



# National Institute of Justice

## Research Preview

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# Court Security and the Transportation of Prisoners

*Summary of a Research Study by the National Sheriffs' Association*

The sharp rise of violence in court settings—from minor disturbances to murder—has prompted a reexamination of safeguards for the judicial process and personnel and of the transportation of prisoners to and from court. The National Institute of Justice (NIJ) sponsored an assessment by the National Sheriffs' Association (NSA) of the current state of the art in court security and the transportation of prisoners.

The study's three surveys found that the safety of personnel transporting and monitoring prisoners in the courtroom is the most pressing concern. Possible responses include improving training through more intense classroom instruction and field training for high-risk situations, providing personnel with appropriate equipment, enhancing facilities' structural features, and establishing policies and procedures for courtroom security and for safe prisoner transport—on the ground and in the air. The assessment offers specific suggestions for agencies to consider when evaluating their individual programs.

## Study method

Information was gathered from interviews and questionnaires administered to court security, probation, parole, and sheriffs' personnel nationwide; a review of existing research literature and reports of some of the violent incidents that occurred in courts over the past two decades; and input from the Project Advisory Board, Staff Review Committee, practitioners, experts in the field, and other criminal justice organizations.

## Personnel education and training

The majority of court security and prisoner transport personnel are 40- to 50-year-old males who attended college for at least 1 or 2 years and are very satisfied with their jobs. A majority have completed a training program in court security, prisoner transportation, or serving of civil or criminal process.

However, many felt they were not fully prepared to meet new and emerging challenges. Fewer than half the re-

sponding agencies provide training in vehicle operation, which is a key area for liability actions. Also, fewer than half the agencies instruct officers in the proper application of commonly used restraining devices (e.g., handcuffs, straps, leg irons). A vehicle operation training curriculum could include commercial driver's license requirements; driver's pursuit and defensive training; liability issues; care, custody, control, and supervision procedures; driver and escort officer/deputy responsibilities; and use of specialized equipment.

In addition, although they rarely perform routine maintenance tasks, over half the respondents said they inspect some security equipment (e.g., vehicles, doors) and conduct security checks inside and outside courthouses. Fewer than half, however, inspect equipment such as scanning devices, alarms, and cameras.

Respondents said they need more instruction in legal liabilities; legal responsibilities of supervision; firearms; court functions, duties, and security; serving of civil or criminal process; and transporting prisoners both on the ground (e.g., in an automobile, bus, or van) and in the air. They also felt they needed more education about vicarious liability; possible areas for suits include failure to train or direct and negligence in supervision, entrustment, assignment, hiring, and retention.

The study suggests that basic court security and prisoner transport training programs should provide a minimum of 80 hours of classroom instruction over a 4- to 6-week period. Personnel should also be certified in certain key areas such as the use of electronic nonlethal equipment (e.g., stun, laser, and taser guns and stun belts) and methods of applying physical force to control defendants in high-risk situations.

All trainees should pass examinations to demonstrate they have adequate knowledge and skills before they are assigned to security or prisoner transport duties. The Federal Aviation Administration (FAA) requires personnel transporting prisoners to pass a certified 2-hour block of training.

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## Court facility security

Court security staff comprise sworn and unsworn personnel (e.g., bailiffs, private-sector employees, and Federal and State Department of Corrections personnel).

Fewer than half the court agencies and sheriffs' offices said they put a high priority on controlling access into court and judicial facilities—e.g., patrolling exterior perimeters, scanning mail and packages, and supervising elevator use. Probation and parole personnel think metal detectors should be used more often outside courtrooms.

The study suggests that the underlying principle of court security should be maintaining a physical security system that does not interfere with the activities of the court.

A key aspect of security involves providing physical mechanisms for safe passage inside and outside court facilities. Consideration should be given to employing structural features and controlled access devices, in compliance with the Americans with Disabilities Act of 1990, such as the following:

- Adequate lighting and proper landscaping around parking areas, walkways, and at points of access where visual recognition is necessary.
- Barriers to prohibit forcible entry by vehicles or pedestrians.
- Bullet-resistant glazing on windows in all areas of sight exposure as well as shatter-resistant film between layers of glass and sensor devices on ground-floor windows.
- Designated parking areas for judges and selected court employees, prisoner transport, and service-related vehicles.
- Mechanisms on perimeter doors that can detect unauthorized entry.
- Controlled access to building facilities through separate, electronically monitored entrances for the general public, judges, court personnel, and service personnel.
- Distinct structural circulation systems within the courthouse to limit access for visitors, prisoners, and outside service personnel and to provide secure passage for judges, juries, and court staff (e.g., restricted elevators for different users and centralized holding areas for prisoners).

Policies and procedures regarding use of these mechanisms need to be continually monitored and updated. Each hearing and trial should be assessed to determine the correct level of security needed. This assessment could prepare security officers/deputies for any disruptions that may

occur and could keep costs down by increasing staff only when appropriate. A balance should be struck between protecting all who enter the court and permitting normal operations.

