**COURTROOM SAFETY AND SECURITY: PRACTICAL HINTS**

The judiciary has faced a significant increase in threats and violent incidents in recent years, with a rising trend of shootings, bombings, and arson attacks in state courthouses since 1970. According to the Center for Judicial and Executive Security (CJES), incidents have escalated from 20 in the 1970s to 78 in the 2000s, with continued increases in 2010 and 2011. This alarming trend highlights the heightened risk environment in which courthouses operate, with potentially dangerous individuals and groups seeking to harm judicial officials, disrupt proceedings, and target these symbols of justice. This trend is not limited to the United States as Africa has recorded its own episodes. In Imo, in 2018, two magistrate courts and the high court were affected when gunmen set the building housing the courts in Orlu LGA ablaze. On the 14th of |June, 2024, in Kenya, a chief inspector of Police opened fire on Makadara Principal Magistrate Monica Kivuti shortly after she made a ruling in a case reportedly involving his wife. If adequate steps are not taken to prevent pose potential threat to administration of Justice and democratic consolidation.

The purpose of this paper is to:

1. To improve the safety and security of courtrooms.
2. To prevent breakdown of law in our courtrooms and rule of law in our society.
3. To guaranty to a greater extent the safety and security of Judges, staff of the court, litigants and visitors of the court.
4. To minimize security risks in our courtrooms.

**DEFINITION OF TERMS:**

Security: Security provides either active or passive means to help protect and preserve an environment in which activities are not disrupted.

Court security: This stretches from the physical protection of judges to education, and from workplace violence to data integrity to architecture.

Courthouse: A building where legal proceedings are held, such as trials, hearings, and court appearances. A key element in courthouse security is the separation of the public, judiciary and staff, and in-custody defendants.

Command Center: Centralized location for monitoring and managing security, operations, and emergency response

In-Custody Defendant: Individuals who are In the physical custody of law enforcement or the court

Courtrooms: A room in a courthouse where Legal proceedings are held and trials and hearings take place.

Law Enforcement Officers: a sworn personnel responsible for: Maintaining order and security in the courtroom

Court safety and security according to NCSC (2022) can be categorized into three; fundamental topics, critical topics and essential topics. These can be further broken down into topics; these are subject areas that should be of focus in court safety and security. The topics according to NCSC are in phases and the phases are in steps. For the purpose of this presentation, we will be looking at these dynamics of courtroom safety and security. This structure is not what obtains in Nigeria but it could be adopted with some modifications to suit the Nigerian court system.

**CATEGORY A – Fundamental**

**SECURITY COMMITTEE**

The committee should be chaired by a judge including court staff and stakeholders. There are two types of security committees. The first is a court-only committee, consisting of judges and court administrators, and the second is a preferred inter-agency courthouse security committee, chaired by the presiding judge and comprising representatives from various agencies (NCSC, 2013). The committee(s) should meet regularly and be empowered to exercise rigorous oversight on all matters relating to security within a courthouse. Without such a committee(s), it is difficult, if not impossible, to assess and address properly the large number of security challenges facing court leadership (Fautsko, et al., 2002). A court building security committee should be comprehensive, inclusive, and proactive, comprising representatives from all stakeholders, assessing current security, forming task forces as needed, participating in facility design and renovation projects, and periodically engaging independent professionals to conduct security audits, ensuring a thorough and up-to-date approach to court building security (NCSC, 2022).

**POLICIES AND PROCEDURES**

The court-building security committee should facilitate collaboration between the court, law enforcement, and other stakeholders to develop and implement a comprehensive and cohesive set of policies and procedures on security. The existence of such policies and procedures signifies that those in authority have given these matters proper thought and that an effort has been made for consistency concerning security procedures. Once established and approved by the committee, policies and procedures must be promulgated and be the subject of a rigorous training regimen for everyone who works in the courthouse.

Further, every single person who works in a courthouse has the potential to materially enhance the safety and security of their work environment, to be the “eyes and ears” of a workforce constantly alert to risks and threats, especially judges, court administrators, court staff, and other officials who have been well trained on well-publicized policies and procedures (NCSC, 2013).

