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COURT SECURITY

A REVIEW OF THE LITERATURE

COURT SECURITY PLANNING AND TRAINING PROGRAM

James L. McMahon, Project Director

Teresa F. Spisak, Senior Research Assistant (Author)

Joanne Davis, Administrative Assistant

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**NATIONAL SHERIFFS' ASSOCIATION**

FERRIS E. LUCAS, EXECUTIVE DIRECTOR

SUITE 320, 1250 CONNECTICUT AVENUE, N. W.  
WASHINGTON, D. C. 20036 (202) 872-0422

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## INTRODUCTION

This review of literature was prepared as part of the first phase of a study on court security being conducted by the National Sheriffs' Association.

The purpose of the literature review is to identify the status of existing court security literature, and to provide useful inputs to the two end products of the study, which will be a security manual offering guidelines on court security and training material. Contributions to these two end products will be in the following areas:

- . the identification of significant security incidents, from which a list of sites to be visited can be drawn.
- . the identification of specific security practices and procedures which can be used as references for the security manual.

Additionally, the literature survey will provide a ready reference of sources dealing with court security for individuals desiring additional and more detailed information.

A major problem confronting this task, recognized from the outset, was the lack of literature offering a comprehensive examination of court security. The literature available on the subject is generally of a fragmented nature, examining the subject from a narrow perspective. The bulk of the information contained in this review was obtained from only a few sources which are listed in the annotated section of the bibliography. The remaining sources provide brief comments on various aspects of court security and are listed in the bibliography under topic headings.

## BACKGROUND

### SCOPE OF THE PROBLEM

The scope of the problem facing those law enforcement and court personnel in charge of court security has never been quantitatively documented. However, there are a few indicators of the scope of the problem which might be examined. Four such measures have been identified and efforts have been made to quantify the information. The indicators used to address the scope of the problem are as follows:

1. Number of courts
2. Number of civil and criminal cases
3. Number of security incidents
4. Effectiveness of current court security.

The total number of courts reported by LEAA as of October 1974 is as follows:<sup>1</sup>

Federal	94
State	4,159
County	6,322
Municipal	5,453
Township	1,649
TOTAL	17,677

The number of civil and criminal cases filed is not available for all courts in the U.S. However, the 1975 Sourcebook of Criminal Justice Statistics does list the number of civil and criminal cases filed, terminated and pending in

<sup>1</sup>The total number of Federal courts was obtained from Sourcebook of Criminal Justice Statistics - 1976, Washington, D.C.: U.S. Department of Justice, Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service, February 1977, pp. 154-156. The number of state, county, municipal, and township courts was obtained from ibid., p. 38.

U.S. District Courts as of June 30, for the fiscal year 1974.<sup>2</sup>

	<u>Cases Filed</u>	<u>Cases Terminated</u>	<u>Cases Pending on June 30</u>
Civil	103,530	97,633	107,230
Criminal	39,754	41,526	22,644
TOTAL	143,284	139,159	129,874

There are no statistics available on the total number of security incidents which occurred in the Federal, State and local courts. An attempt was made for this study to compile a list of security incidents. See appendices A and B for a description and analysis of these incidents. The U.S. Marshals Service, which has responsibility for providing security in Federal courts, has compiled some figures for certain types of incidents occurring in Federal buildings (360 of which house Federal courts). In 1975 there were 840 demonstrations against Federal buildings, 719 threats of various degrees, 12 bombings and 175 evacuations.<sup>3</sup> The FBI has compiled figures on the number of reported bombing incidents on courthouses. Listed below in Table I<sup>4</sup> are figures for the past five years.

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<sup>2</sup>Sourcebook of Criminal Justice Statistics - 1975, Washington, D.C.: U.S. Department of Justice, Law Enforcement Assistance Administration, National Criminal Justice Information and Statistics Service, July 1976, p. 573.

<sup>3</sup>Address given by William E. Hall, Director, United States Marshals Service, undated, p. 1.

<sup>4</sup>The source of these statistics is the FBI Uniform Crime Reports, Bomb Summary, for the years 1972-1976, Washington, D.C.: U.S. Department of Justice, tables 2 and 9.

Table 1

## Courthouse Bombing Incidents, 1972-1976

Year	Total Attempted	Actual Explosions	Motive		
			Extremist/ Political	Personal Animosity	Other or Unknown
1976	5	5	4	1	-
1975	4	3	3	-	1
1974	7	2	1	4	2
1973	1	1	-	-	1
1972	8	4	1	1	6

Aggregate data for judging the overall effectiveness of court security measures is not available. To date only ad hoc studies have been undertaken which evaluate the effectiveness of security measures on a case by case basis.<sup>5</sup> Such studies are useful in highlighting problems and in obtaining action to correct specific deficiencies but are difficult to use to form conclusions as to the incidence or seriousness of problems within the court system.

In 1975 the GAO collated some aggregate data concerning the effectiveness of security in Federal courts by sending questionnaires to the chief judges of the 94 district courts to obtain their opinions on their security program.<sup>6</sup> The purpose of this study was to obtain a general overview of the nature of security problems facing Federal courts. Responses were received from 92 judges. In 41 cases, judges commented unfavorably on security in their districts. Most negative responses indicated insufficient personnel and a

<sup>5</sup>See the Bibliography for a selective listing of security studies and recommendations.

<sup>6</sup>Report to the Congress by the Comptroller General of the U.S., U.S. Marshal's Service - Actions Needed to Enhance Effectiveness, July 27, 1976, p. 3.

lack of adequate equipment for an effective security system.

#### SECURITY, GENERAL

Depending upon its context, the term "security" may have many meanings, based upon the context, environment and purpose. The general concept of security has been defined by Post and Kingsbury in the following manner:

Security provides those means, active or passive, which serve to protect and preserve an environment which allows for the conduct of activities within the organization of society without disruption.<sup>7</sup>

Two major levels of security exist: governmental and proprietary.<sup>8</sup> Governmental security has two levels, national as well as international.<sup>9</sup> On the national level, security is provided by various administrative governmental processes such as the establishment of regulatory, supervisory, and law enforcement agencies. Proprietary security, on the other hand, includes any measures taken by individuals, partnerships or corporations to protect their private assets or interests.

