



## **Michigan Supreme Court**

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Honorable Russell F. Ethridge  
Chief Judge  
Grosse Pointe Municipal Court  
17147 Maumee  
Grosse Pointe, Michigan 48230

Dear Chief Judge Ethridge:

Following the recent performance review by the State Court Administrator's Office (SCAO), I have been requested to review the security practices at the Grosse Pointe Municipal Court. Thank you for allowing me to walk through the facilities during a court hearing day and to speak with the court employees and the public safety officers about security procedures and practices. In an effort to enhance security, I would like to offer a few comments and some recommendations for the court and the employees.

### **COMMENTS:**

All government facilities (including courthouses) face a certain level of risk associated with various threats. These threats may be natural events, accidents, or intentional acts to cause property damage or personal injury. Regardless of the nature of the threat, government has a responsibility to limit or manage risks from these threats to the greatest extent possible. In light of recent tragic events involving various courts and court personnel, the vulnerability of our justice system, its employees, patrons, and the facilities need to be reviewed, enhanced, and improved.

Judges, judicial employees, and visitors in our courthouses often become the victims of hostile acts. Most violence is interpersonal, in that it is an attack by one person against another. It may involve a party in a divorce or other domestic case who suddenly attacks his or her spouse. It may involve a spouse or coworker who brings a weapon into the building to harm someone, or, it may involve extremist groups or gang members attempting to intimidate a witness or juror. What characterizes most courthouse violence, though, is that it is related to a specific court case. Some violence, however, may be symbolic and it can be an attempt to make a general statement using a public setting, such as the courthouse, as the platform.

Courthouse security provides its own unique challenges because of the following factors:

- **Mixed Tenant Occupancies** – other governmental or nongovernmental entities may occupy the same building;
- **Secure Spaces and Pathways** – the need for distinct spaces and **circulation patterns** designed to separate judges, court staff, attorneys, witnesses, victims, juries, prisoners, opposing parties, and the general public; and
- **Secure Interface (i.e., the Courtroom)** – the need to maintain order and safety within the courtroom when all of the above parties come together to resolve matters.

The current arrangement of the space for the Grosse Pointe Municipal Court unfortunately provides some of these challenges. The secure pathways are nonexistent and the employees and the public share circulation routes with defendants that are in custody and need to be transported through the public hallway to reach the courtroom. All too frequently, there can be unplanned and unexpected contact between these defendants, litigants, and other users of the facility causing potential security concerns. These types of unexpected contacts need to be kept to a minimum and/or controlled. Keeping this in mind can improve security and reduce potential risks.

Physical security can be defined as a combination of physical and procedural measures designed to prevent or mitigate threats or attacks against the courthouse. The four main principles of a comprehensive physical security program are to **deter, detect, delay, and respond**. They can be thought of as concentric circles of protection and are as follows:

- **Deter** – measures implemented that are perceived by an adversary or threat as too difficult to defeat.
- **Detect** – measures implemented to determine that an unauthorized action has occurred or is occurring. Detection includes sensing the event, communicating the alarm to an attended location, and assessing the alarm.
- **Delay** – measures implemented to impede an adversary or threat from gaining access to the asset being protected.
- **Respond** – actions taken by a security or law enforcement force, once notified of an event, to prevent, resist, or mitigate the threat or attack.

Effective court security consists of the following elements needed to ensure the safety of people (staff and public) and the property within the courthouse and nearby grounds, and to protect the integrity of the judicial process:

- **Architectural Elements** – such as separate public, private, and prisoner circulation systems, holding cells, and blast/bullet resistant construction;
- **Equipment and Technology** – such as surveillance cameras, metal detectors, and x-ray machines; and

- **Personnel and Operational Procedures** – including security staff, training, weapons policies, and emergency procedures.

The Grosse Pointe Municipal Court divides its facilities between the City Hall building and the Court & Council Chambers annex attached to the public safety building. The location of this court has a fair amount of parking with additional parking on nearby streets. On court hearing dates, the court lacks a secure check-in counter, conference rooms, jury facilities, separate witness holding rooms, and secure paths of travel for the judge, employees, and the in-custody defendants. Because the main court counter is located in City Hall, additional burdens are placed on court and city employees to handle customers, files, and cash boxes on court dates.

