

# Recommended Court Security Measures for Cases Involving Domestic Violence

**A Guide for Courts**

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The security recommendations included in this paper are based on established national best practices in court security and the professional expertise of NCSC court security experts. These recommendations were established over the course of conducting 300+ courthouse security assessments across the nation. Additional input and advice for consideration was provided by a group of State court-based professionals. A special thanks is offered to those who shared their time and insight regarding the unique safety and security issues inherent to domestic violence, including: Hon. Elizabeth Berns (King County Superior Court, WA), Hon. Anne Hirsch (Thurston County Superior Court, WA), Hon. Charles D. Short (Okanogan County District Court, WA), Jennifer Creighton (Thurston County District Court, WA), Court Administrator Pam Hartman-Beyer (Thurston County Superior Court, WA), Court Administrator Trish Kinlow (Tukwila Municipal Court, WA), Ron Rogers (Yakima County Sheriff's Office, WA).

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# Introduction

Cases involving domestic violence appear in several forms—criminal or civil protection order cases that center on domestic violence, sexual assault, or stalking incidents; divorce and/or custody cases where domestic violence is present; child abuse or neglect cases where domestic violence is present; or juvenile cases where dating violence is present; among others. The paper will refer to this group of cases as Cases Involving Domestic Violence (“CIDV”).

These cases can pose an acute risk to the safety of our nation’s courthouses, especially when court staff and judges are unaware that domestic violence is present. The risk is present for all litigants, victims, witnesses, judges, attorneys, court staff, advocates who all may be subject to threats, assaults, and intimidation as these cases are processed and heard. This paper summarizes a series of recommendations for courts to consider to address the security needs of CIDVs.

While security risks associated with CIDVs may be particularly critical, it is important to note that these cases are not unique when it comes to the potential for violent behavior, and these cases are not handled in a vacuum. They are processed

and heard in courthouses throughout the country alongside other types of cases that also present the potential for security incidents. Accordingly, security measures recommended for CIDVs require a two-part analysis. In presenting this analysis, Part I of this paper examines those “universal” security measures that ought to be in place to protect all those who work in or visit a courthouse, regardless of case type. Part II describes those unique and additional security measures that may be warranted because of the special risks associated with CIDVs.

**The security recommendations included in this paper are based on a combination of the following three sources:**

1. Established court security best practices (summarized below in Part I).
2. Professional advice of NCSC court security experts established over the course of conducting 300+ courthouse security assessments across the nation.
3. Insights and suggestions offered by a focus group of court practitioners, including judges, court administrators, and court security managers who participated in a series of phone interviews during the development of this paper.

## PART 1.

# “Universal” Courthouse Security Measures

In conducting courthouse security assessments, the National Center for State Courts (NCSC) evaluates criteria in terms of *best practices*, or the most effective and/or evidence-based practices. These are described in detail in the NCSC publication *Steps to Best Practices for Court Building Security (“Best Practices”)*. While considering strategies to improve court security for CIDVs, readers are encouraged to view the *Best Practices* as a baseline that applies across a broad range of case types. Part II of this paper will address court security practices specifically related to CIDVs.

Implementing the recommendations contained within *Best Practices* can be challenging for many courts in terms of time, cost, and administrative approval. Therefore, these practices are set forth in a phased series of steps that courts may implement over a period of time to achieve the full array of NCSC-recommended security measures.

These practices include both **Foundational Elements** needed to support a successful court security program as well as **Critical and Essential Elements**, which cover the gamut of topical areas typically included in a court security program. The following summarizes the recommended measures for courthouse security in each of the *Best Practices* topics.

## FOUNDATIONAL ELEMENTS

### Security Committee

A formalized court security committee provides a means for courts and key judicial stakeholders to establish a framework for governance and allows for a structured approach in addressing matters of security in courthouses. Typically, the primary members of such committees consist of the presiding or chief judge, the court administrator, and court-based stakeholders that are responsible for security operations and facilities infrastructure. In many states, this may include a local sheriff or other law enforcement entity responsible for security operations as well as county or state-level leadership with decision-making authority regarding facility and security infrastructure.