In its broadest sense, security at either level attempts to provide two things:

1. It attempts to provide protection against any hazards, whether natural, man-made or environmental; and
2. It attempts to prevent any unlawful events from occurring to nations, states, municipalities, and individuals.

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<sup>7</sup>Richard S. Post and Arthur A. Kingsbury, Security Administration: An Introduction, Springfield, Ill.: Charles C. Thomas, 1970, p. 14.

<sup>8</sup>R.S. Woodruff, Industrial Security Techniques, Columbus, Ohio: Charles E. Merrill, 1974, p. 1.

<sup>9</sup>Post and Kingsbury, op. cit., pp. 8-9.

A main goal of security is to provide protection against all types and kinds of losses through the use of detection technology and prevention techniques.

#### DEFINITION OF COURT SECURITY

Court security has been subject to various interpretations differing only in specificity. A sample of definitions ranging from least to most specific follows:

- . Security is an intangible quality which can only be measured by the lack thereof.<sup>10</sup>
- . Effective security can be defined as the absence of security breaches in the face of security threats.<sup>11</sup>
- . Courthouse security encompasses deterrence, detection and the limitation of damage.<sup>12</sup>
- . Security is a process of erecting a set of barriers, none of which is individually insurmountable, but whose combined effect is to increase the likelihood of detection and apprehension to a point that renders criminal or violent acts too dangerous or costly. In the context of a courthouse, security must encompass prevention and control of incidents that can be spontaneous or premeditated.<sup>13</sup>

For the purpose of this study court security shall be broadly defined to encompass procedures, technology, and architectural structure necessary to

<sup>10</sup>F. Michael Wong, Space Management and Courthouse Design, Washington, D.C. 1973, p. 83.

<sup>11</sup>Ibid., p. 91.

<sup>12</sup>Ibid., p. 84.

<sup>13</sup>Allan Greenberg, Courthouse Design: A Handbook for Judges and Court Administrators, ABA Commission on Standards of Judicial Administration, Supporting Studies - 4, 1975, p. 53.

insure the safety of persons and property within the courthouse and adjacent grounds. When operationally defined, court security is an effort to deter or control problems ranging from threats and disorderly conduct to bombings and assassination. Examples of court security problems, compiled from numerous articles and books include but are not limited to:

- . passive disrespect
- . refusal to cooperate with the essential ground rules of the judicial proceedings
- . verbal abuse or insult
- . outburst of anger
- . repeated interruptions of the trial
- . physical violence in the courtroom
- . demonstrations outside the courtroom
- . theft
- . fire
- . bomb threats
- . sabotage
- . hostage situations
- . prisoner escapes
- . kidnappings
- . bombings
- . assassination

## COURT SECURITY

### SECURITY SYSTEMS ANALYSIS

Effective courthouse security may be achieved by combining specific measures into a comprehensive system. A systems analysis approach offers a framework for examining court security free of constraints peculiar to any one court system. The systems approach to security analysis can be found in three publications by F. Michael Wong and his associates: Space Management and the Courts: Design Handbook (Chapter 5, "Courthouse Security"), A Systems Approach to Courthouse Security, and Space Management and Courthouse Security.<sup>14</sup>

These works provide the most theoretical approach to court security and are the only literature found which provide a comprehensive framework for implementing court security measures. The latter two publications appear to be earlier drafts from which Chapter 5 in Space Management and the Courts was developed. Therefore, of the three works, this chapter is the most concise and offers the most cohesive view of the systems analysis approach.

The approach presented in these three publications examines courthouse security within the context of the nature and extent of security problems (the threat), a determination of the use of space by persons (circulation), and a comparison of alternative solutions for effectiveness, cost and impact on operations. These two factors - threat analysis and space use analysis - are specifically concerned with architectural, technological and operational measures designed to increase courthouse security.

<sup>14</sup>F. Michael Wong, Space Management and the Courts: Design Handbook, Washington, D.C.: U.S. Department of Justice, January 1973; Courthouse Reorganization and Renovation Program, A Systems Approach to Courthouse Security, Washington, D.C.: U.S. Department of Justice, 1972; and Courthouse Reorganization and Renovation Program, Space Management and Courthouse Security, Washington, D.C.: U.S. Department of Justice, 1972.

### Threat Analysis

The threat analysis developed by Mr. Wong in Space Management and the Courts encompasses an analysis of risks from one person to another. This has been accomplished by the formation of a risk matrix which evaluates the relative risk from one category of persons to another. Among the categories are judges, jurors, spectators, and trial lawyers. By use of mathematical formulae, numerical values were determined to indicate the degree of risk from one category of person to another (for example, the degree of risk from the defendant to the judge). According to this evaluation, the greatest likelihood of threats occurs from the public, followed by the defendant, while the most vulnerable individual in a courtroom is perceived as the judge.<sup>15</sup>

### Space Use Analysis

Mr. Wong then utilized the risk matrix as a guide in analyzing space use to help locate spaces in the courthouse where security measures may be necessary. This may be achieved by analyzing specific spaces using either (1) circulation charts superimposed on floor plans or (2) flow charts of circulation. A floor plan can have a circulation chart drawn on it by simply tracing the movement patterns under typical conditions, of the different categories of persons. Where the circulation of two categories of significant risk to each other intersect or run parallel, they may occupy the same place at the same time or at different times. When occupancy is simultaneous, the potential for security problems is high. This can be solved by imposing a separation either in time or space between occupancy by each category.<sup>16</sup> Various spatial

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<sup>15</sup>Wong, op. cit., pp. 92-94.

<sup>16</sup>Ibid., pp. 94-99.

solutions to this problem are offered by Wong.<sup>17</sup> Planning guides for the circulation system are also offered by Allan Greenberg.<sup>18</sup> He discusses ways to achieve segregated circulation systems by either horizontal or vertical patterns.

#### APPLICATION OF SECURITY MEASURES

According to Wong and the Courthouse Reorganization and Renovation Program, after threat and space use analyses have been made, the appropriate security measures can be taken. Well-designed security programs would include a well-balanced combination of operational, technological, and architectural security procedures. Examples of specific measures in each of these three categories are included in Appendix D.

#### Operational Measures

In Space Management and the Courts, Wong categorizes operational measures which may be utilized in security planning as procedural measures, personnel assignment and qualifications, and management organization. Procedural measures include bomb searches, evacuation plans, or the search of individuals entering the courthouse. Personnel assignment and qualifications would include standard prerequisites for job classifications and continuing up-date training.