Regularly test and refine court-building security protocols by conducting drills and exercises, evaluating responses to incidents, and revising materials as needed. These should be all contained in the policies ad procedures that guide courthouse security.

They should also have provision for a feedback loop with court staff and stakeholders to refine security protocols, formally adopt and publish the security materials, and issue court orders to enforce key security measures, while controlling access to sensitive information on a need-to-know basis.

Finally, review and update of policies and procedures at least every two years, are essential to ensure that security measures remain effective and up-to-date.

**THREAT AND INCIDENT REPORTING**

Threat implies a statement, behavior, or action that indicates an intention to cause harm, injury, or damage to a person (court employee or attendee) or institution (court building) as retaliation for something done or not done (NCSC, 2022)

An incident within this context is an action or communication that causes or threatens to cause personal injury, property damage, or disruption of court building proceedings including activities in the courtroom, outside the courtroom, and within the facility, such as chambers, clerk's offices, etc. (NCSC,2022). However, prompt reporting of threats and incidents may avert an unpleasant situation or give room for adequate response to anything that has negatively affected courtroom security.

Reporting encompasses some actions. Establishing a prompt reporting system for threats and incidents, requiring immediate notification to law enforcement and court administration, with seriousness determining the speed of reporting. Training of judges, and staff to recognize and report threats/incidents, using standardized forms submitted electronically to authorities and the court building security committee, ensuring thorough assessment and response.

Reporting can be stepped up depending on the type of security issues that are prevalent in an environment and the ever-evolving technology in the world. Thus, establishing a threat intelligence sharing process with state or metropolitan fusion centers to stay informed about potential threats is a noble idea. Training staff to monitor social media for potential threats, and consider seeking assistance from fusion centers or law enforcement if needed aligns with technology and by extension cyber matters. Implementation an electronic reporting system for threats and incidents, allowing for swift review, resource deployment, and data analysis by law enforcement and authorized stakeholders. This will not only save cost but also time and the latter if managed can avert security breach. Maintaining a database of threat-related information, including responses and follow-up actions, at both local and state levels. According to National Sheriffs’ Association Court Officers’ and Deputies’ Association (not dated). Many types of threats are likely to involve courthouses and trial participants, such as:

• Escape or escape attempt;

• Disorderly conduct;

• Physical assault with a firearm;

• Physical assault with no weapon used;

• Bomb threat;

• Bomb explosion;

• Threat other than with bomb;

• Demonstration;

• Suicide or suicide attempt;

• Hostage situation;

• Physical assault with weapon other than firearm;

• Theft; and/or

• Fire.

Some examples of the specific threats or incidents that are disruptive to the judicial process in the United States (National Sheriffs’ Association Court Officers’ and Deputies’ Association, not dated) are:

1. One criminal court defendant leaped to the bench and hit the judge on the head and shoulders with his shoe.
2. Another defendant kicked his court-appointed lawyer in the face and shoulders, knocking him to the floor.
3. A man involved in a civil lawsuit suddenly pulled out a gun and began shooting, killing a lawyer, and wounding the judge and a witness.
4. A violent confrontation occurred between demonstrators protesting a trial and police outside a courthouse.
5. A fire in a court building destroyed several thousand court reporter tapes of trial testimony. 6.
6. A judge was killed by a letter bomb sent through the mail.
7. A bomb exploded in the probation department of a courthouse

It is good to be proactive for such incidences or similar ones not be recorded in Nigeria.

**SECURITY TRAINING**

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 take place in the courthouse and plan accordingly (NCSC, 2013).

Comprehensive training is crucial for court staff to recognize and respond to suspicious behavior, including identifying indicators of potential violence, such as scenarios and behavioral clues. Additionally, effective intelligence gathering and sharing are essential to alert law enforcement to potential threats, utilizing sources like case files and witness statements. Furthermore, anticipatory measures, like subtle signals from judges to deputies, can help prevent violent outbursts, ensuring a safer court environment. Regular training and intelligence sharing can enhance the ability to anticipate and respond to potential violence, promoting a secure and safe courthouse.