A security committee, meeting regularly and empowered to exercise oversight on matters related to security within the courthouse, is a prerequisite for the court and its stakeholders to properly assess and address all relevant security challenges and priorities.

### Policies and Procedures

A cohesive and comprehensive set of security policies and procedures is necessary to ensure a thorough and consistent application of security measures aimed at making a courthouse reasonably safe. It is crucial that policies and procedures are 1) well documented, 2) that those in authority have given these matters proper thought, 3) that the concepts of best practices have been taken

into account, and 4) that an effort has been made for consistency in security and emergency preparedness matters throughout the system. It is also crucial that the adopted policies and procedures become a living reality and are practiced by all those who work in a courthouse. The *Best Practices* document includes a list of possible topics that could be included in any comprehensive set of policies and procedures on security

### **Threat and Incident Reporting**

Threat and incident reporting is of paramount importance to the safety of judges, court employees, and the public who visit a courthouse. A structured reporting system and assessment process can support the work of the security committee by identifying potential threats posed to personal safety and the safety and security of courthouse premises. The security committee should review and analyze incident reports and determine what, if any, changes in policies, procedures, or security infrastructure are consequently appropriate.

### **Security Training**

Every single person who works in a courthouse has the potential to materially enhance the safety and security of his or her work environment, to be the “eyes and ears” of a workforce constantly alert to risks and threats. Regular emergency evacuation and practice drills should be conducted. Judges and court staff that have been well trained on well-publicized policies and procedures provide the best means for this “eyes and ears” function to be effectively discharged.

## **CRITICAL AND ESSENTIAL ELEMENTS**

The following elements are recommended for each courthouse, regardless of the case types being processed. When security committees and court leadership consider implementing these elements, it is important to balance the significance of public safety with respect and dignity for all individuals in the courthouse. Security protocols are crucial to maintaining safety for judges, court staff, and the public—and staff must also be expected to treat all parties and litigants equitably.

### **Command Center**

A court security command center is the central location in a courthouse where security equipment is monitored, and responses are managed. A properly equipped and adequately staffed command center with the necessary and vital technological tools for courthouse security (e.g., cameras, duress alarms, and intrusion alarms) can help monitor the courthouse successfully.

### **In-custody Defendants**

Trained court security personnel should monitor in-custody defendants as they are escorted throughout the courthouse and while they are present courtroom proceedings. Security should pay particular attention to high-risk cases, while also treating defendants with respect and dignity.

### **Courtrooms**

All courtrooms must be properly equipped with security equipment such as security cameras and duress alarms. The presence and availability of security officers in courtrooms is absolutely essential, and it is recommended that at least one armed security officer should be present during every court proceeding—particularly those proceedings deemed as high-risk.

### Chambers

Judicial officers must be secure in their chambers and protected against unauthorized visitors. Chambers should be equipped with duress alarms in case of emergency. Chamber windows should include coverings to prevent a view from outside the courthouse, which could compromise safety and privacy.

### Access Into the Courthouse

All persons entering a courthouse must be properly screened to prevent weapons and other dangerous items from being brought into the building. Security personnel and court staff must be aware of all points of entry into the courthouse—each of which must be actively monitored. Courts should consider limiting points of entry into the building as well as after-hours access, which must be strictly controlled and available only to authorized persons.

### Public Service Areas, Counters, and Offices

Three basic security measures should be in place at every public transaction counter or public reception area in every courthouse: 1) A 24-to-36-inch high polycarbonate (e.g., Plexiglas™) type protective barrier on the top of the counter or reception area; 2) a security camera at the back of the counter or reception area capturing the faces of the public transacting business at the counter; and 3) one or more duress alarms within easy reach of staff. Court staff must be trained on the types of emergencies and circumstances that warrant using duress alarms.