#### Technological Measures

Modern technology offers many aids to effective courthouse security.

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<sup>17</sup> See Appendix C for examples of spatial separation.

<sup>18</sup> Greenberg, op. cit., pp. 32-34.

A Systems Approach to Courthouse Security offers a selective listing of types of technology available.<sup>19</sup> These measures are grouped into four categories: detection, signalling and communication, protection, and weapons.

#### Architectural Methods

Generally speaking, Wong believes that architectural solutions to courthouse security problems are more effective, more appropriate to the functions of a court, and longer-lasting than either of the other two alternatives.<sup>20</sup>

#### LIMITATIONS

The use of security measures - whether operational, technological or architectural - must be determined based on an analysis of the effectiveness and impact particular measures will have on the specific problems trying to be remedied. Which security options are chosen will be further limited by three major constraints: legal restrictions, fiscal restraints and limitations imposed by the presiding judge.

No literature was found on judicial restraints imposed upon court security, however the presiding judge has complete authority over everything which transpires in his courtroom. Therefore, no security measures may be implemented without his prior consent.

An important constraint imposed on all security measures is their legality. The U.S. Supreme Court ruled in the case of Illinois v. Allen in 1970 that a judge has the right to impose certain punishment on unruly defendants in the

<sup>19</sup> A Systems Approach to Courthouse Security, op. cit., pp. 51-57.

<sup>20</sup> Ibid., p. 28.

courtroom. The Supreme Court decision stated in part:

We believe trial judges confronted with disruptive, contumacious, stubbornly deviant defendants must be given sufficient discretion to meet the circumstances of each case. No one formula for maintaining the appropriate courtroom atmosphere will be best in all situations. We think there are at least three constitutionally permissible ways for a trial judge to handle an obstreperous defendant like Allen: (1) bind and gag him, thereby keeping him present; (2) cite him for contempt; (3) take him out of the courtroom until he promises to conduct himself properly.<sup>21</sup>

Many state laws and rules were written in the early 1970's based on the Illinois v. Allen ruling dealing with different aspects of disruptive behavior in courts. California passed a law in 1970 making it a crime to picket or parade "in or near a building which houses a court of this state with the intent to interfere with, obstruct, or impede the administration of justice."<sup>22</sup> New York State amended its criminal procedure law to permit the trial of a defendant who was removed from the court for disorderly or disruptive conduct.<sup>23</sup> Nevada and Minnesota passed laws similar to the New York law. Massachusetts passed an act making it a criminal offense to disrupt court proceedings. Numerous articles are available, especially in law review articles, which examine dealing with unruly defendants in the courtroom. Most literature uses the Illinois v. Allen Supreme Court ruling as its basis.<sup>24</sup>

<sup>21</sup>Illinois v. Allen, 397 U.S. 337, 343-344 (1970).

<sup>22</sup>California Penal Code, 169 (West 1972).

<sup>23</sup>New York Crime Pro Law, 260.20, 340.50 (McKinney 1972) (Chapter 789, 1971, Laws of New York).

<sup>24</sup>See Norman Dorsen and Leon Friedman, Disorder in the Courts, New York: Pantheon, 1973, Chapter 1; "Disruption in the Courtroom," University of Florida Law Review, Spring 1971, 23, pp. 560-589; Robert L. Epting, "Dealing with Unruly Persons in the Courtroom," North Carolina Law Review, June 1970, 48, pp. 878-896; "Guidelines for Controlling the Disruptive Defendant," Minnesota Law Review, March 1972, 56, pp. 699-717; Symposium, "Disruption in Our Courts", Trial, 1971, 7.

In general, every security measure must be able to withstand challenges on the grounds of prejudice to individual rights. Measures such as the indiscriminate searching of all persons entering a courthouse or courtroom may be challenged unless such procedures are properly authorized and conform to constitutional safeguards. Legal precedent for the searching of all persons entering the courtroom and requiring all persons to register for identification purposes, was set in Pierpont v. State (195 N.E. 264) by the Ohio Court of Appeal in 1934. In this court ruling, the decision stated that the circumstances surrounding this trial presented:

a situation which threatened the orderly administration of justice itself. It was the duty of the trial judge to prepare to meet any emergency, and he did so; and it was not only within his sound discretion to take steps which would forestall forcible release of Pierpont and his companions in crime by Dillinger and his gang, but it was his duty.<sup>25</sup>

The court further stated that these measures did not amount to an exclusion of the public.

In the instant case it does not appear that the public was excluded from the courtroom; but every person who desired to enter the courthouse and pass the cordon of soldiers was required to have a pass signed by either the judge or the Brigadier General in command of the militia, or both. It does not appear that any one was excluded who, after search and inquiry, was found to be a person of lawabiding intentions. We think the right to a public trial was not denied the defendant in this case.<sup>26</sup>

Another restraint imposed upon security plans is the cost involved. Whether a new facility is being contemplated or an old building is being renovated, fiscal constraints play a large role in what type of security measures will be implemented. Cost enters a security analysis in two ways: (1) How much cost does the addition of each security measure add to a courthouse and (2) How

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<sup>25</sup>195 N.E. 264, 267.

<sup>26</sup>195 N.E. 264, 267-8.

much do alternative measures cost for the same performance. An example of a cost comparison of various security methods is offered in Space Management and Courthouse Security.<sup>27</sup>

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<sup>27</sup>Space Management and Courthouse Security, op. cit., pp. 19-22.

## CONCLUSION

### EVALUATION OF AVAILABLE LITERATURE

The major sources of information on court security may be placed into two categories: those dealing with security planning in general and those dealing with specific security measures. The major works dealing with security planning are the three references cited extensively in the security system analysis - Space Management and Courthouse Design by Wong, A Systems Approach to Courthouse Security and Space Management and Courthouse Security by the Courthouse Reorganization and Renovation Program - as well as the book by Allan Greenberg, Courthouse Design: A Handbook for Judges and Court Administrators. An additional publication concerned with security in general is the ABA Standards for Trial Courts.<sup>28</sup> Those works which deal with the implementation of specific measures include the following: The American Courthouse published by the American Bar Association<sup>29</sup> and Disorder in the Courts by Norman Dorsen and Leon Friedman.