With that being said, there are some steps that can be taken to improve the overall safety and security of the court, its personnel, and the patrons.

### **RECOMMENDATIONS:**

With the above thoughts in mind, the following recommendations are being suggested. Many of these recommendations can be accomplished by reviewing, rewriting, and implementing policies and procedures. Procedures may be inconvenient to some, but they do increase the safety and security for the judge, employees, and the courts' visitors. These recommendations are not in priority order as that order should be determined by the **Security Committee**.

#### **1. Security Committee**

In order to accurately identify what needs to be addressed for a safe and secure facility, the first recommendation would be to establish a standing **Security Committee**, encouraging participation of key court and city personnel. Having the involvement of various players increases the awareness of the needs of all the employees and visitors and will also increase the support when decisions for security improvements are made. This committee should have representatives from the following list to focus on court security:

- The judge
- Prosecutors' and city attorneys' offices
- City police and county sheriff's office
- Facilities management
- The court's operational/administrative board representative
- Representatives of the court employees,
- Other important internal and external stakeholders

#### **2. Establish a Security Improvement Plan**

The **Security Committee** should conduct a **risk assessment** to determine what personnel, offices, and functions need to be protected and from what they are to be protected against. This risk assessment could be formulated as a five-year plan for the ultimate security goal while taking incremental steps to achieve that goal. From the court's perspective, security of the judge, the employees, and court business could be enhanced. This recommendation letter can assist in the initial planning of security improvements and be beneficial before and during any remodeling projects. If you are interested in additional resources, like the *Court Security Audit Checklist*, feel free to e-mail the undersigned at [macdonelld@courts.mi.gov](mailto:macdonelld@courts.mi.gov).

### 3. Entrance Screening

The screening conducted at the entrance to the Court and Council Chambers annex plays a vital role for the safety of the court, its employees, and all who work in the building. The screening station is quickly setup the morning of the scheduled court dates and operates when court is in session. The screening station is staffed by the police department and the number of personnel assigned varies by the shift that may be on duty. The staffing level may be reduced when the police department receives calls for service within the community. The screening station should be properly equipped and staffed. Since violent encounters are unpredictable, **this station should be operating the entire time the court is open for business.**

A walk-through magnetometer and a portable hand wand are located at the screening station. Currently, packages, purses, briefcases, etc. are checked by hand by one of the police officers. This process creates a few concerns. One is the safety of the screener placing their unprotected hands inside an item to check it. An accidental injury may result by puncturing or cutting a finger. As a result of conducting hand searches, entry into the building is slowed, and may cause lines to form outside of the building's vestibule area. The screening station should be equipped with an x-ray scanner to assist in searches of any and all items and packages being brought into the building.

The ideal recommendation is to staff the screening station with at least two screeners and an armed observer. Of the two screeners, one should be monitoring the traffic passing through the magnetometer and utilizing the hand wand when necessary. The other should be assigned to package searches and operating the line scan or x-ray machine.

The armed observer should be in a position to be able to watch the patrons as they enter into the building and then proceed through the screening process. This observer is looking for unusual actions or mannerisms that may alert a trained person that something may be amiss. This third person should be equipped with a firearm or taser and capable of intercepting any person attempting to enter the building while armed. The main entrance and screening station is where security must stop armed person(s) from entering and endangering the staff and the visitors.

A recommendation would be to continue the use of stanchions or portable posts and retractable belts to manage lines and queues. These stanchions direct people into the walk-through magnetometer. With the use of additional stanchions, the traffic exiting the magnetometer could be directed to an area where the security officer could conduct a closer inspection of the patrons using the hand-held magnetometer (if necessary).

The screening station should be equipped with a panic or duress alarm to summon assistance in case of a breach of security.

Signs should be placed outside and at the entrance door to the screening station. These signs need to identify the court's policy banning weapons and all persons and packages are subject to being searched.

#### **4. Court Clerk's Counter**

Currently, the court clerk's counter and workspace is an open area just inside the main entrance of City Hall. This is not a secured location and is too open allowing ease of access to the court files and staff. If this counter is to continue in use, it should be redesigned. The redesign should impede or limit access beyond the public side of the counter. A clear protective panel should be placed over the counter allowing conversation and the exchange of documents, but limiting the ability of the public to reach over and remove items from the court's work surface. The protective panel provides a barrier keeping the employees out of reach from an emotional customer.