### Judges Parking

Judges should be able to park in a secure area from which they can walk unseen into the courthouse. Their vehicles should be secure from sabotage or tampering.

### Perimeter Issues

There should be no opportunity for unauthorized entry into the courthouse from anyplace around the building perimeter. All items around the perimeter (e.g., gas or electric utilities, trash receptacles, etc.) should be protected against tampering or sabotage.

### Emergency Equipment

Proper fire alert and suppression equipment, back-up power sources, automated external defibrillator (AED)s, and first-aid materials are all part of the overall emergency requirements for every courthouse.

### Intrusion Detection System

When a courthouse is closed, every exterior door and accessible window should be equipped with an appropriate device that will trigger an alarm. During business hours, every door that is kept locked should be equipped with a device that will trigger an alarm identifying the door being breached.

### Interior Access, “Circulation Zones”

Steps must be taken to ensure that the public cannot gain unauthorized entry into areas that are intended to be kept secure for judicial officers and court staff.

### Public Hallways, Stairwells, and Elevators

These areas should have proper security camera coverage and be regularly patrolled by security officers.

## PART 2.

# Additional and Unique Security Measures for Cases Involving Domestic Violence

Part I of this paper identified a number of security elements that apply universally to all case types; those elements are of heightened importance in cases where there is an elevated risk of danger—such as cases involving domestic violence. In fact, CIDVs are often described by judges and court staff as having one of the highest, if not the highest, potential for violence in the courthouse. In an analysis of 185 incidents of courthouse and judicial violent attacks committed nationwide between 2003 and 2012, domestic violence offenders were the most commonly cited threat source.<sup>1</sup>

Part of the reason for this high occurrence of violent incidents lies in the power and control involved in domestic violence. When survivors leave abusive partners, which is often the situation in protection order, divorce, and child custody cases, the separation period poses a heightened risk of increased violence and even homicide due to abusive partners' experiencing a loss of power and control.<sup>2</sup> Abusive partners may also exploit the legal system to further abuse and harass survivors through stalking, increased communication, and threatening behavior. Moreover, scheduled events

at the courthouse give away the exact location of the survivor-litigant (or attorney, staff, or judge) at a precise date and time. This combination of heightened risk and close proximity can lead to violence within and outside the courthouse.

Given the premise that CIDVs can be the most dangerous cases in the courthouse, court staff must play close attention to the special and unique security needs for the litigants and staff in those cases. Particularly, staff that interacts directly with protection order proceedings must be trained on domestic violence dynamics and associated risk factors. Part II of this paper includes a discussion of security recommendations for courts to consider in addition to the universal security measures described in Part I above.

A major element of many cases involving DV is the high level of trauma and emotional stress involved. Therefore, careful consideration should be given to how to reduce the potential for trauma in the courthouse environment for litigants and court staff. The suggestions included below describe the ways courts can enhance safety through the reduction of trauma-inducing elements.

## DOMESTIC VIOLENCE - FOUNDATIONAL SECURITY CONSIDERATIONS

### Court Security Committee - Special Domestic Violence Considerations

The Court Security Committee should prioritize and address any pertinent safety concerns with processing CIDVs. These concerns may relate to specific domestic violence behaviors or to specific cases, and they may be raised by court staff, justice system stakeholders, litigants, members of the public, among others. In order to promote a safe courthouse environment, the Committee should have a framework in place to raise and discuss these concerns issues within its broader agenda.

The Committee may even consider developing a formal working group to report domestic violence-specific concerns and suggest recommendations. While the primary stakeholders of the Committee will typically include judicial leadership, court management, and court-based stakeholders responsible for security operations,<sup>3</sup> the working group may also involve stakeholders with professional experience on domestic violence (see list below). It is crucial that these stakeholders—with training and expertise on domestic violence—are provided a space to voice their concerns and review safety protocols. A working group can help Committee leaders (e.g., Presiding/Chief Judge, Sheriff, County Administrator, etc.) develop a meaningful framework to integrate domestic violence specific concerns into the workings of the Committee and address those concerns appropriately and safely.