The most comprehensive literature on the subject of courthouse security is located in Space Management and Courthouse Security by F. Michael Wong. Chapter 5 of this book deals exclusively with courthouse security. Unlike other books and articles dealing with this subject, Wong presents a general framework from which detailed security plans are to be worked out to meet individual needs. This chapter does not attempt to offer solutions to

<sup>28</sup>American Bar Association Commission on Standards of Judicial Administration, Standards Relating to Trial Courts, Chicago, Ill.: American Bar Association, 1975, pp. 70-73.

<sup>29</sup>American Bar Association and American Institute of Architects Joint Committee on the Design of Courtrooms and Court Facilities. The American Courthouse, Ann Arbor, Michigan: Institute for Continuing Legal Education, 1973.

specific problems, except for a few illustrative examples. This work along with two companion monographs published by the Courthouse Reorganization and Renovation Program which appear to be earlier drafts of Chapter 5, are the primary source material currently available to individuals planning for security needs. However, the information contained in these works is not detailed enough to be used as a "how to" manual on court security.

ABA Standard 2.44 for trial courts deals specifically with court security. This standard is concerned with the need for security planning which will not jeopardize the dignity of the judicial environment. General court security features and procedures are commented upon, but the brevity of these comments curtails usefulness as a security planning aid.

Allan Greenberg's study entitled, Courthouse Design: A Handbook for Judges and Court Administrators offers an extensive commentary on courthouse design and planning, and is intended to be used as a guide to the process of creating a new courthouse starting with its early preparatory stages including legislative appropriation, budget and site selection. It also has two chapters related to court security. Chapter 9 deals with courthouse security while Chapter 10 is concerned with the courthouse holding area. Both of these chapters offer specific plans and procedures which may be implemented in an overall court security plan. Specific architectural, technological, and procedural measures to facilitate security planning are offered as well as procedures for dealing with bombs and bomb threats. The guidelines suggested in this book are extremely useful to planning a new courthouse, but many of the comments would be equally applicable for renovating an existing structure. The major drawback to this study with respect to court security is that it

approaches the topic from the perspective of an architect and not from the perspective of the individual responsible for security. Therefore, the usefulness of this study to court security is limited to building planning or renovation and does not extend to everyday court security planning.

Chapter 21 in The American Courthouse, deals with the question of security. This chapter provides a detailed description of the extensive security measures now in effect in the Marin County Courthouse in California, as a result of a prisoner escape from that building and ensuing shootout which resulted in a judge's death. This chapter provides a description of what might be considered a "model courtroom" from the standpoint of security features. This work is useful as a case study of desired security features, but the narrow perspective on courthouse security limits its usefulness as a planning guide.

Disorder in the Courts was the only book located which deals exclusively with court security. However, it examines court security primarily from the legal perspective of dealing with a disruptive defendant. Legal precedents for dealing with courtroom disruption are discussed, as well as options available to a judge for handling specific situations. This book does not offer any information on security planning or procedures, other than restraints which might be imposed by the judge.

#### ASSESSMENT OF LITERATURE NEEDS

Court security is a recent topic in criminal justice literature with no sources found prior to 1970. A major book on security published in 1970 (Post and Kingsbury, Security Administration: An Introduction) did not list a single reference to court security in an extensive bibliography covering

the application of security measures to different situations. Numerous sources were cited for bank, hospital, school, library, museum, hotel and airplane security, among others, but none were listed for court security.

In addition to being relatively recent, literature on court security is generally inadequate. Most literature available deals with various technological, procedural, and architectural alternatives to remedy court security problems. Extensive literature is available which tells what can be done. However, very little literature is available which offers guidelines for assessing security problems, weighing various solutions and determining the best solution under specific circumstances and restraints (such as judicial and fiscal) for a particular problem. No literature was found which can be used as a sole source court security planning guide by law enforcement planners.

#### AVAILABILITY OF PUBLICATIONS

In addition to the limited number of publications on court security, another problem confronting individuals desiring more information on the subject is the lack of easy access to the sources. The books and articles listed in the bibliography are not available in any one location, even in the libraries of large universities. Several different public libraries, university libraries, law libraries and even the Library of Congress had to be consulted. Other publications could be obtained only by requesting a copy from the author or publisher.

APPENDICES

## APPENDIX A

### INCIDENTS INVOLVING COURT SECURITY

As part of the literature review, an attempt was made to identify the scope of the security problem, as well as to identify sites to be studied in detail as part of the field study phase of the project. In order to determine the nature and extent of the problems related to court security, a selective review of national news sources was conducted. Sources consulted include:

- . New York Times
- . Washington Post
- . Chicago Times
- . Christian Science Monitor
- . The National Observer
- . Wall Street Journal
- . Television News Index and Abstracts

This review of newspaper and television sources from 1967 - 1977 has identified 52 court disruptions ranging from threats to bombings and assassination. Because of the nature of the news sources used, the incidents reported tend to be the more highly publicized violent disruptions or incidents of local concern. An analysis of the various incidents follows; see Appendix B for a descriptive summary of the incidents.

#### Analysis

For each incident, certain factors were identified, if available. These include:

- . regional location
- . type of security problem
- . motivation
- . purpose

- . target(s)
- . court jurisdiction involved
- . location in courthouse
- . type of force used

The geographical dispersion of the incidents is shown below in Table 2. This breakdown clearly shows that the majority of the incidents occurred on the heavily populated east and west coasts. In particular, the majority of the incidents occurred in New York State and California.

Table 2  
Geographical Location of Incidents

North East	
Connecticut	3
District of Columbia	2
Massachusetts	3
New Jersey	2
New York	<u>14</u>
Total	24

South	
Alabama	1
North Carolina	1
South Carolina	1
Virginia	<u>2</u>
Total	5

Mid West

Illinois	1
Iowa	1
Michigan	2
Ohio	<u>1</u>
Total	5

West

California	11
Colorado	1
Montana	1
South Dakota	1
Washington	<u>4</u>
Total	18

Numerous types of security problems were encountered ranging in severity from disorderly conduct in the courtroom to bombings. The most frequently reported type of incident was bomb explosions. This high frequency is not meant to imply that this type of security threat is the most prevalent, merely that it is the most highly reported. Due to the nature of the sources, the incidents reported tend to be the more dramatic and violent occurrences. Many instances of courtroom assault, disorderly conduct, and escape attempts are not included in nationally read news sources. Table 3 ranks the type of problem according to frequency of occurrence.

