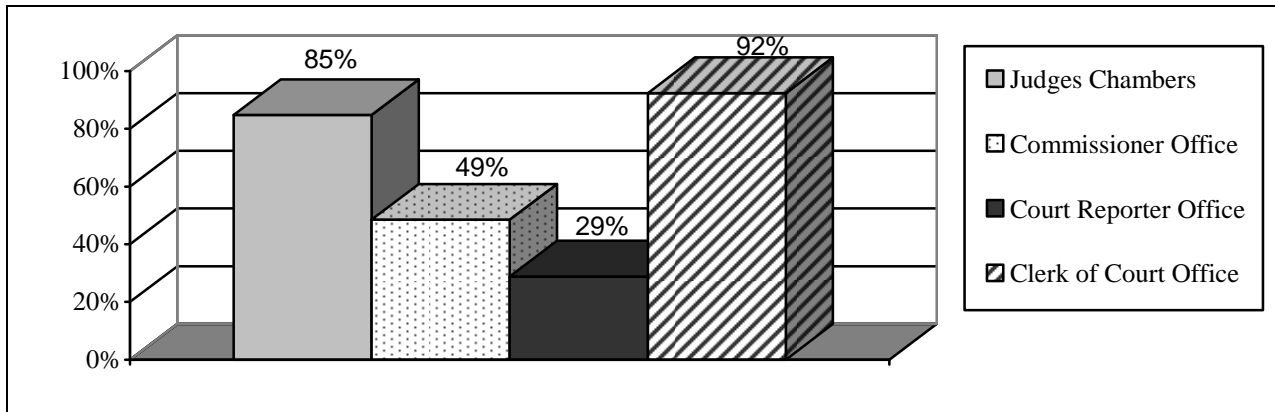


Chart 7: Duress Alarms in Chambers

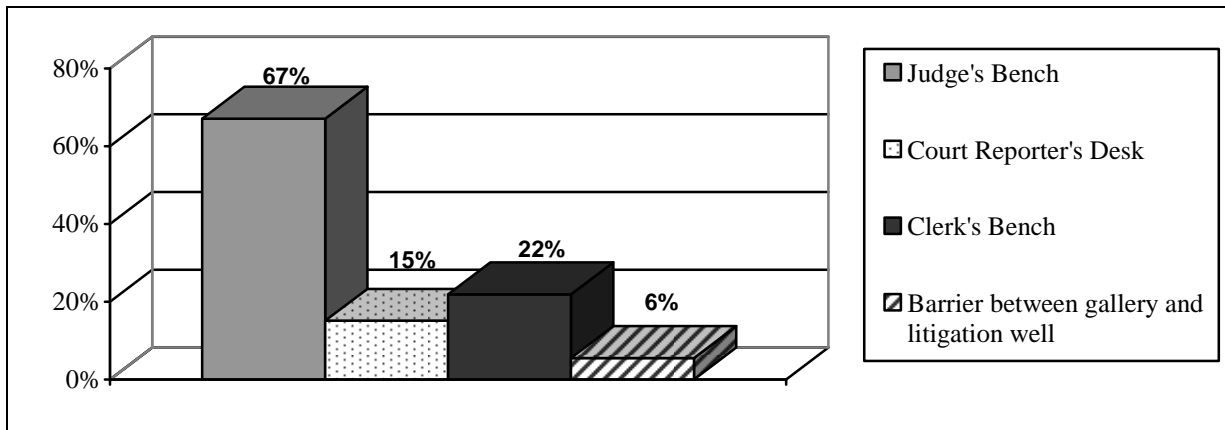
Specific locations in the chamber areas where duress alarms are located



Courtroom Security - Bullet Resistant Material

Chart 8: Bullet Resistant Material

Bullet resistant barriers are locate in the following courtroom locations



Courtroom Security

Who provides security in the courtroom?

- 57% of facilities have sworn officers
- 11% of facilities have retired officers
- 9% of facilities have no security in the courtroom
- 9% of facilities have security on an “as needed” basis
- 9% of facilities use a combination of sworn and retired officers in their courtrooms
- 81% of security personnel from above carry firearms.

Courtroom Security – Court Security Officers

- Officers are provided for all case types in 45% of all facilities
- 73% of domestic violence and other injunction courts have security officers
- 72% of felony courts have court security officers
- 69% of misdemeanor courts have court security officers
- 61% provide security for family court
- 54% of civil courts have court security officers

Court Security - Other Court Related Offices

Courthouse security can sometimes be complicated by the presence of other agencies...