There are important steps that may be taken to initiate an action-oriented process. **An example of a multi-step process is outlined below.** Steps 1 and 2 would be initiated under the purview of the Court Security Committee while the work involved in steps 3 through 6 would be completed by the working group.

1. Establish the membership of the Domestic Violence Security working group. This will vary between localities but may include representatives from the following entities as appropriate, especially those who specifically preside and work on DV cases:
  - Judges/Judicial Officers
  - Court administration and management
  - Prosecutor's office
  - Victim advocates—including advocates from the prosecutor's office and community-based services
  - Civil Legal Aid attorneys
  - Public Defender's office
  - Health and Human Services
  - Local Law Enforcement
  - Probation
  - Other stakeholders as deemed appropriate by the security committee
2. Assign a chairperson for the working group who will lead the effort and report to the security committee.
3. Identify and assess the security concerns inherent to cases involving domestic violence at the courthouse.
4. Assess potential improvements to CIDV policies, procedures, and security infrastructure enhancements needed to address the concerns.
5. Prioritizing each of the potential security improvements in terms of cost and security risk.
6. Develop an implementation plan that spells out who needs to do what and by when to achieve implementation of improvements within a specified time frame.
7. Submit the implementation plan to the security committee for approval.

The Committee should consider and adopt the recommendations of the working group as feasible and continuously monitor implementation as part of an action-oriented process.

### Policies and Procedures - Special Domestic Violence Considerations

Under the purview of the Court Security Committee, courts should develop policies and procedures that reflect the special security needs of court staff, litigants, and other individuals on cases involving domestic violence. **The following list includes potential topics for enhanced policies and procedures:**

- Domestic violence **security threat risk evaluation** to prioritize and identify security resources needed. See Threat and Incident Reporting discussion below.
- **Security officer escorts** for the safe exit of survivors before and after cases; escorts can also accompany judges, attorneys, and court staff that work on CIDVs.
- **Staggering of ingress and egress of DV litigants** into and out of the courtroom or courthouse. For example, in protection order cases, consider a practice of earlier court start times for petitioners so that they may arrive at the courthouse before respondents. Also, at the conclusion of hearings, consider a practice of delaying the exiting of the respondent party from the courtroom to allow for ample time for the petitioner to leave the courthouse and grounds.<sup>4</sup>
- **Separation of opposing parties on cases involving domestic violence** prior to proceedings. For example, where possible, courtrooms can design separated waiting rooms for parties; utilize vacant courtrooms to seat parties waiting for their hearing; use attorney/client conference rooms for survivors to meet with advocates and attorneys.
- **Utilization of virtual court proceeding platforms** for cases involving domestic violence. The Coronavirus Pandemic has necessitated the need for courts to conduct virtual proceedings as a solution for maintaining essential court operations in the face of mandatory courthouse closings. The experience gained through the Pandemic may ultimately prove to allow for greater use of virtual platforms once closures are relaxed. Virtual proceedings have security benefits for high-risk

court proceedings such as CIDVs—there is no longer a possibility for violent conflicts since litigants are not in physical proximity. However, court practitioners should also be aware of security concerns specific to virtual hearings. **See checklist on page 10.**

### Threat and Incident Reporting - Special Domestic Violence Considerations

As discussed in Part I, a structured reporting system and assessment process can support the work of the Security Committee by identifying potential threats posed to personal safety and the safety and security of courthouse premises. Such a system is of particular importance given the dangerousness and risk levels associated with CIDVs. It is important that information related to the safety and security of litigants, as well as those working in the court, be relayed to the proper channels and that security officers are made aware of higher risk litigants. This should include a domestic violence threat evaluation system and domestic violence incident reporting system completed as complementary components of the overall threat and incident reporting systems in place. **Suggestions for implementation include:**