Table 3

## Type of Security Problem

Bomb explosion	18
Bomb threat	7
Shooting	6
Demonstration	3
Disorderly conduct	3
Assault	3
Escape attempt	3
Fire	3
Threat	3
Assassination plot	2
Hostage situation	2
Theft	1

The motivation for the disruptions was categorized according to two criteria: political v. criminal and premeditated v. spontaneous. All acts were designated criminal unless there was specific indication of political motivation (e.g. a terrorist group with the political objective of prison reform) or unless the information reported was not detailed enough to allow any identification of motivation, in which case no designation was made. Incidents were considered premeditated if they required some degree of planning before implementation, such as a bombing or a bomb threat. Those incidents were designated spontaneous in which there was no apparent aforethought. Table 4 shows that the incidents were evenly divided between political and criminal, but were predominantly premeditated as opposed to spontaneous.

Table 4

Motivation

Political	15
Criminal	20
Premeditated	40
Spontaneous	6

The purpose of the disruption was not always easy to determine. In some cases the purpose was clear-cut such as to escape, but in many cases, the reason could only be attributed to a general purpose of disruption of court procedures. Table 5 shows that the purpose was approximately evenly divided between unspecified reasons (general disruption or unknown) which occurred 29 times and the other more specific reasons (24 times).

Table 5

Purpose of the Incident

Disruption	24
Revenge	9
Protest	6
Escape	5
Intimidation	2
Robbery	1
Murder	1
Unknown	5

Table 6 shows that the target for the disruption was most often the courthouse in general. When an individual was identified as the target of a disruption, it was most often the judge or magistrate. The other trial participants were only marginally targets of violence or threats.

Table 6

Target of the Incident	
Courthouse	26
Judge/Magistrate	16
Witness	4
Unspecified lawyer	3
Court property	2
Defense attorney	1
District attorney	1
Juror	1
Police officer	1
Federal marshal	1
Sheriff	1
Complainant	1
Defendant	1
Public	1
Unspecified	3

Information on the court jurisdiction involved was so fragmented that it is not included in this report.

Table 7 shows that the most vulnerable areas are the courtroom and outside the courthouse. A majority of threats were directed at the courthouse in general reflecting the numerous bomb explosions and bomb threats.

Table 7

Location of Incident	
Courthouse	21
Courtroom	13
Home of judge	5
Outside courthouse	4
Detention area	2
Judge's chambers	2
Court library	1
Storage room	1
Courtroom office	1
Unspecified	2

Table 8 lists the types of force used in the various incidents. It is interesting to note that in eleven cases firearms were either brought into the courthouse or onto court grounds for use in a disruptive incident. Non-violent means were utilized in fifteen cases (threats - 10, no force used - 5).

Table 8

Types of Force Used	
Bomb	18
Firearm	11
Threat	10
Miscellaneous (thrown object, fist, etc.)	5
Incendiary object	3
No force used	5

### Summation

The typical security incident which this research discovered involved either a bomb threat or a bomb explosion, occurred in New York State or California, was premeditated, was designed to disrupt court proceedings, and was directed toward the courthouse in general. However, the incidents found were only the most highly publicized ones and do not reflect the numerous incidents which are on a much minor scale.

### Conclusion

This report is useful for the systematic presentation of court security incidents which it covers. However, because time and monetary restraints did not allow a scientific sampling of a statistically significant number of newspapers, including local papers, the results of this report cannot be inferred to the entire population of court incidents. In other words, the incidents analyzed in this report are not representative of the type and number of incidents occurring throughout the country. However, they are representative of the more spectacular court incidents which have occurred during the last ten years, and it is these types of incidents which have had and shall continue to have the greatest impact on court security planning and procedures.

APPENDIX B

DESCRIPTION OF INCIDENTS INVOLVING COURT SECURITY

February 11, 1967      A group of 15 - 20 protesters demonstrated against "court injustices" and light sentences for convicts at the Pottawattamie County Courthouse in Council Bluffs, Iowa.

October 30, 1969      Defendant bound and gagged in courtroom in Chicago for disorderly conduct during criminal trial.

November 12, 1969     A bomb exploded -- extensively damaging part of the fifth floor of a New York City Criminal Courts Building.

February 2, 1970      An explosion believed to be caused by a bomb or gas leak leveled a municipal building housing a courthouse in Shaker Heights, Ohio.

February 18, 1970     The fourth bomb threat this month was received at the Queens County Criminal Courthouse in New York City.

February 21, 1970     Three gasoline bombs exploded in front of the home of a judge presiding at pretial hearing of Black Panthers in New York City.

March 11, 1970        An explosion at the Dorchester County Courthouse in Cambridge, Maryland tore a hole in the building.

March 12, 1970        A bomb threat was received at the U.S. Courthouse at Foley Square in New York City.

March 13, 1970        A bomb threat was received at the Federal Courthouse in Brooklyn, New York (Cadman Plaza East).

April 29, 1970        Police discovered and broke up plot to assassinate a judge who had recently ordered desegregation of schools in Los Angeles, California.

June 11, 1970         Bomb threat received at U.S. Courthouse in Brooklyn, New York.

August 7, 1970        Shoot out occurred in Marin County Courthouse in San Rafael, California. During a situation in which hostages were taken, a judge was killed and others were wounded.

August 10, 1970      During a disturbance in a criminal court in New York City, the defendant leaped to the bench and hit the judge on the head and shoulders with his shoe.

September 5, 1970 Bomb exploded in Los Angeles County Hall of Justice.

September 9, 1970 A bomb threat was received and a judge threatened at a circuit court in Bridgeport, Connecticut.

October 8, 1970 A bomb explosion occurred in the Marin County Courthouse, San Rafael, California.

October 10, 1970 A bomb exploded in the Queens Traffic Court building in New York City.

November 24, 1970 Judge critically wounded and later died as a result of 5 pistol shots. Incident occurred at his home in Alexandria, Virginia.

December 21, 1970 Bomb exploded in the municipal court building at El Monte, California (a suburb of Los Angeles).

March 16, 1971 The Marin County Courthouse in San Rafael, California was evacuated twice because of bomb threats.