- District Attorney
 - Present in 79% of court facilities
 - 69% have duress alarms
- Child Support
 - Present in 69% of court facilities
 - 53% have duress alarms
- Probation and Parole
 - Present in 19% of court facilities
 - 10% have duress alarms

F. Victim-Witness Areas

- 60% of facilities have victim-witness areas separate from those in the district attorney's office
- 54% of these separate rooms have restricted access
- 45% of these separate rooms are secured when not in use

G. Jury Deliberation Room

- 75% of jury deliberation rooms are connected to the courtroom through a secured corridor
- 55% of rooms are not searched prior to use
- 49% of rooms are not secured when not in use

H. Prisoner Movement

- 61% of facilities have secure holding areas in the courthouse
- Only 46% of these holding areas have direct access to courtrooms
- 68% of facilities do not have a secure holding area for disruptive litigants to observe court

I. Videoconferencing

Chart 9: Videoconferencing

Do you use videoconferencing for criminal cases involving in-custody defendants?

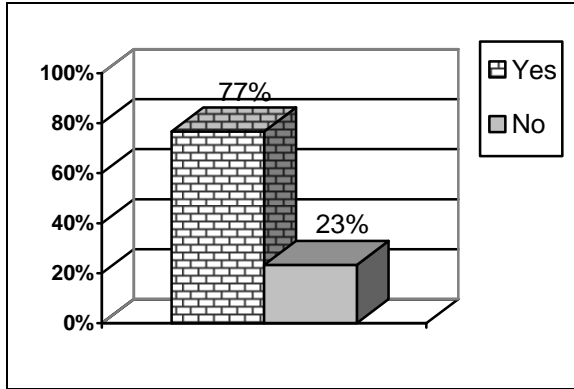
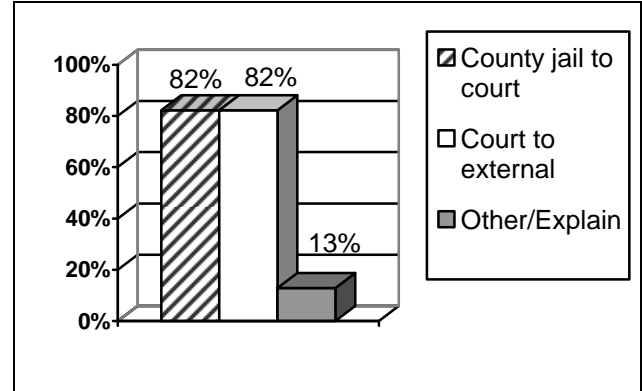


Chart 10: Videoconferencing

How videoconferencing is used in the courts



J. Libraries

- 64% of courthouses have a library
- 88% of libraries are open to judges and court commissioners
- 83% of libraries are open to lawyers
- 29% of libraries allow access to the public

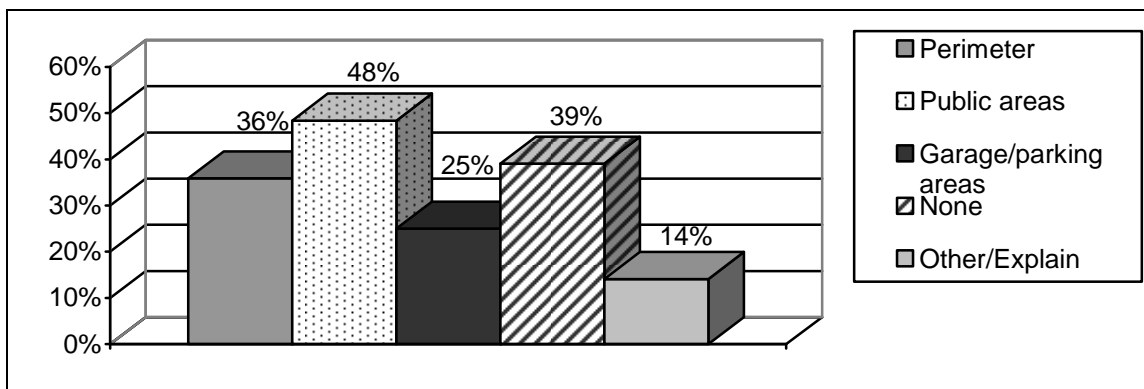
K. Parking

- 62% of parking areas are unsecured
- 55% of facilities do not have designated parking for staff, jurors, or witnesses
- 15% of parking areas have controlled access to secured areas or camera

L. Buildings and Grounds - Daily Inspections

Chart 11: Daily Inspections

Specific locations external to the court facility that are inspected every day



Buildings and Grounds - Alarm Testing

- 75% of counties test duress alarms at least annually
- 4 do not test alarms at all

M. Public Address System

- 63% of counties have a public address system
- 60% have procedures for utilizing it during an emergency
- 54% have an emergency procedure utilizing email
- 49% have a phone tree
- 14% counties have no means of communication in an emergency