- Promote regular communication between courthouse security, clerks office, court administration, and case coordinator about potentially volatile cases or any safety concerns about the upcoming court calendars or dockets.
- Establish a process for attorneys and/or service providers for alerting court staff and security personnel of a high-risk participant or potential situation without having this information be entered into evidence or otherwise alter either party's procedural rights. The reporting of safety information should be possible without compromising a CIDV litigant's ability to be treated in an impartial manner.
- Develop a Domestic Violence Threat Evaluation Form to provide court staff with information about the risk of violence in each CIDV, which can inform security and safety planning. Such a form may be adapted from existing Domestic Violence

Dangerous Risk assessment tools currently available such as the Idaho Risk Assessment of Dangerousness.<sup>5</sup> The tool includes seven factors in its assessment:

- Factor 1: History of Domestic Violence
  - Factor 2: Threat to Injure or Kill
  - Factor 3: Threats of Suicide
  - Factor 4: Recent Separation or Loss of Employment
  - Factor 5: Coercive/Controlling Behavior
  - Factor 6: Prior Police Contact
  - Factor 7: Alcohol or Drug Abuse
- Train judges, court staff, and security staff on how to recognize domestic violence-specific threats and incidents and how to report them verbally and in writing. These specific factors may include: stalking; repeated calls and texts with abusive language; strangulation of victim; intimidation inside and outside of court by abusive partner or family/friends of abusive partner; etc.
  - Implement a practice for regularly evaluating threat and incident reports and making improvements based on lessons learned from the reports.
  - Provide general feedback to staff on incidents, particularly to those who reported them (i.e., establish the “feedback loop”).
  - Maintain a database of all pertinent domestic violence threat and incident information, including the organizational responses and any follow-up activities. This data can be used to support requests for security funding.

### **Training - Special Domestic Violence Considerations**

Judges, court staff, and security officers are likely to encounter a myriad of situational scenarios that can arise in cases involving domestic violence. Courts should carefully consider the unique needs of CIDVs in their security program and develop specific training to address those needs. Training for how to deal with the trauma inherent to CIDVs is of particular importance. A recent NCSC trends article describes the effect that trauma has on those working in court settings:

*Trauma affects not only the victims, witnesses, and litigants that appear in court, but also the judges and other court staff... Anyone who regularly works or appears in courts may be exposed to repeated exposure to graphic photos, videos, or testimony about horrific events. The symptoms are closely related to post-traumatic stress disorder (PTSD) so that judges, court personnel, or jurors who sit through child abuse, domestic violence, or other case types providing graphic details of someone else’s traumatic experience are at risk, and their need for treatment options is being recognized by many state court systems.<sup>6</sup>*

### **Suggested training topics for judges and/or staff include:**

- Responding safely to highly emotional, traumatized, or distraught court litigants.
- Managing behavior in the courtroom: setting the tone from the bench.<sup>7</sup>
- How to diffuse volatile and potentially dangerous situations.
- Managing high-risk proceedings.
- Trauma-informed case management practices.
- Responding to vicarious trauma associated with DV cases, including teaching personal coping mechanisms for frontline staff.

Training and supervision of deputies should be in place to ensure consistency in how all deputies perform their duties. Deputies assigned to CIDVs, specifically protection order proceedings, should be highly sensitive to the traumatic nature of domestic

violence, the potential for conflict between parties, and the potential for trauma.

**When considering training for security officers, the following topics should be prioritized:<sup>8</sup>**

- Sensitivity training to ensure that security officers are mindful of the unique needs of victims of domestic violence.
- Enhancing awareness of the impact of trauma on domestic violence litigants and developing trauma-informed response techniques.<sup>9</sup>
- Developing a threat assessment system for the identification of volatile parties.
- Anger and conflict diffusion tactics.
- Courtroom crowd management tactics.