April 8, 1971 During an escape attempt at the Federal Courthouse in Bridgeport, Connecticut, a defendant was wounded by a deputy marshal and apprehended.

May 27, 1971 Defendant kicked court appointed lawyer in the face and shoulders knocking him to the floor at the Marin County Courthouse, San Rafael, California.

February 14, 1972 Demonstration outside courthouse in San Jose, California protesting new law banning demonstrations outside courthouses.

May 16, 1972 Continued demonstrations outside courthouse in San Jose, California.

May 25, 1972 Man involved in civil lawsuit in Oroville, California suddenly pulled out a pistol and began firing in courtroom. A lawyer was killed, a judge and witness were wounded.

July 3, 1972 Madison County Courthouse in Virginia City, Montana was destroyed by fire.

November 6, 1972 A bomb threat was made against the U.S. Customs Courthouse in New York City as a youth approached the courthouse carrying a wooden box with a fuse dangling from it and threatened to "blow the place up." Upon later examination by the police the box was found not to contain an explosive device.

November 27, 1972 In a San Francisco criminal court, the defendant lunged across the defense table at a court-appointed lawyer. The attorney was knocked to the floor before the defendant was subdued by four sheriff's deputies.

January 13, 1973 A fire bomb exploded in front of a judge's home in Yonkers, New York, setting fire to part of the house. No one was injured and no motive was known.

February 6, 1973 A melee erupted between demonstrators and police outside the Custer County Courthouse in South Dakota.

April 3, 1973 A lawyer pulled a gun from beneath his coat and pointed it at himself and various persons in the courtroom. The lawyer was shot and killed in the Detroit courthouse.

April 20, 1973 A courtroom office was broken into during the night in New York City and a television set was stolen.

November 12, 1973 In the Manhattan Criminal Court, a defendant pulled out a revolver and shot himself and complainant.

April 26, 1974 A bomb was found outside the District Court in Mineola, Long Island.

April 29, 1974 A fire in the Camden County Courthouse, New Jersey, destroyed several thousand court reporter, stenotype tapes of trial testimony.

May 26, 1974 A glass door to the Bronx Family Court was smashed by an individual who bore a grudge against the court.

June 3, 1974 In Pasco, Washington, a judge was killed by a letter bomb received through the mail.

July 11, 1974 Eight hostages were seized in the U.S. District Courthouse in Washington, D.C.

September 1974 Armed guards have stood watch for the past 18 years at the home of a U.S. District Judge in Montgomery, Alabama. The judge has been a target of segregationists critics because of his school integration rulings, and has had crosses burned on his front lawn and has had a bomb explode at the home of his mother.

September 28, 1974 A twenty-four hour guard has been placed on a judge of the Waterbury, Connecticut Superior Court after a threat was received.

November 4, 1974 A spectator was angered by a judge who threw him out of the courtroom in Wanaque, New Jersey after he created a disturbance. The individual shot and killed the judge who was still at the bench by using a rifle from outside the courthouse.

February 13, 1975 A judge was shot and killed and a sheriff injured during a shoot out at the General District Court in Louisa County, Virginia.

May 22, 1975 An unexploded bomb was found at the Orangeburg County Courthouse in South Carolina.

August 5, 1975 A bomb exploded in the Federal Courthouse, Tacoma, Washington in protest of alleged FBI harrassment of Indians on reservations in South Dakota.

August 6, 1975 A bomb exploded outside the door of the administrative office of the Bureau of Indian Affairs in the Everett, Washington Federal Office Building which housed a court.

August 8, 1975 A bomb exploded at the U.S. Courthouse in Denver, Colorado to protest alleged FBI harrassment of Indians on reservations in South Dakota.

January 2, 1976 In Detroit, a spectator was accused of being hired by the defense to sit in the courtroom and intimidate a witness by glaring at him with the intent of preventing the witness from testifying.

April 23, 1976 Twenty-one persons were injured when a bomb exploded at the Suffolk County Courthouse in Boston, Mass.

July 2, 1976 A bomb exploded in the probation department of the Essex County Courthouse in Newburyport, Mass. The suspects were linked to a radical prison reform terrorist group.

April, 1977 A state penitentiary guard was injured when a cigarette lighter bomb exploded in the Superior Court library in Walla Walla, Washington. The guard was in the courthouse to testify at a trial.

APPENDIX C

SPATIAL SOLUTIONS TO CIRCULATION PROBLEMS 30

- . Private corridors, stairs and elevators for each category of person requiring complete privacy.
- . Detention spaces connected directly to each criminal courtroom.
- . Separate access to courts for judges and court staff, juries, witnesses and attorneys, the public, and detained defendants.
- . Detention floors or floor areas in a criminal courthouse connected directly to spaces where prisoners are routinely sent.
- . Judges' chambers located in close proximity to each other on separate floor areas.
- . Limited and controlled public access to chambers.
- . Private building entrances for judges and prosecuting attorneys.
- . Limited number of public access doors to the building.
- . Public functions on first and lowest floors.
- . Separate building entrance into detention spaces for prisoners under arrest.
- . Facilities with higher security needs located near each other and away from public and low security areas.
- . Double or soundproof walls for jury deliberation rooms.

<sup>30</sup>Wong, op. cit., p. 103.

## APPENDIX D

### EXAMPLES OF OPERATIONAL, TECHNOLOGICAL

### AND ARCHITECTURAL MEASURES<sup>31</sup>

#### OPERATIONAL MEASURES

Operational measures which may be utilized in security planning include procedural measures, personnel assignment and qualifications, as well as management organization. Some specific measures are described below.

#### 1. Procedural Measures

##### Exterior Building Security

- . Reduce the number of public entrances and provide separate access for jail traffic, court personnel and the public.
- . Responsibility for overall building security must not be fragmented among several jurisdictions. An effective method of unifying courthouse security must be maintained which takes into account building wide emergencies, such as fires, security control outside of courtrooms and afterhours protection. A good communications system is imperative for this to be effective.

##### Interior Building Security

- . Daily, thorough bomb searches serve an important detection function and will also help deter bomb plants.
- . Doors to all private and public areas not in use should be locked after hours.
- . An effective security procedure is a habitual challenge in non-public areas of all persons unknown to the staff. Simple challenges can be made by offering to be of assistance.

<sup>31</sup>The measures listed in this section have been taken from Greenberg, op. cit., pp. 54-57; The American Courthouse, op. cit., pp. 221-223; and Wong, op. cit., p. 103.