**PHASE B - Critical**

**COMMAND CENTER**

Establish a temporary command center near the front entrance, staffed by dedicated security personnel, to monitor security systems, duress alarms, and cameras. Provide clear room numbering and communication points with vulnerable areas, law enforcement, and emergency dispatch entities, ensuring efficient response and coordination. This temporary setup will serve until a dedicated command center is established, in the court building, staffed by security officers, with control panels and monitoring equipment for security systems, cameras, alarms, and communication systems, enhancing security and response capabilities.

**IN-CUSTODY DEFENDANTS**

Establish a secure and monitored in-custody defendant management system, including dedicated holding cells, sight, and sound separation, security cameras, duress alarms, a secure sally port, and two-officer escorts, with remote video and audio linkages or courtroom facilities in detention centers to minimize courthouse transportation and ensure safety and security. Maintaining a secure environment through careful planning, physical presence, and proper restraints, while also ensuring no contact with the public, family, or friends, and verifying warrants and holds before release.

**COURTROOMS**

Implement comprehensive courtroom security measures, including dedicated security personnel, duress alarms, secured doors, weapon removal, proper restraints, door scopes, weapons exhibit management, continual communication, and policies for high-visibility trials, defendant seating, and courtroom sweeps to ensure a safe and secure environment for all participants.

Moreover, there is also often a need for greater security-officer-staffing levels. Security equipment alone will not secure a courthouse.

Assign a security officer to each courtroom during proceedings, with protocols for standing vigilance, quick response, manual lockdown, security cameras, separate entrances, emergency exits, holding cells, and bullet-resistant materials to ensure a safe and secure environment.

**CHAMBERS**

Provide comprehensive security measures for judges and court staff in chambers, including training, duress alarms, blinds, daily sweeps, locked doors, advance notice, and strategic furniture placement to ensure a safe and secure environment.

Install security cameras, secure pathways for judges and in-custody defendants, reflective glass and security film on windows, and consider ballistic-resistant windows in high-risk areas to enhance chamber security and prevent unauthorized viewing or access.

**ACCESS TO SECURE AREAS WITHIN THE COURT BUILDING (WEAPONS SCREENING)**

Comprehensive weapons screening at the entry of the courthouse is crucial. Preventing serious violence in courthouses requires effective weapons control measures, including a weapons screening station at the entrance, equipped with magnetometers and x-ray machines. Until a fully equipped station is operational, interim measures can be taken, such as limiting public access to a single entrance and exit to minimize the risk of weapons being brought into the courthouse. This controlled access point allows for better surveillance and screening, enhancing the safety and security of the courthouse environment.

Limiting access/egress to one area allows better observation and detection and reduces the cost of weapon screening equipment and staff. If the staff and judiciary use a non-public entrance, provisions need to be made for weapon screening at this entrance. Entrances without screening should be locked and equipped with an alarm and a sign reading, “Emergency exit only; alarm will sound.”

According to the Michigan Court Security Guidelines (2002), A proper weapons screening station has:

* Adequate room for people to congregate inside, out of the weather, without being so crowded as to present additional security problems.
* A magnetometer, x-ray equipment, and hand-held magnetometers for backup screening.
* A duress alarm to summon additional help if needed.
* Closed circuit television monitoring of the access point.
* Adequate staffing of at least two trained staff to monitor traffic flow and at least one officer with a weapon to observe and respond to emergencies.
* Access to a private area to conduct more thorough searches using same gender personnel. The court’s weapons screening policy should include:
* A list of restricted items.
* A secondary screening policy for people who have not successfully passed through after two tries.
* Storage and disposal of confiscated items.
* Protocols for appropriate responses to attempts to bring in weapons and dealing with law enforcement personnel.

**OFFICES AND WORK AREAS WHERE STAFF INTERACT WITH THE PUBLIC**

Install duress alarms, keep window coverings drawn, require regular security officer patrols to ensure a safe and secure environment for staff interacting with the public, preventing potential threats and minimizing risks.

