

TEXAS JUSTICE COURT

★

TRAINING CENTER

Texas State University
1701 Directors Blvd, Suite 530
Austin, Texas 78744
Tel (512) 347-9927 or (800) 687-8528
Fax (512) 347-9921
www.tjctc.org

FY2018 South Texas JPCA

Courtroom Security

Presented by:

Bobby Gutierrez
Chief Deputy
Travis County Pct. 5



An Educational Endeavor of the Justices of the Peace and Constables Association, Inc.
Funded by a grant from the Texas Court of Criminal Appeals

COURTROOM SECURITY

TRENDS and threats

Presented by:

Bobby Gutierrez, Chief Deputy

Travis County Pct. 5

1003 Guadalupe
Austin, Texas 78701
Office - (512) 854-9100

Bobby.Gutierrez@traviscountytx.gov

*TJCTC is an educational endeavor of the
Justice of the Peace and Constable's Association of Texas Inc.*

DISCLAIMER

This presentation is limited in scope on court security concepts.

It DOES NOT encompass all aspects of courtroom security .

Should you have any questions about the content of this presentation, you should follow your office policy and/or consult with your local county or district attorney.

Learning Objectives

1. *Develop an understanding of courthouse security trends to be able to assess and improve security measures for inside and outside the courthouse.*
2. *Develop an understanding of threats to the judiciary so assessments and precautionary measures may be considered and developed.*
3. *Utilize security funds to improve workplace safety programs to protect all court personnel, the public and uphold judicial integrity*
4. *Assess courthouse evacuation and safety programs.*
5. *Review Senate Bill 42 – Court Security legislation and effects to the judiciary and law enforcement.*

Courthouse Security Trends

National Center for State Courts

2012 Future Trends in State Court

By: Tim Fautske, Steve Benson and Steve Swenson

Courthouse Security Trends

*“because of heightened courthouse security measures (e.g., security screening, controlled access, law-enforcement staffing, etc.) some **individuals may have to choose locations other than the courthouse to commit violent actions.** These **“incident-displaced”** locations might include security-screening stations and courthouse plazas, parking, and perimeter areas”.*

Courthouse Security Trends

*“The concern is that off-site locations, such as judicial residences, will become even more targeted. A few examples of measures designed to counter this effect include residential security and risk-based assessments, protective intelligence and investigation programs, crime prevention through environmental design (CPTED) features, physical security and surveillance systems, identity-protection programs, and **sound personal and travel security considerations.**”*

Courthouse Security Trends

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

Courthouse Security Trends

Examples of threats outside of the courthouse:

Smith County (Tyler, TX) - 2/24/2005
David Arroyo shot and killed his ex-wife, Mirabel Estrada, and wounded his son, with an AK47 assault rifle at the county courthouse steps in downtown Tyler as they were preparing to enter the courthouse for a child support hearing after a bad divorce. David Arroyo had no record of violence and his wife did not fear him prior to this incident.

Courthouse Security Trends

Examples of threats outside of the courthouse:

Tulsa, Oklahoma – 3/7/2012
Andrew Joseph Dennehy (23 y/o) walked into the plaza outside of the county courthouse and open fire into the air with his handgun. He sat on the bench and waited for police to arrive. 3 deputies arrived moments later and a short gun battle ensued. 1 deputy was seriously shot in the hand and survived. Andrew Dennehy was also shot several times and survived. It is believed he had mental health issues and was trying to commit “suicide by cop”

Courthouse Security Trends

Examples of threats outside of the courthouse:

Jefferson County, (Beaumont, TX) - 3/13/2012

Bartholomew Granger, on trial for sexual assault, shot his 20 y/o daughter and his ex-wife, who were testifying against him. Granger was shooting from his vehicle in front of the county courthouse. He also shot 2 by-standers, killing one (a 79 y/o female), then ran over his daughter. He was injured in a gun battle with police, briefly took hostages in a business a block away before arrested.

Courthouse Security Trends

Examples of threats outside of the courthouse:

Kaufman County, (Kaufman, TX) - 1/31/13

Mark Hasse, Kaufman Co. Assistant DA, was shot and killed in broad daylight in the Kaufman County Courthouse parking lot.

2 months later, Kaufman County DA Mike McLelland and his wife Cynthia were murdered in their home with a .223 caliber assault rifle.