A recommendation would be to move the clerk's counter into the Courts and Council Chambers annex. The probation officer advised the probation office is seldom used to meet with clients because of safety concerns. The probation office could be remodeled into a more secured working space. A customer service window could be established from this office into the main lobby area of the annex. Creating a customer service window would lessen the concerns of having a clerk sitting at the makeshift check-in counter in the lobby on court dates. Access to this office could be maintained with the installation of an electronic swipe card system. When necessary, the probation officer could schedule appointments with clients in the conference room or the courtroom when they are not in use.

Relocating the court staff and files into the same location as the courtroom would alleviate safety and security concerns when the staff has to transport court files and the cash box across the parking lot on court dates. Using an office that is securable allows better file and information privacy and would meet the minimal security requirements of the Law Enforcement Information Network (LEIN) allowing the court to efficiently use this system. This would also separate the court's customers from the City Hall visitors and customers.

#### **5. Courtroom**

The courtroom is a multipurpose room that is shared with the City Council. Rooms of multiple uses pose additional security concerns for the court. It is strongly recommended that when the courtroom is not in use, it should be closed and locked in an effort to keep unwanted items out of the court. When these rooms are used for other purposes, the court security staff needs to thoroughly inspect the entire courtroom for items accidentally or intentionally left behind such as contraband, weapons, evidence, or persons. According to the court security officer, a search of the courtroom is conducted prior to each court session. This practice needs to continue. This practice should be included in the written security procedures.

Consideration should be given to raising the entire council bench. This would allow the judge to view the defendants and attorneys at eye level and not have to be looked down upon by the defendants. This is in keeping with the proper court decorum of the court and provides the judge with a better view of people's behavior in the courtroom. Viewing of the judge and the council during their meetings is enhanced for the public.

A side entrance to the courtroom from the police department is strongly recommended. For the safety of the judge, an emergency exit from the courtroom needs to be established. A secondary entrance would allow the judge to enter directly to the bench without parading through the lobby while wearing the judicial robe. This second entrance could also be used for the transportation of in-custody defendants keeping them from comingling with the general public, witnesses, and victims in the lobby area. This door can be secured on both sides with an electronic swipe card system. The door should be closed during court sessions and able to be secured in case of an emergency exit by the judge and court staff.

Because this is a multiple use room, the seating for the audience is a collection of loose, or individual, chairs. If possible, these chairs should be removed and replaced with benches, or at least, secured to each other to avoid being thrown or used to strike somebody.

#### **6. Secure Interior Doors**

The goal of securing "employee only" doors, such as the door to the clerk's office and the second door to the courtroom, is to ensure safe and secure work areas and to protect against inappropriate interaction between court employees, in-custody defendants, the participants in the judicial process, and the general public. The general public should not be allowed in the areas that house office space for the judges and court personnel, the court records, files, and safes, and the prisoner transport and holding areas.

There are several types of devices that can be used to secure these doors, ranging from locks and keys to highly technical biometric readers. Some courts have chosen active radio frequency cards and proximity reader systems. A proximity reader is installed at the identified doors and will unlock the door when a swipe card is presented. This allows for a quick unlocking of the door and will relock when the door is closed. This type of action is critical if a judge and court staff need to vacate a courtroom during a disturbance that requires court security to take control. Access for the various doors can be controlled, granted, denied, and monitored via computer by an administrator. Frequently, these swipe cards are incorporated into and used as the employee's identification card. This system is preferred over the lock and key method which requires issuing and maintaining a key control inventory. When keys are lost or stolen, replacing the locks and keys becomes tedious and expensive. It is also preferred over the combination lock and code type systems, like a number pad or cipher lock mechanism, because the ability to keep the access code confidential becomes an issue. These codes should be changed at least every six months or when employees leave the job.