- . Evacuation plans in case of fire, bomb and other emergencies are of vital importance. Such plans should encompass the following four areas:
  - A. Procedures to control the movement of all persons out of the building.
  - B. Safe routes of evacuation from every space in the building.
  - C. Denoting specific persons to carry out the plan.
  - D. Procedures for handling records, trial exhibits, detained prisoners, witnesses and jurors.
- . Search each person entering the building for concealed weapons.
- . Prohibit the use of court areas in the evening and during weekends.
- . Provide private corridors for judges and staff which can be controlled by locked doors requiring keys given only to authorized persons.
- . Station security guards at control points to unlock doors to allow only individuals with permission to enter.
- . Securely attach or remove all moveable furnishings such as benches, sand urns and other lobby furnishings.

#### Courtroom Security

- . Keep locked all courtrooms and related areas when not in use.
- . Station guards at entrances to courtrooms when in use.
- . Establish procedures for subduing violent persons.

#### 2. Personnel

One person who has special training in courthouse security should be in charge of all security operations. To insure that court security officers are professionally capable, standard requirements, independent of court assignment are desirable. Standardized pre-

requisites for job entry should be supplemented with initial training and continued update training. Training in the following areas might be valuable to the court officer:

1. Adult and child behavioral psychology
2. Spanish or another locally spoken language
3. Cultural background of ethnic groups
4. First aid
5. Court procedures and trial rules
6. Crowd and riot control procedures
7. Bombs and bomb detection
8. Building space planning concept and space use
9. Use of weapons (stressing non-lethal techniques and devices)
10. Subjugation of violent persons

In addition to security officers, non-security personnel from the court staff could be appointed and trained to assist in such areas as evacuation, keeping order, and preventing panic.

### 3. Management Organization

The basic management activity of a court security unit is to integrate all security efforts and personnel into a coordinated operation.

## TECHNOLOGICAL MEASURES

Modern technology offers many aids to effective courthouse security. A few examples of the types of technology which might be used are described below.

### Exterior Building Security

- . Provide controlled security door access for prisoner transport vehicles, using direct visual control by guards or remote control with a closed-circuit television surveillance system.

- . Provide alarms at sensitive access points such as building roofs, ventilation air-intakes and emergency exits.
- . Provide adequate outside Lighting at night.

#### Interior Building Security

- . Screen all entrants to building with metal detection devices.
- . Provide all security guards with small radio receivers and transmitters.

#### Courtroom Security

- . Screen entrants to courtrooms during sensitive trials with metal detectors.
- . Equip the courtroom with a "security chair" to handle dangerous defendants or witnesses. This chair is firmly attached to the floor and is equipped with straps to secure the occupant.
- . Reinforce the vertical portion of the judge's bench under the bench top with bullet resistant material.
- . Provide an alert button by which the judge or clerk may notify security personnel of a problem in the courtroom.
- . Install a voice-warning system in conjunction with all office telephones. Recorded or direct voice instructions would go to each employee describing the emergency and giving instructions for evacuation or search procedures.

#### ARCHITECTURAL METHODS

Generally, architectural solutions to courthouse security problems are more effective, more appropriate to the functions of a court, and longer-lasting than operational measures. However, these methods usually involve the highest amount of initial capital investment. Various security measures which may be structurally included in a court building include the following:

- . Private corridors for judges and prisoners.
- . Private elevators for judges and prisoners.
- . Prisoner holding areas adjacent to the courtroom.
- . Courtrooms built in the interior of buildings without windows.

Architectural/structural features to avoid include the following:

- . Courtrooms adjoining public areas, such as washrooms, in which bombs can easily be hidden.
- . False or removable ceilings, ducts or wall panels in public areas, such as washrooms. These areas provide ideal places for bombs to be hidden.
- . Cul-de-sacs in corridors and infrequently used corridors or stairwells which would present an excellent environment for placing a bomb.
- . Low ceilings and those with ducts and removable panels in public areas.
- . Public elevators that are not easily programmed to by-pass certain floors.
- . A high degree of public accessibility to all parts of the building.

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DEALING WITH COURT SECURITY

American Bar Association and American Institute of Architects Joint Committee on the Design of Courtrooms and Court Facilities. The American Courthouse. Ann Arbor, Michigan: Institute for Continuing Legal Education, 1973.

This work is the final product of a study co-sponsored by the American Bar Association and the American Institute of Architects. Except for certain environmental conditions, rigid design formulas are avoided. Existing operations in the federal and state judicial systems are briefly summarized. Planning requirements for the general trial court and its constituent functions are outlined. Courts of special jurisdiction, i.e., appellate, criminal, juvenile, and family relations, are given separate planning requirements, since their aims and operations differ from the general trial court and from each other. Certain concerns basic to the design of any courthouse are given detailed treatment - the establishment of criteria for a satisfactory physical environment, the use of technology to provide efficient handling of information, and the inclusion of adequate security provisions. Representative historic and contemporary courthouses are surveyed through photographs, drawings, and plans. Guidelines are offered for improving courthouses of the future through community action.

This publication may be obtained from The Institute of Continuing Legal Education, Hutchins Hall, Ann Arbor, Michigan.

American Bar Association Commission on Standards of Judicial Administration. Standards Relating to Trial Courts. Chicago, Illinois: American Bar Association, 1975.

Standard 2.44 deals with courthouse security. This standard addresses the problem of design of court facilities, the establishment of security arrangements, and administrative responsibility for court security.

Copies of this document may be obtained from the American Bar Association.

Courthouse Reorganization and Renovation Program. A Systems Approach to Courthouse Security. New York, 1972.

This is one of a series of manuals produced from the work of the Courthouse Reorganization and Renovation Project of New York State. Courthouse security is defined and the problem in various courts is covered. The security system concept, its analysis and application are supplemented by examples.

Copies of this publication may be obtained from Courthouse Reorganization and Renovation Program, 111 Center Street, New York, New York 10013.

Courthouse Reorganization and Renovation Program. Space Management and Courthouse Security. New York, 1972.