Courthouse Security Trends

Examples of threats outside of the courthouse:

Travis County, (Austin, TX) 11/6/15

A garbage can placed in front of State District Judge Julie Kocurek's driveway lured the vehicle's driver out of the car after returning home from a football game. The assailant opened fire during the distraction, wounding Judge Kocurek. The driver was not injured.

Chimene Onyeri, a person of interest, warned weeks prior he was planning to kill an unnamed Travis County judge. Onyeri was in the Harris County Jail charged with murder in an unrelated Houston case that happened earlier in 2015.

TEXAS COURT Security REPORT

**Office of Court Administration
FISCAL YEAR 2016**

Total Incident Reports for FY 2016

(Between September 1, 2015 and August 31, 2016)

82 incident reports submitted to OCA.

This corresponds to an **average of 6.8 incidents per month.**

In comparison, 212 incidents were reported during fiscal year 2008.- **(17.66/month)**

TEXAS COURT Security REPORT

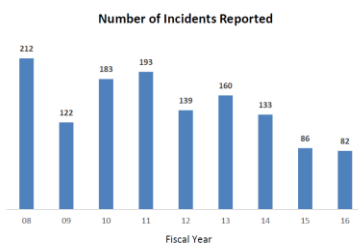
Background

[Article 102.017\(f\)](#), Code of Criminal Procedure, requires a local administrative judge to submit a written report to the Office of Court Administration (OCA) regarding any incident involving court security that occurs in or around a building housing a court. A security incident is defined as any adverse event that threatens the security of a person or property, or causes or may cause significant disruption to functions of the court due to a breach in security.

The purpose of the Security Incident Report is to collect concrete, quantitative information about the frequency and nature of the security threats facing the judiciary.

TEXAS COURT Security REPORT

Incidents Reported Since Fiscal Year 2008



TEXAS COURT Security REPORT

Incidents Reported by Court Type

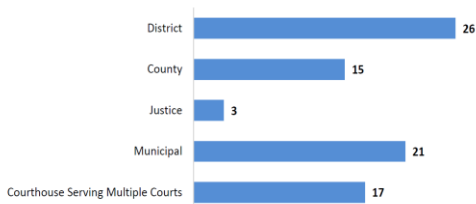
Of the 82 incident reports submitted,

- **31.7 % were submitted by district courts (26 incidents)**
- **18.2 % by county-level courts (15 incidents)**
- **3.6 % by justice courts (3 incidents)**
- **25.6 % by municipal courts (21 incidents)**
- **20.7 % by a courthouse serving multiple court types (17 incidents).**

TEXAS COURT Security REPORT

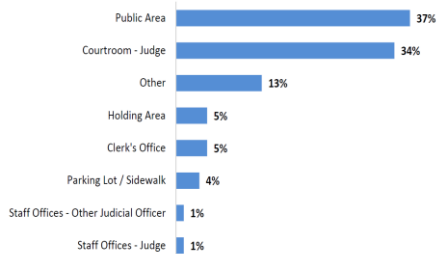
Incidents Reported in Fiscal Year 2016

Incidents Reported by Court Type
n=82



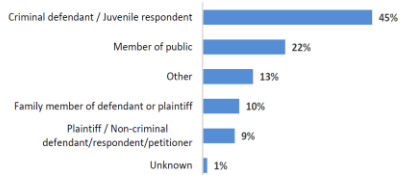
TEXAS COURT Security REPORT

Location of Incidents
n=82



TEXAS COURT Security REPORT

Perpetrator of Incident
n=82



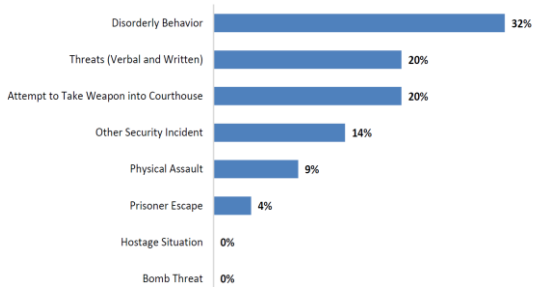
"Other" perpetrators included an attorney, an attorney's assistant, jury panel member, and a magistrate judge.