**Note**

While this paper recommends the presence of trained and armed security officers in courthouses and courtrooms in case emergency response is required, it is important to acknowledge that many survivors may experience discomfort and even anxiety in the presence of security personnel, law enforcement and/or firearms. This may be due to a number of factors, including historical trauma, adverse interactions with police or other government agencies, and traumatic incidents involving firearms, among others. For these reasons, we recommend stationing highly trained security personnel who can recognize and appropriately and proportionally respond to the myriad issues that come up in domestic violence cases. Additionally, courts can consider staffing advocates that can accompany and support survivors during cases involving domestic violence.

## DOMESTIC VIOLENCE - CRITICAL AND ESSENTIAL CONSIDERATIONS

### Domestic Violence Courtroom Security

Courts should prioritize security officer staffing for CIDVs, specifically protection order proceedings, given that these are generally regarded as one of the highest risk proceeding types that are conducted in state courts. Consistent with NCSC Best Practices, it is recommended that at least one armed security officer, and two officers where feasible, should be present during every CIDV court proceeding. In addition, it is recommended that provision be made for security officers to be present in the waiting areas immediately adjacent to the courtrooms.

Courts should implement courtroom procedures that reduce the risk of potential violence or outbursts by abusive partners. These include the following:

- Consider the utilization of virtual court proceedings, particularly for matters where the risk of violent confrontation is high.<sup>10</sup> Court staff and judges should be aware of security concerns specific to virtual proceedings, which includes:
  - Preventing petitioner and respondent from being alone in a virtual room.
  - Ensuring that the respondents cannot identify the petitioner's home or location through background items.
  - Preventing respondents from directly messaging the petitioner.
- Require petitioners and respondents to sit on opposite sides of courtrooms.
- Give petitioners a head start to collect and finish paperwork once a proceeding has finished. (See above discussion of policies and procedures regarding staggering of ingress and egress of domestic violence litigants into and out of the courtroom or courthouse).

Courts should also implement courtroom design strategies that reduce the risk of potential violence or outbursts by domestic violence litigants. These include the following:

- The courtroom should be adequately sized so that parties can maintain a sufficient level of separation while seated and while moving around. This includes proper space in the gallery and litigation area.<sup>11</sup>
- Courtrooms that are used to hear DV cases should be located on lower floors of the courthouse to avoid having opposing parties alone in an elevator or stairwell. The courtrooms should be proximate to where security officers are stationed.
- Provide separate waiting areas for parties outside of the courtroom. Where feasible, consideration could be given to a discreet waiting area for victims/witnesses with separate and direct access into the courtroom.
- In some courthouses nationwide, security incidents and even assaults have been experienced in attorney/client conference rooms. It is important that these rooms be properly monitored and equipped to mitigate potential incidents. For example, attorney/client conference rooms should have doors equipped with full-lite glass panes to provide visibility into the rooms in the event of a disturbance. Doors should not have locks inside the conference rooms to facilitate safe exits in case of emergency. Security cameras inside these rooms should be monitored by security staff.

New or remodeled court space for DV case environments should also carefully consider and implement ‘trauma-informed’ design principles to reduce environmentally triggered stresses. Trauma-informed design has the potential to promote a calming environment and can reduce anxiety for occupants. These principles are generally applicable to both individual courtrooms and the courthouse as a whole. **Potential design strategies to consider include:**

- Provide access to natural light and views to nature/vegetation wherever possible.
- Select interior finishes carefully with the intent of promoting a calming environment (e.g., use of earth-tone colors and avoidance of sharp reflective surfaces).
- Spaces should be well lit; however, garish artificial lighting sources should be avoided with preference given to softer/warmer toned fixtures.
- Develop an acoustically balanced environment. For example, avoid overuse of hard reflective surfaces to improve acoustics and avoid creating a “noisy” environment. In addition, add sound-transmission rated partitions between spaces to promote privacy where needed.
- Develop an easy-to-understand wayfinding system for the courthouse. The creation of more intuitive, easy-to-navigate spaces helps all court visitors and reduces stress for litigants.<sup>12</sup>
- Provide a clear and open interior environment with lots of visibility. Avoid the creation of blind spots and potential hiding spaces in hallways and corridors.
- Consider break out or wellness spaces for judges and staff.
- Consider children’s playrooms for visitors on cases involving domestic violence.