#### **7. Monitor and Test Duress or Panic Alarms**

Duress alarms are a vital link to court employees' safety. Duress alarms should be installed and secured at specific locations, to include the courtroom bench, judges' office, administrative assistants' workstations, public counters, screening station, probation offices, cashier's location, and any other location determined by the **Security Committee**. Duress alarm buttons should not be portable or moved from their intended location. When an alarm is activated, security and law enforcement may focus on where the duress alarm is assigned and run by the actual location of the portable alarm. This could actually endanger the responding security and law enforcement officers.

The Grosse Pointe Municipal Court does have a duress/panic button under the bench/council table. Unfortunately, the judge was unaware of the button or if it even functioned. During the visit, the button was tested. About four minutes after depressing the button, the dispatcher relayed the call as a "holdup" alarm. An identified list of the type of alarm and actual location of the buttons should be maintained by the court administrator and forwarded to the appropriate dispatch center. A copy of this list should be used for the regular testing. All the duress/panic buttons should be similar in nature so all employees are capable of activating the alarm from any button when required. A policy on the proper use and testing of the duress alarms should be provided to all employees. All employees should be trained according to the established policy as to when and how to use the duress alarm system. The employees should participate in the testing, at least, semiannually. This ensures their knowledge of how to use the duress/panic buttons.

#### **8. Video Surveillance System**

A video surveillance system entails the strategic placement of appropriate security cameras in an effort to send real-time images to both monitors and recording devices. These video images can be used for instant viewing and/or later recall for detection, recognition, and identification of incidents and the people visiting a particular location. The court should develop plans for implementing a surveillance system. This system should be installed to cover any potential trouble spots and secure areas inside and outside of the building. Being unable to predict when and where an incident may occur, thought should be given to placing cameras at all entrances and exits, and in all public areas, including: lobbies, waiting rooms, hallways, along with the courtroom, safe and vault areas, employee only areas, parking areas, and prisoner movement areas.

The establishment of a video monitoring station in the lobby, near the screening station, allows the security officers to monitor certain cameras while performing the screening of the visitors to the court.

The actual locations of the cameras, along with the type of cameras, need to be located according to a comprehensive site plan that has been reviewed and approved by the **Security Committee** or its designee. A site plan should take into consideration the areas to be viewed, the height of the camera, natural and artificial lighting, time of day, and the quality of the image detail required. The visible placement of cameras may also act as a deterrent to crime.

The type of camera needed for each location should be chosen based on the anticipated need for viewing of that location and the necessary image detail required for detection, identification, and/or evidence. Some camera locations are sufficiently covered with a fixed focal length and a set field of view, while other areas are better served with a pan/tilt/zoom (PTZ) type of unit. Although black and white cameras are less expensive, the full color cameras produce a more realistic image.

#### **CONCLUSION:**

Establishing and implementing an effective security program in a courthouse provides a stable,

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relatively predictable environment in which an individual or group may pursue its end without disruption or harm, and without fear of disturbances or injury. The courthouse is the last stop in our democratic process for citizens to resolve disputes and to right wrongs. Free and open access to justice requires a safe and secure environment in which all those who come to the courthouse are free from fear and intimidation. Judges and judicial staff need to feel safe if they are to conduct themselves in a fair and impartial manner and in accordance with a sense of judicial decorum.

The suggestions listed can assist in improving the overall security for the Grosse Pointe Municipal Court and are based on the continued use of the court's current facility. Implementation of any of the recommendations should be based on the **risk assessment**, available funding, equipment, and staffing. Although structural improvements can increase security, an important risk reducing advantage would be to **raise the security awareness level for all the occupants of the court through planning, preparedness, and training**. The training should include both classroom and mock evacuation scenario demonstrations.

Although these suggestions and recommendations are not inexpensive, the overall safety of the court staff, city employees, and visitors to the facilities is becoming more critical in today's environment. The Grosse Pointe Municipal Court and the City of Grosse Pointe may look at alternatives like court consolidation or holding court hearings in an adjacent courthouse in order to conserve finances. These alternatives may require proper legislative changes and inter-local agreements to be able to move forward and complete.

After reviewing this material, if you have any questions or comments, please feel free to contact me. I am available to discuss these recommendations with you and the **Security Committee** and to assist in providing initial training in the area of security.

Sincerely,



Dennis Mac Donell

cc: Ms. Deborah Green, Regional Administrator