TEXAS COURT Security REPORT

District	Count
Bexar	3
Dallas	3
Fort Bend	3
Navarro	3
Travis	4
County	Count
Bell	4
El Paso	4
Lubbock	2
Justice	Count
Bell	1
Harris	1
Kaufman	1
Municipal	Count
Austin	4
Houston	4
Kerrville	2
Missouri City	2

TEXAS COURT Security REPORT

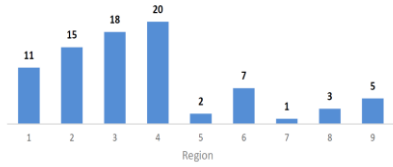
Incidents by Behavior Reported
n=98



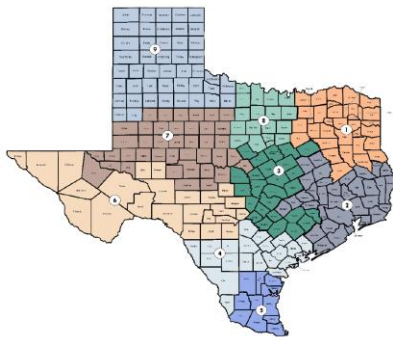
TEXAS COURT Security REPORT

Incidents Reported by Geographic Location

Incidents Reported by Administrative Judicial Region
n=82



TEXAS COURT Security REPORT



TEXAS COURT Security REPORT

Statistics & Other Data

ALERT

Multiple Texas courts and justice offices are closed due to flooding. Please see our Court Closures & Change page information on closed courthouses, emergency orders issued by the Supreme Court and Court of Criminal Appeals, and how to access an incident database.

COURT SECURITY INCIDENTS

10/05/2017 of the Texas State of Criminal Justice requires the state, counties or other law enforcement agency or entity that provides security for a court to report to the Office of Court Administration a number report regarding any security incident involving court facilities that occurs in the state of Texas. Reporting is required for all incidents that occur for an administrative judge not under the first.

Summary Reports

Period	2017 Q3	2017 Q2	2017 Q1
2017 Q3	15	12	10
2017 Q2	12	10	8
2017 Q1	10	8	6

Report Forms

TEXAS COURT Security REPORT

Multiple Texas courts and clerk offices are closed due to flooding. Please see our [Court Closures & Delays](#) page information on closed courthouses, emergency orders issued by the Supreme Court and Court of Criminal Appeals, and how clerks can report a closure.

STATISTICS HOME

- Annual Statistical Reports
- Appointments & Fees
- Court Activity Overview
- Court Security Incidents**
- Habeas Corpus
- Information on Texas Judges
- Judicial Nominations
- Judicial Salaries & Turnover
- Jury Charges & Businesses in Capital Cases
- National Statistics

COURT SECURITY INCIDENTS

Article 102.0170 of the Texas Code of Criminal Procedure requires the sheriff, constable, or other law enforcement agency or entity that provides security for a court to submit to the Office of Court Administration a written report regarding any security incident involving court security that occurs in or around a building housing a court for which the judge serves as local administrative judge not later than the third business day after the date the incident occurred.

Summary Reports

2014 2015 2016 2017

Report Forms

For district, county and justice courts:
[Instructions](#)
[Report Form PDF](#) [Word](#)

For municipal courts:
[Instructions](#)
[Report Form PDF](#) [Word](#)

Judicial Council Report

[Court Security Committee Report & Recommendations: October 2016](#)



Threat Assessment

Conduct a *Threat Assessment* based on questions or concerns.

Discuss risks along with viable options that improve awareness, improve judicial safety and improve court efficiency.

Threat Assessment
OUTER PERIMETER

- ▲Is there a private entrance to the courtroom or courthouse?
- ▲Can a Judge enter & exit without being exposed?
- ▲Is the parking area secure and separate from the public?
- ▲Is your parking space marked or "advertised"?

Threat Assessment
OUTER PERIMETER

- ▲Is the Judge's family made aware of what to do in case of a threat?
- ▲Is the judge's family versed on recognizing a possible danger?

JUSTICE COURT BUILDING SECURITY FUND

*§102.017 Code of Criminal Procedures Court Cost;
 Courthouse Building Security Fund*

(b)... A defendant convicted of a misdemeanor offense in justice court shall pay a \$4 security fee as court cost.