Install security cameras to capture faces at public counters, provide safe and secure waiting areas with security cameras and emergency notification features to supplement duress alarms, ensuring a secure and safe environment for vulnerable individuals, such as victims, witnesses, and protective order petitioners, and enabling swift response to potential threats or conflicts.

**SECURE PARKING**

Some security incidents have occurred in parking areas before the victim even reaches the courthouse. Judges and staff, who are vulnerable to attack simply by virtue of their positions, need secure parking. Jurors and threatened witnesses also need secure parking if they are to fulfill their roles in the justice system. However, jurors and witnesses should not park in the judge/staff parking area. Ideally, parking would be in a fenced area, with vehicle and pedestrian access limited by a gate controlled by a card-key or other access control device. Judges and/or staff should have direct access to secured corridors or elevators from the parking area. As an alternative, the court may reserve parking spaces for staff and provide occasional patrols. Judicial parking should be in reserved spots adjacent to the building. Signs reserving parking should in no way indicate who is parking in the spots. However, since all courts are not able to secure their parking areas, all staff and jurors should be alert to special circumstances.

**PERIMETER ISSUES**

For high-risk trials, 24-hour security coverage of the court building and its surrounding area is recommended. During normal business hours, expected threats would be disruptive demonstrations, mass movement into the courthouse and courtroom, and efforts to bring contraband into the building. After-hours threats would most likely be attempts at surreptitious entry for destructive purpose. When the courthouse is open, the following measures are advised to ensure security in the courthouse and perimeter:

* Patrol the outside of the building.
* Provide guards for judges and jury parking.
* Inspect shrubbery and other places where explosives or contraband could be hidden.
* Monitor all entrances. Patrol inside the court building, especially public areas near courtrooms.
* Frequently check the basement, engineering spaces, heating and air-conditioning equipment, and potential entry points such as roof openings, utility tunnels, and locked doors and windows.
* Equip all patrol units with two-way radios to reduce response time and permit better coordination and control.

**PHASE C: ESSENTIAL TOPIC**

**EMERGENCY EQUIPMENT**

Enhance life safety and emergency preparedness in the court building by installing battery-generated emergency lighting, ensuring effective fire detection and suppression equipment, scheduling regular inspections and reviews by local authorities, and installing accessible automated external defibrillators (AEDs) with trained staff, to provide a safe and responsive environment for occupants in case of emergencies or power outages.

Further enhance emergency preparedness by installing a secured and protected emergency generator system, testing it monthly and logging the results, determining the optimal time-delay for power-on and installing uninterrupted power supplies (UPS) for critical systems, and providing basic medical/first aid supplies in all offices, to ensure a reliable and responsive emergency response capability. Install a public address system to rapidly notify and instruct occupants in emergency situations.

**INTRUSION DETECTION SYSTEMS**

Intrusion alarms are designed to alert the court to unauthorized entry after hours. The alarms can be of several varieties, including space alarms, vibration alarms, and door contact alarms. The alarm system can be set to produce a loud sound to alert the police and deter entry, or alarms can be silent to alert the police only. Duress alarms are designed to signal for immediate help. Recommended locations include judges’ benches and/or staff positions in the courtroom, chambers, cashier stations, probation offices, and any office where staff may meet alone with the public. However, staff must be trained in both the locations and use of the alarms and the alarms should be in the right places within the court. Furthermore, it is good to install local sounding intrusion alarm devices on all exterior doors and interior doors leading to secure areas to monitor and secure building entrances, exits, and emergency exit doors during both business and after-hours.

**PUBLIC LOBBIES, HALLWAYS, STAIRWELLS, AND ELEVATORS**

Enhance safety and security in the court building by providing emergency lighting and clear exit signage, designing open hallways and lobbies, posting visible floor diagrams, and establishing controlled access standards for stairwells to facilitate safe egress and prevent unauthorized re-entry.

Assign a security officer to patrol high-risk areas on a scheduled basis and install barriers in open atriums and stairwells to prevent falls and ensure a safe environment in the court building.