### Domestic Violence Case Public Service Area Considerations

Public service interactions between CIDV litigants and court staff have the potential for volatile confrontations. Consider the following to enhance security in public service areas:

- Utilize remote/virtual servicing options to reduce the need for litigants to visit the courthouse in person.
- Explore opportunities to allow domestic violence victims and witnesses to meet with staff in alternate locations where they might feel more comfortable (e.g., shelters, safe homes, etc.). The use of alternate meeting locations should be vetted by the security committee to assess the safety of any proposed alternate sites.

- Locate public service areas in a location that is easily monitored and accessed by court security officers.
- Staff should have direct egress out of their work areas that allow them to flee the premises without passing through the public waiting area(s).
- Provision should be made operationally and through facilities design for keeping visitors separate. This ideally will include the provision of separate waiting areas for opposing parties or, at the very least, the provision of a large enough waiting space so that parties are able to segregate.
- Staff workstations should be positioned close by and with a clear view of public service counters so that they can see and hear any potential problems. Staff work areas not in visual proximity to public counter areas should be equipped to monitor cameras covering waiting areas and courtrooms in real-time.
- Provide non-contact private interview booths for interviewing CIDV litigants. Staff should be able to access booths without leaving the secure staff area, while litigants may only access the booths via the public waiting area. Interview booths should have doors equipped with full-lite glass panes to provide visibility into the booths in the event of a disturbance.
- In addition to non-contact interview booths, consideration may be given to the provision of a private and secure meeting room to conduct highly sensitive interviews where needed. This type of space may fill a particular need in jurisdictions where court staff are required to collect photo documentation of abuse.
- Consider a “Domestic Violence Service Navigator” function for staff to safely assist litigants to where they need to be in the courthouse.

### Building Exterior and Entrance Considerations

The security and safety of litigants should consider that domestic violence threats and attacks are often made on the courthouse grounds in parking areas and the vicinity around the courthouse. **Consider the following suggestions to enhance safety for domestic violence litigants outside of the courthouse:**

- Provide regular security officer patrols around the building perimeter and parking areas. During times of high traffic (e.g., morning, lunch, end of the day) consider stationing a permanent security officer exterior presence.
- Provide pre-arranged security officer escorts for vulnerable litigants, judges, and staff.
- Consider alternate building entry/exit points for vulnerable litigants where the use of the main entry and screening process may be a security risk or that may add unnecessary trauma.<sup>13</sup> Alternate entrance points should only be used in situations warranted by the presence of a security risk and all persons utilizing such entry/exit points should be escorted by a security officer. Any use of alternate building entrances and exits should be vetted and approved by the court security committee to ensure that other aspects of the building security program are not compromised.
- Provide additional perimeter lighting, security cameras, and emergency call boxes in places where litigants and staff park.
- Where litigants utilize public transportation, locate transit stops close to the courthouse. Provide additional security features along the path between the transit stops and the courthouse.

# Conclusion

Operating a courthouse is, by its very nature, a challenging and potentially dangerous task. Day in and day out, courthouses are visited by a large volume of individuals, many who do not wish to interact with the legal system, and some who pose a risk to the safety of others. As described in this paper, the greatest dangers often lie with cases involving domestic violence. The imperative of having effective courthouse security measures in place pertains especially to these cases.

Courthouse security is not a one-time achievement. It is a serious and continuous goal and requires constant vigilance. Further, it must be a number one priority, every single day, for all those interested and involved in the process. The risks involved in courthouse operations are great and varied, and they can never be eliminated; but, with proper attention and care, they can be minimized. Taking meaningful steps toward full implementation of the recommendations contained in this paper will help to minimize the risks not only for case types in general, but also for the most risk-laden case types of all—those involving domestic violence.