JUSTICE COURT BUILDING SECURITY FUND

§ 102.017. CCP. Court Cost; Courthouse Building Security Fund – pg.2 continued

(d-2) (2) The county treasurer shall deposit one-fourth of the cost of court collected under Subsection (b) in a justice court described by Subdivision (1) into a fund to be known as the justice court building security fund

JUSTICE COURT BUILDING SECURITY FUND

§ 102.017. CCP. (pg.3 continued)

(d)... Money deposited in a courthouse security fund may be used only for security personnel, services, and items related to buildings that house the operations of district, county or justice courts...

JUSTICE COURT BUILDING SECURITY FUND

§ 102.017. (D-1) CCP. (PG. 4 CONTINUED)

- (1) The purchase or repair of X-Ray machines and conveying systems*
- (2) handheld metal detectors;*
- (3) walkthrough metal detectors;*
- (4) identification cards and systems;*

JUSTICE COURT BUILDING SECURITY FUND

§ 102.017. (D-1) CCP. (PG. 5 CONTINUED)

- (5) *electronic locking and surveillance equipment;*
- (6) *bailiffs, deputy sheriffs, deputy constables, or contract security personnel during times when they are providing appropriate security services;*
- (7) *signage*

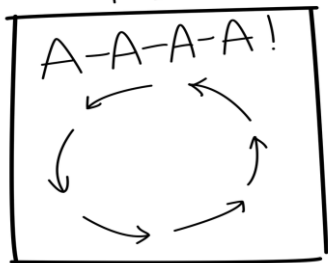
JUSTICE COURT BUILDING SECURITY FUND

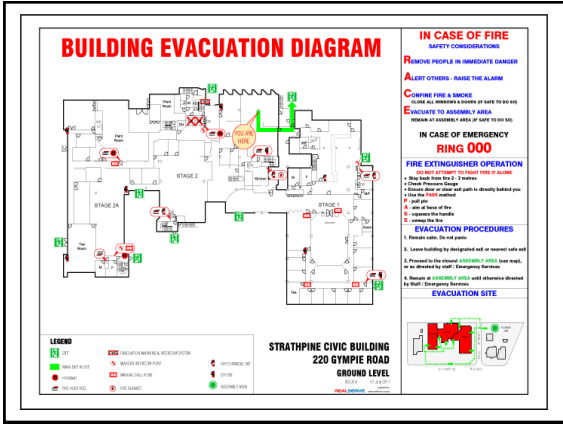
§ 102.017. (D-1) CCP. (6 OF 6 CONTINUED)

- (8) *confiscated weapons inventory and tracking systems;*
- (9) *locks, chains, alarms, or similar security devices;*
- (10) *the purchase and repair of bullet-proof glass; and*
- (11) *continuing education on security issues for court personnel and security personnel.*

Emergency Evacuation Preparedness

EVACUATION PLAN









Preventing Workplace Violence

12 SIGNS OF A DANGEROUS PERSON

BY: ROBERT SICILIANO, PERSONAL SECURITY EXPERT

Psychological profile of someone who is likely to commit an act of violence.

A combination of a few (or more) of the following behaviors should be reason for concern:

Preventing Workplace Violence

12 SIGNS OF A DANGEROUS PERSON

1. Difficulty getting along with others:

They are unreasonable; make inappropriate remarks about others; never content with the status quo; always upset by everyone and everything.

2. Controlling Behaviors:

In their minds, they are superior to everyone; they force their opinions on others; they are control freaks and can't deal with change.

Preventing Workplace Violence

12 SIGNS OF A DANGEROUS PERSON

3. Clinical Paranoia:

Conspiracy theorists; they think others- including friends, family, co-workers and government are out to get them.

4. Power Obsession:

They own firearms to extreme; members of paramilitary groups; subscribe to LE, military and underground military publications

Preventing Workplace Violence

12 SIGNS OF A DANGEROUS PERSON

5. Victim Attitudes:

Always blame others; never take responsibility for their behavior, faults or mistakes. Trouble with the law but it wasn't their fault.

6. Litigious Nature:

Take legal action against their neighbor, employers; constantly filing grievances. Everything blown out of proportion.

Preventing Workplace Violence

12 SIGNS OF A DANGEROUS PERSON

7. Constant Anger:

Anger and hate are how they get through the day. They are constantly mad at family, friends, coworkers, anybody and everybody.