N. Emergency Procedures

Chart 12: Emergency Procedure Manual and Contingency Plans

Counties with courthouse security procedure manuals and contingency plans

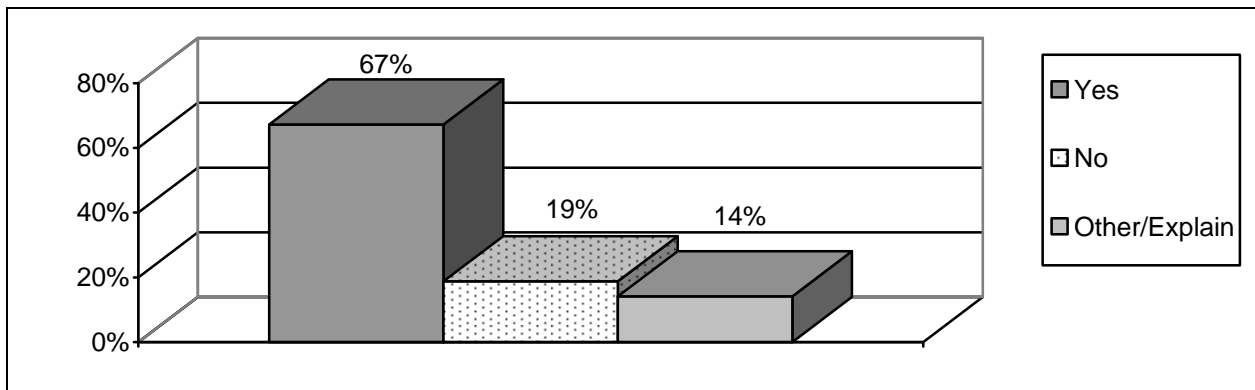
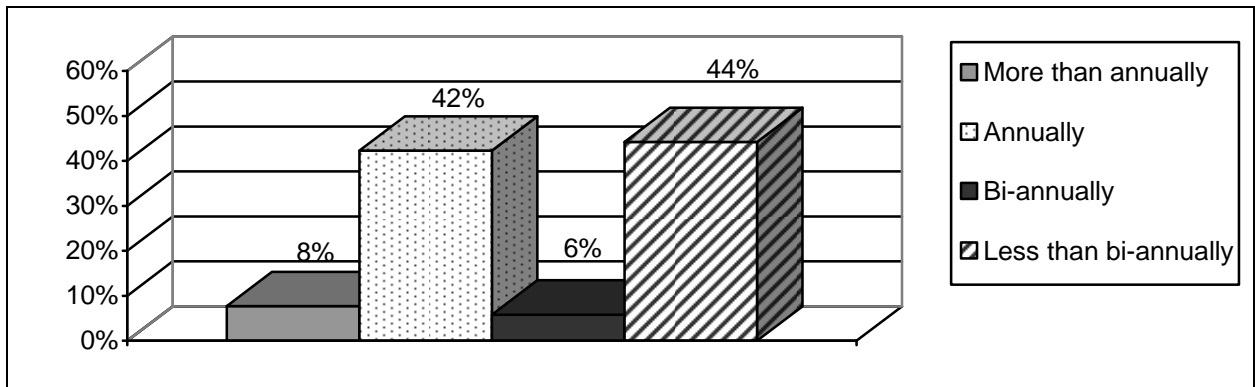


Chart 13: Emergency Procedure Manual and Contingency Plans

Frequency with which emergency procedure manuals and contingency plans are updated



Emergency Procedures

- Over 92% of counties have procedures in place for inclement weather and fire
- 84% have procedures for bomb threats
- 76% of counties report a clear chain of command in emergency procedures
- 57% have procedures for an active shooter
- Less than 50% have procedures for a terrorist situation or attack

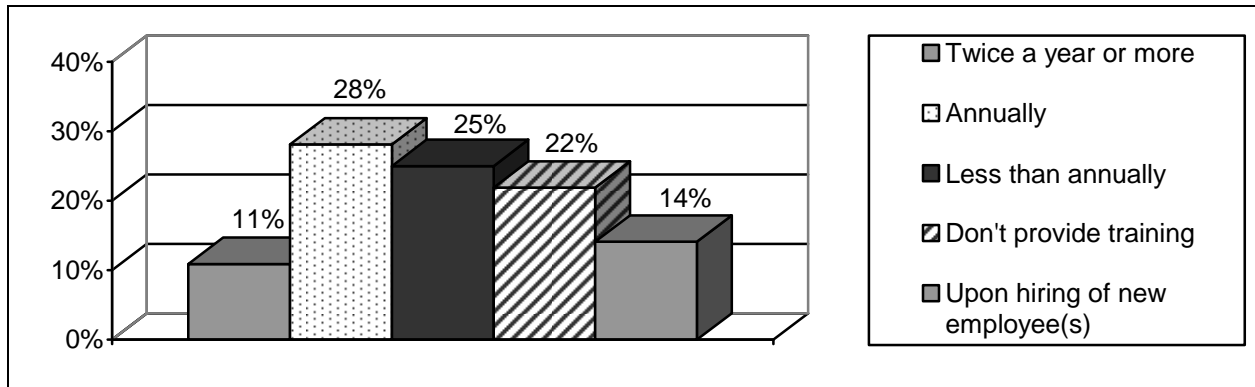
O. Training and Prevention

Routine prevention activities performed at court facilities:

- 80% conduct fire and evacuation drills
- 47% create security manuals
- 44% conduct disaster preparedness prevention
- 38% publish information bulletins regarding specific risks
- 35% conduct regular security awareness training for court officials and personnel

Chart 14: Court Security Personnel Training

Frequency with which training is provided for court security personnel



P. Data Collection and Records

- 66% of counties maintain standardized records/documentation of on-site security incidents
- In 58% of these counties, the Sheriff's Department collects and maintains this information

Format of incident reports:

- 43% maintain information in a written logbook
- 41% maintain information in an electronic database
- 37% maintain information in a paper file

Chart 15: Court Related Threats
Do you document court related threats?

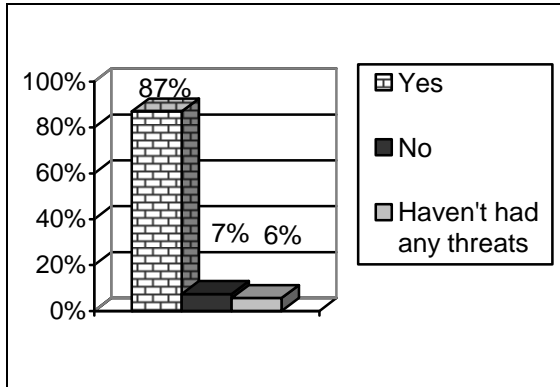
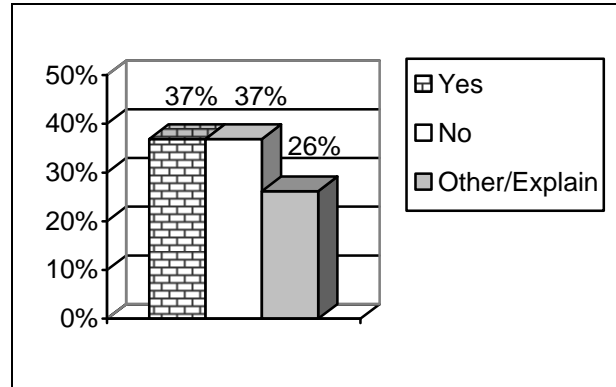
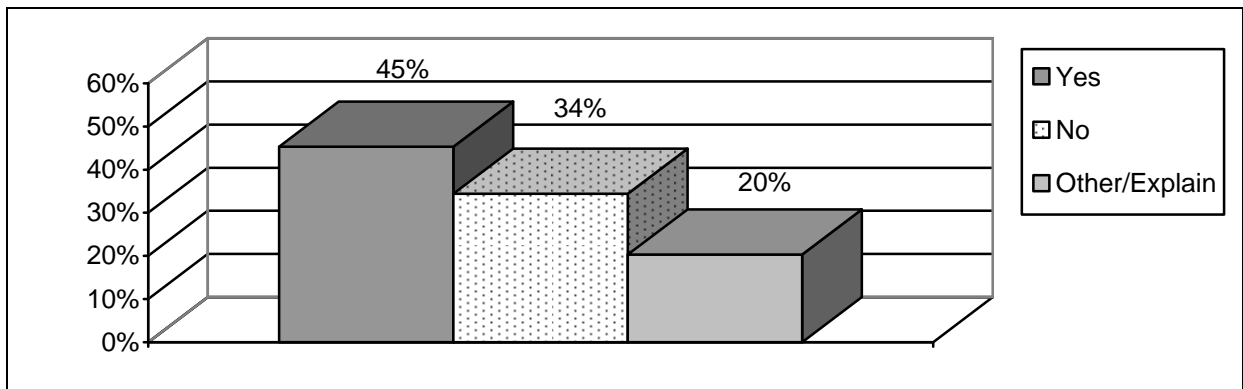


Chart 16: Threats Against Court Personnel
Do you track threats or incidents involving court personnel off site of a court facility?



Data Collection and Records

Chart 17: Data Collection and Records
Percentage of security and facility committees the review court security incident information regularly



Data Collection and Records

Is there other standard data that could be collected by PPAC that would be more useful to your security committee and county?

- 75% do not think there are additional useful data elements

Do you have security concerns that are not being addressed by the current SCR?

- 86% of counties do not have additional security concerns