**JUROR SECURITY AND CIRCULATION**

Inform jurors of court security procedures and protocols, including building entry, prohibited items, and confidentiality, and provide them with a security orientation, identification badge, and constant escort by a security officer or bailiff throughout their service, from assembly to deliberation.

**SCREENING MAIL AND PACKAGES**

Implement a comprehensive mail and package security protocol, including visual inspections, staff training, response protocols for suspicious items, sender and recipient verification, and installation of duress alarms and security cameras in the mailroom to ensure the safety and security of court staff and facilities. These mail and packages should also be subjected to explosive detection machines.

**LOOKING FOR INDICATORS**

All courthouse personnel are vital in enhancing safety and security by serving as the "eyes and ears" of the workplace, identifying potential threats, and reporting suspicious behavior. To effectively implement this, two essential elements must be in place:

1. A clear protocol for reporting suspicious behavior, and
2. A culture that takes all reports seriously and acts accordingly, without dismissing legitimate concerns, to prevent or mitigate potential violence.

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.

**THE PRESENCE OF LAW ENFORCEMENT OFFICERS**

The swift and brave response of law enforcement officers played a crucial role in mitigating the impact of violent incidents in courthouses. A greater presence of officers in and around the courthouses could have potentially prevented or deterred these incidents. While increasing law enforcement presence is the most effective security measure, it is also the costliest. In the meantime, less expensive alternatives can be implemented, such as:

- Parking patrol cars near the courthouse entrance or parking lots to deter potential assailants

- Posting signs indicating surveillance cameras are in operation

These measures can enhance security and deter potential threats until additional law enforcement personnel can be assigned to the courthouse.

**RENOVATING ANTIQUATED COURTHOUSE/BUILDING NEW FACILITY**

To meet today’s standards of protection or building a new judicial facility requires three basic steps.

**Step One:** Conduct a threat analysis. Assessing your court’s historical, current, and anticipated threats is essential.

**Step Two:** Conduct a Court Facility Site Survey. Assess your facility's external and internal weaknesses.

Assess your policies and procedures by physically testing them. When assessing your current facility or planning for a future facility, start from the outside in—use the “Eight Zones of Security” as your building blocks in this step: 1. Site/Parking 5. Courtroom 2. Building perimeter 6. Judicial 3. Public 7. Security/prisoner 4. Staff 8. Building support

New facilities should be designed with three separate zones whenever possible: public zone, private zone for judges and staff, and a secure zone for moving prisoners. These zones should not cross. Additionally, design of offices where staff will be meeting with clients or the public should provide an escape route, either with a second exit or by strategic placement of the office furniture. Each court should identify any areas, such as courtroom judges’ benches, staff workstations, jury box, and public counters that require additional protection. Courts should also identify what rooms could be used as “safe rooms” where staff can go during an incident.

**CONCLUSION**

The threat of violence in courthouses is real and imminent. It's not a question of if, but when. To ensure the safety of all involved, it is crucial to be prepared to prevent or mitigate incidents and manage their aftermath. While prevention may not always be possible, recognizing early indicators and being vigilant can help minimize risks. Stay alert, trust your instincts, and communicate effectively to address potential threats. Various types of threats, including those against trial participants, can target courthouses, making proactive measures essential. Stay prepared, stay vigilant, and prioritize safety.

The security situation in Nigeria has become tense of recent. Therefore, court security should be taken seriously to ensure the safety of judges, lawyers, court staff, suspects and those that may have any good reason to visit the court. Their safety has marginal effects on good dispensation of justice. Good court security frameworks that reflect the situation in Nigeria and different parts of the country are crucial to attain these.

**Food for thought**

How secure are the court and the Judges in a case where there are mammoth protesters outside in favour of someone in the dock and what effect does it have on court security, security of the officials and the judgment of judges?

Another matter of concern is the situation of rearrest by security officials within court premises.

Seeing that our courtrooms are upgraded and digitalized, how prepared are we to fight cybercrime attacks against our courts?

THANK YOU

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