8. Violent Opinions:

Acts of violence seen in media, mass shootings, racial incidents, executions as reasons to celebrate. "Victims get what they deserve".

Preventing Workplace Violence

12 SIGNS OF A DANGEROUS PERSON

9. Vindictive references:

Say things like "What comes around, goes around" or "One of these days I'll have my say".

10. Odd Behaviors:

Might be good at their job but lack social skills. Their presence makes others feel uncomfortable. An edge about them that makes others not want to be around them.

Preventing Workplace Violence

12 SIGNS OF A DANGEROUS PERSON

11. Unhealthy Habits:

Sleep disorders, always tired, dramatic weight loss or gain, often addicted to drugs, alcohol or other substances, plagued by health issues.

12. Recent Layoff:

Job loss can set off any of these traits since many establish their identity by their job description. A job loss can set-off emotional despair and push over the edge.

Seven horizontal lines for notes.

Preventing Workplace violence

CATEGORIES OF WORKPLACE VIOLENCE

• Based upon the relationship between the assailant/worker/workplace, violent incidents can be divided into four categories:

- Violence involving strangers
- Violence involving customers or clients
- Violence involving co-workers
- Violence involving personal relationships

Seven horizontal lines for notes.



SB 42

Court Security

Background on SB42.


- Named after the attempted assassination of Judge Julie Kocurek on November 6, 2015.
- The bill was advocated by Chief Justice Nathan Hecht to improve judicial security, and sponsored by Senator Judith Zaffirini.
- SB 42 passed overwhelmingly by both legislative committee hearings after Judge Kocurek's testimony of describing vicious attack.
- The bill passed the House and Senate easily without issue.

Seven horizontal lines for notes.

3 indicted for 'diabolical scheme' to kill Judge Kocurek

By Claire Riske (<http://kxan.com/author/kxanclairesiske/>) and Patrick Tolbert (<http://kxan.com/author/kxanpatricktolbert/>)
 Published: September 23, 2016, 12:45 pm | Updated: September 23, 2016, 10:49 pm



Marcellus Burgin, left, and Cheneve Orjani (left photos)

AUSTIN (KXAN) — Three men who federal investigators say were part of a detailed fraud and racketeering scheme who set out to kill Judge Julie Kocurek have been indicted by a federal grand jury; two are in custody and the third is considered armed and dangerous.

The indictment identified Cheneve Orjani, who has already been named as a suspect, 26-year-old Marcellus Antoine Burgin of Cypress, Texas and 24-year-old Rasul Kareem Scott of Marrero, Louisiana as suspects in the plot to kill Judge Kocurek.

49

SB42 Court Security

- Creates the position of Director of Security and Emergency Preparedness at OCA to provide guidance & technical advice.
- Establishes local court security committees to develop policies & procedures for their jurisdictions. Only recommends use of resources & fund expenditures.
- Prohibits a person from serving as court security officer unless training and TCOLE certification of basic court security officers.

*Makes various changes to Code of Criminal Procedure, Government Code, Election Code, Local Government Code, Occupations Code, Property Code, Tax Code and Transportation Code

Slide 1 of 3

50

SB42 Court Security

- Requires sheriffs, constables and LE agencies to verify their court security staff are TCOLE certified with basic court security training.
- Authorizes & clarifies that any commissioned officer, and DPS, can provide personal security, at any location in Texas, regardless of officer's employing department.
- Clarifies all court security incident reports are to be completed by the LE agency and filed with OCA.

*Makes various changes to Code of Criminal Procedure, Government Code, Election Code, Local Government Code, Occupations Code, Property Code, Tax Code and Transportation Code

Slide 2 of 3

51

SB42

Court Security

- Redaction of former or current state judges', federal judges' (and family members') personal information and address information from public documents such as: financial disclosure statements, voter registration, property deeds, local property appraisal records, DL records. (DL address will reflect courthouse address)
- Adds a \$5 filing fee in civil cases to pay for court security training.
- Requires Court of Appeals to grant legal funds to statewide associations to provide court security training.

* Makes various changes to Code of Criminal Procedure, Government Code, Election Code, Local Government Code, Occupations Code, Property Code, Tax Code and Transportation Code

Slide 3 of 3

52

QUESTIONS?

TJCTC is an educational endeavor of the Justice of the Peace and Constable's Association of Texas, Inc.