## Transportation of prisoners

The majority of probation and parole agents surveyed believe uniformed officers (e.g. deputy sheriffs/officers) should transport prisoners, even though most of the respondents have been required as part of their official duties to do the transporting. Although transporting male adults, female adults, male juveniles, and female juveniles requires different guidelines, fewer than half the respondents have ever received special or refresher training in prisoner transportation. Survey respondents indicated that most agencies do not possess vehicles specially equipped to transport prisoners. In addition, over half the agencies do not allow agents to perform gender-appropriate strip searches.

Rules or procedures exist in several jurisdictions governing the transportation of prisoners, but there are no national regulations (except those issued by the FAA). The study suggests that the first step should be implementation of a “dangerousness” classification for prisoners being transported so security officers can implement the proper levels of care, custody, control, and supervision. Other suggestions concern providing handheld radios for all transport personnel and establishing a statewide or regional radio frequency so help can be summoned quickly in an emergency.

All prisoners should be monitored continuously in case medical emergencies arise. If such an emergency does occur during transport, officers/deputies should be prepared to take appropriate action and know how to handle patients with infectious diseases. An agency's medical unit should inform transporting officers/deputies if a prisoner has a communicable disease and provide guidelines that follow those mandated by the U.S. Occupational Safety and Health Administration and the Centers for Disease Control and Prevention.

## Conclusion

A risk assessment should be an integral part of a comprehensive survey of courtroom security and the transportation of prisoners to determine security vulnerabilities and equipment and training needs. Even the most sophisticated equipment is only a supportive tool used by trained personnel as part of a well-prepared plan to administer justice in a danger-free environment.

This Research Preview highlights a study, supported under NIJ grant 94-IJ-CX-0005, by the National Sheriffs' Association. The executive summary and full report, *Court Security and the Transportation of Prisoners: A National Study*, written by NSA Executive Director Charles B. Meeks, Project Director A.N. Moser, Jr., and Senior Research Consultant Betty B. Bosarge, are available through interlibrary loan or copy satisfaction from the National Criminal Justice Reference Service at 800-851-3420, or through e-mail at askncjrs@ncjrs.org. Ask for NCJ 161710 (executive summary), NCJ 161701 (volume one), and NCJ 161702 (volume two).

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## Selected NIJ Publications About Courts, Crime Prevention Through Environmental Design, and Victimization and Violence

Listed below are some NIJ publications and videos related to issues of courts, Crime Prevention Through Environmental Design, and victimization and violence. These products are free, except as indicated, and can be obtained from the National Criminal Justice Reference Service (NCJRS): telephone 800-851-3420, e-mail askncjrs@ncjrs.org, or write NCJRS, Box 6000, Rockville, MD 20849-6000.

These documents also can be downloaded through the NCJRS Bulletin Board System or at the NCJRS Anonymous FTP site in ASCII or graphic formats. They can be viewed online at the Justice Information Center World Wide Web site. Call NCJRS for more information.

Please note that when free publications are out of stock, they are available as photocopies or through interlibrary loan.

### Courts

Anderson, David C., *In New York City, a "Community Court" and a New Legal Culture*, Program Focus, 1996, NCJ 158613.

*The Drug Court Movement*, Update, 1995, FS 000093.

Finn, Peter, and Andrea K. Newlyn, *Miami's "Drug Court": A Different Approach*, Program Focus, 1996, NCJ 142412.

Whitcomb, Debra, and Mark Hardin, *Coordinating Criminal and Juvenile Court Proceedings in Child Maltreatment Cases*, Research Preview, 1996, FS 000157.

### Crime Prevention Through Environmental Design

Fleissner, Dan, and Fred Heinzelmann, Ph.D., *Crime Prevention Through Environmental Design and Community Policing*, Research in Action, 1996, NCJ 157308.

Gordon, Corey L., and William Brill, *The Expanding Role of Crime Prevention Through Environmental Design in Premises Liability*, Research in Brief, 1996, NCJ 157309.

Smith, Mary S., *Crime Prevention Through Environmental Design in Parking Facilities*, Research in Brief, 1996, NCJ 157310.

Taylor, Ralph B., and Adele V. Harrell, *Physical Environment and Crime*, Research Report, 1996, NCJ 157311.

### Victimization and Violence

*The Extent and Costs of Crime Victimization: A New Look*, Research Preview, 1996, FS 000131.

Fein, Robert A., Ph.D., Bryan Vossekuil, and Gwen A. Holden, *Threat Assessment: An Approach to Prevent Targeted Violence*, Research in Action, 1995, NCJ 155000.

Finn, Peter, and Kerry Murphy Healey, *Preventing Gang- and Drug-Related Witness Intimidation*, Issues and Practices, 1996, NCJ 163067.

Healey, Kerry Murphy, *Victim and Witness Intimidation: New Developments and Emerging Responses*, Research in Action, 1995, NCJ 156555.

Kellermann, Arthur L., M.D., M.P.H., *Understanding and Preventing Violence: A Public Health Perspective*, VHS videotape, 1995, NCJ 152238, U.S. \$19, Canada and other foreign countries \$24. A summary of the presentation is available as a Research in Progress Preview, 1996, FS 000141.

Roth, Jeffrey A., and Mark H. Moore, *Reducing Violent Crimes and Intentional Injuries*, Research in Action, 1995, NCJ 156089.

*State and Local Responses to Terrorism*, Update, 1995, FS 000092.

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