# Endnotes

1. Timothy Fautsko, Steven V. Berson, & Steven K. Swensen, Status of Court Security in State Courts: A National Perspective. NCSC (June 2013). See: <https://ncsc.contentdm.oclc.org/digital/collection/facilities/id/184>.
2. Petrosky E, Blair JM, Betz CJ, Fowler KA, Jack SP, Lyons BH. Racial and Ethnic Differences in Homicides of Adult Women and the Role of Intimate Partner Violence — United States, 2003–2014. *MMWR Morb Mortal Wkly Rep* 2017;66:741–746.
3. The primary stakeholders may vary from state to state and from county to county but often include a local sheriff or other law enforcement entity as well as county or state level leadership responsible for facilities.
4. Staggered calendaring and other basic caseflow strategies to reduce stress and trauma in courthouses are discussed in a 2018 NCSC trends article entitled “Trauma and State Courts.” This article can be accessed at: <https://www.ncsc.org/microsites/trends/home/Monthly-Trends-Articles/2018/Trauma-and-State-Courts.aspx>.
5. The Idaho Risk Assessment of Dangerousness Tool was developed to inform survivors of their risk of future harm as well as indicators of lethality as part of safety planning. See <https://idvsa.org/towards-thriving-83117/>.
6. Smith, Deborah, Trauma and State Courts. Trends in State Courts. NCSC (June 2018) <https://www.ncsc.org/microsites/trends/home/Monthly-Trends-Articles/2018/Trauma-and-State-Courts.aspx>.
7. A focus group participant provided the following example of managing behavior from the bench: “There has to be a proper message communicated from the bench at the beginning of calendars or proceedings to set the tone of control in a thoughtful manner. That’s all about training. In my court I first welcome people and then explain what is going to happen and how, so that some of the concern and anxiety around what happens next is addressed. Talk and listen. Provide a road map and communicate thoughtfully what the roles are in the courtroom so everyone has a sense of that ahead of time. This helps with anxiety and is easy to do regardless of courtroom size.”
8. Judges and court staff would also benefit from education opportunities regarding the priority topics listed for security officers. Joint training opportunities may allow for better collaboration and understanding of the different roles and responsibilities for judges, court staff and security officers.

Courts should not develop security measures in a vacuum—it will be beneficial to talk to other stakeholders and even technical assistance providers.
9. A focus group participant provided the following example of how security personnel should not conduct themselves in DV court: “Sometimes security personnel barge into the courtroom which can escalate things. Need different approach. A lot of people are survivors and experienced trauma and it is important for law enforcement presence to understand where people are coming from.”
10. A focus group participant provided the following perspective regarding the potential safety benefits of remote appearances by victims using technology that currently exists for remote interpretation: “Courts need to do a better job in offering remote access for DV victims to appear in court and get protections orders. For example, the process that courts that are embarking upon regarding remote video interpretation services could provide guidance as a way for DV victims to provide testimony

without having to be at the courtroom. The victim may be able to appear remotely from another location in the courthouse or from another location outside of the premises.”

- 11.** A focus group participant provided the following perspective regarding the layout and design of courtrooms: “There is a higher potential for violent confrontation in cramped courtrooms. People seem to be more on edge when the opposite party is in close physical proximity. Victims become more anxious and defendants seem to act out a bit more due to close quarters. Layout and design of courtrooms can make a big difference.”
- 12.** For strategies regarding courthouse wayfinding and signage see the NCSC report: “Wayfinding and Signage Strategies for Language Access in the California Courts” at: <https://www.courts.ca.gov/documents/LAP-Wayfinding-and-Signage-Strategies-Language-Access-in-the-CA-Courts.pdf>.
- 13.** A focus group participant provided the following perspective regarding entrance and exits to courthouses: “As courts move to single entries there is a concern about the potential impact on DV victims and there is not a lot of research for courts on that issue. There is some documentation regarding security at airports and the negative re-traumatizing impact that screening can have on victims and survivors. There are stories where DV victims have stated that the worst part of their courthouse experience was not facing their abuser in the courtroom, instead, it was going through the security entrance.”

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