The court administrator confronted by security problems may seek solutions through minor changes in operations or major changes in all aspects of security operations, including alteration to facility architecture. It is the purpose of this monograph to examine the relative value of architecture and space management in achieving courthouse security and to demonstrate the advantages of the architectural approach over the operational approach where renovation or new construction is planned. A matrix is developed which analyzes courthouse security in terms of the relative risks of dangerous encounters between persons using the court facilities. The analysis includes a discussion of personnel movement within the building. Model security systems are outlined and costs estimated. Throughout the discussion the solving of various security problems is examined from both an architectural and operational viewpoint. The study concludes that the architectural method results in more constant effectiveness because of cost advantages, performance improvements, a more efficient use of overall space, and a minimum qualitative penalty. However in situations where it is only possible to modify operational procedures, the analytic procedures presented in this monograph are useful in arriving at a cost and effectiveness comparison of the alternate methods.

Copies of this publication may be obtained from Courthouse Reorganization and Renovation Program, 111 Center Street, New York, New York 10013.

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The book begins with a discussion of the architect-client contract, and then proceeds to review the various stages of the preparatory phase of the project - the legislative appropriation, program, budget, and site acquisition. This is followed by an analysis of the basic characteristics of the modern courthouse, the process of plan development, a testing procedure to evaluate courtroom performance, and some notes on security

and facilities to handle prisoners. The concluding section contains a comprehensive bibliography. The text focuses on the trial court of general jurisdiction, but is also relevant to the more specialized problems of the police-court building or the criminal courthouse. The criminal courtroom for jury trials, the most complex courtroom to design, is discussed in greater detail than the simpler civil, traffic, or arraignment courts.

Copies of this study may be obtained from the American Bar Association.

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Facilities adequate to the fair and prompt administration of justice are in chronic short supply in nearly every state in the nation. This handbook offers judicial administrators, architects and planners and others concerned with court space needs, a planning and analysis methodology for application on a national basis. This work resulted from the 1970-1972 Courthouse Reorganization and Renovation Program, a study of New York County Judicial Facilities in Manhattan's Foley Square - a thirty year space planning and use program. The basic concepts of space management are presented, and a space management methodology is discussed in detail and supported with comprehensive graphics. Space standards and design guidelines are offered for use in the planning of courts and related to the functions which particular facility spaces must serve and the needs of the persons performing those functions. Manpower projection techniques are discussed. Two factors outside of, but impinging upon space study findings, are treated in separate chapters - Courthouse Security and the Components of a Comprehensive Information Communications System. Typical space management applications and problem solutions which may be applicable at local levels are described. Factors which bear on cost estimating and the use of published cost indices are analyzed. Program administration and cost planning form the basis of the concluding chapter.

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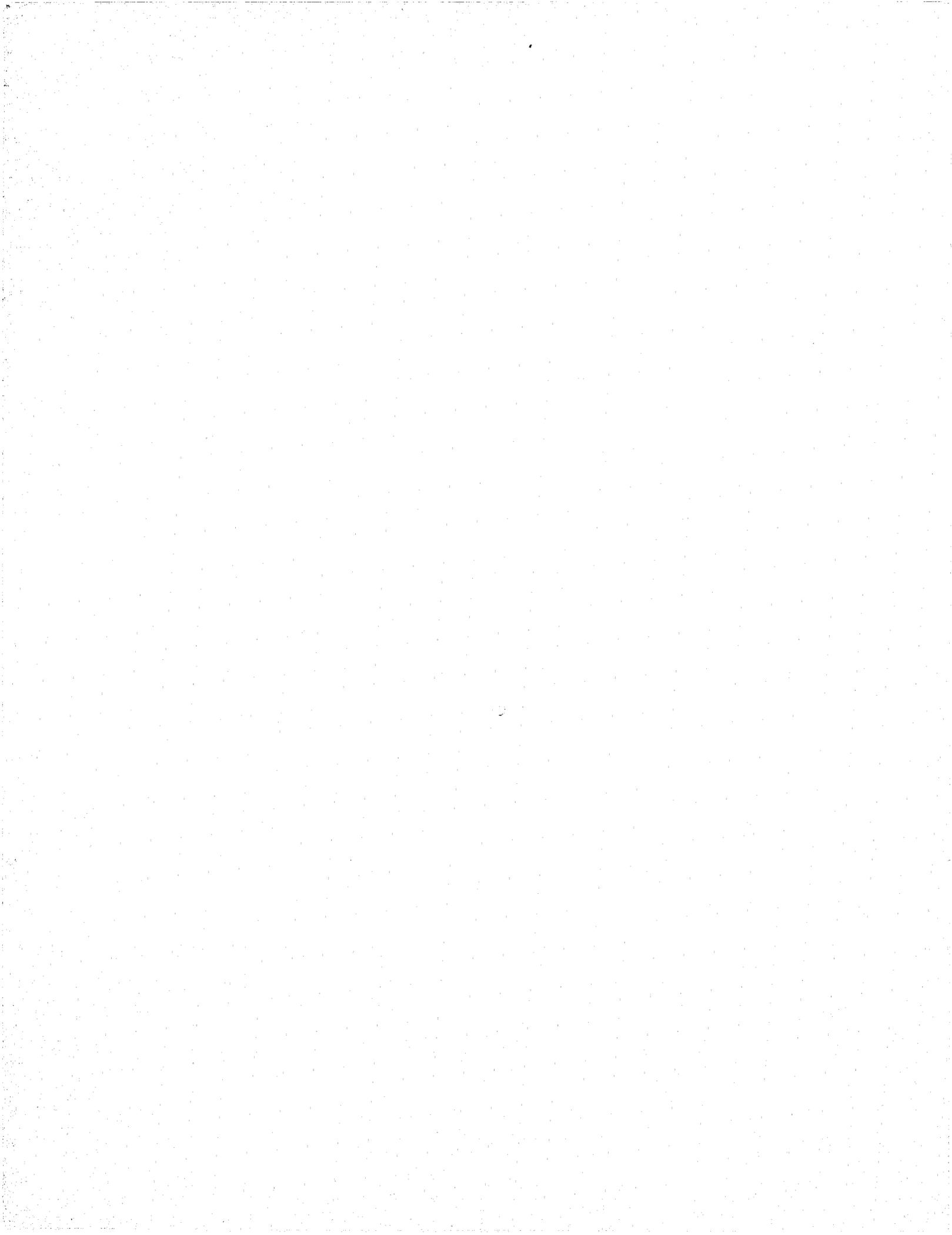
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