

United States General Accounting Office

Report to Congress on: Restraints

FEDERAL BUDGET SECURITY

Comprehensive Risk-Based Program Should Be Fully Implemented

151559



151559

U.S. Department of Justice
National Institute of Justice

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this ~~document~~ material has been granted by
Public Domain

U.S. General Accounting Office

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the ~~document~~ owner.



United States
General Accounting Office
Washington, D.C. 20548

General Government Division

B-257009

July 14, 1994

The Honorable Sam Nunn
Chairman, Permanent Subcommittee on
Investigations
Committee on Governmental Affairs
United States Senate

The Honorable Howell Heflin
Chairman, Subcommittee on Courts and
Administrative Practice
Committee on the Judiciary
United States Senate

The Honorable Bob Graham
United States Senate

NCJRS
DEC 7 1994
ACQUISITIONS

This report responds to your requests that we review the federal government's overall efforts to ensure the security of its judicial personnel, both at and away from court facilities. The report discusses (1) the risk environment within which judges and other judicial personnel must work; (2) the administrative structure, policies, and procedures for providing judicial security; and (3) whether there is a need to change the security management responsibilities now shared by several federal agencies.

This report includes recommendations to the Attorney General, the Director of the Administrative Office of the U.S. Courts, and the Administrator of the General Services Administration.

As agreed with your offices, unless you publicly announce its contents earlier, we plan no further distribution of this report until 30 days from the date of this letter. At that time, we will send copies to interested parties and make copies available to others upon request.

Please contact me on (202) 512-5156 if you have any questions concerning this report. Other major contributors to this report are listed in appendix VIII.

Henry R. Wray
Director, Administration
of Justice Issues

Executive Summary

Purpose

Adequate security is critical to protecting the integrity of the federal judicial system. Concerns have been raised that the federal judiciary faces growing risks because of their work environment. Indeed, three federal judges were assassinated at off-site locations (i.e., away from court facilities) between 1979 and 1989. Prompted by such concerns, several congressional requesters asked GAO to

- review the risk environment within which judges and other federal judicial personnel must work, and their perceptions about the environment and security measures;
- review the administrative structure, policies, and procedures for providing judicial security and determine whether appropriate security systems have been implemented in each federal judicial district; and
- evaluate whether there is a need to change security management responsibilities now shared by three federal agencies, and if so, what alternatives should be considered for consolidating or streamlining those responsibilities.

Background

Three federal agencies are engaged in judicial security activities: (1) the Administrative Office of the U.S. Courts (AOUSC) implements policies set forth by the Judicial Conference of the United States, (2) the U.S. Marshals Service (a bureau of the Department of Justice) has primary responsibility for protecting federal judicial facilities and personnel in each of the 94 judicial districts, and (3) the General Services Administration (GSA) is primarily responsible for providing building entry and perimeter security at judicial facilities.

A 1982 report by the Attorney General's Task Force on Court Security provides the foundation for the current on-site judicial security program. The 1982 task force—consisting of representatives from the Federal Bureau of Investigation, the Marshals Service, and other Justice Department components—produced a series of recommendations that were endorsed by the Attorney General and the Chief Justice of the United States. The task force recommended that the Marshals Service take the lead in implementing security measures by (1) establishing in each of the 94 judicial districts a security committee composed of, among others, the district U.S. marshal, the chief judge, and a representative of the principal provider of building security (usually GSA); (2) conducting security surveys and developing written security plans for all judicial facilities in each district; and (3) establishing a national database of information to justify budget requests, allocate security resources effectively, and implement

other risk-management activities. The administrative structure, policies, and procedures for implementing these recommendations were set forth in a 1987 memorandum of agreement among AOUSC, GSA, and the Marshals Service.

Results in Brief

According to executive branch security experts and judges GAO surveyed nationwide, the environment in which the federal judiciary operates is becoming increasingly more dangerous. Most district marshals believe that judicial personnel are generally secure in and around judicial facilities but less so away from them. Likewise, most judges believe that security at judicial facilities is adequate to protect them from danger and are more concerned about off-site security. (See ch. 2.)

Key aspects of the comprehensive on-site judicial security program recommended by the 1982 task force are not yet fully in place. The Marshals Service has not finished the process of (1) establishing a representative and active security committee in each federal judicial district; (2) completing security surveys and plans for all judicial facilities in each district; and (3) implementing a complete national database to effectively manage security resources and programs, as specified in the 1982 task force report. The judicial security program is not sufficiently comprehensive in that it does not evaluate off-site security issues. AOUSC and the Judicial Conference have not systematically overseen and monitored the effectiveness of the security program and the use of appropriated funds. (See ch. 3.)

GAO discusses several alternatives for consolidating judicial security management responsibilities either in the Marshals Service or the judicial branch. GAO believes, however, that any fundamental changes in security management responsibilities should be deferred pending the full implementation of the comprehensive security program recommended in 1982. (See ch. 4.)

Principal Findings

Judicial Environment Poses Increasing Risks

There is a consensus among security experts in the Marshals Service and GSA as well as judges that the environment in which the federal judiciary operates has become more dangerous. Five violent incidents resulting in

the deaths of judges and other judicial branch officials have occurred over the past 15 years. In addition to the assassinations of three judges at their residences, attacks at federal court facilities took the lives of a deputy marshal and a court security officer in Chicago, IL, in 1992, and another court security officer in Topeka, KS, in 1993. According to Marshals Service officials, court security officers are identifying and confiscating large numbers of weapons and potential weapons at entrances to judicial facilities. Security experts attribute the more dangerous environment to such factors as increases in the number of violent criminal cases and emotionally charged civil matters that are brought before the federal judiciary and a much higher number of prisoners at federal court facilities. (See pp. 20 to 24.)

Eighty-six percent of the judges responding to GAO's nationwide questionnaire perceived themselves to be exposed to greater potential job-related dangers than other citizens. Seventy-seven percent of the judges believed that security at their primary facilities met or exceeded what was needed to protect them from these dangers. Judges also were generally satisfied with the way marshals and court security officers provided security in and around court facilities. However, judges who reported working at secondary facilities (approximately one-half of the respondents) believed that security measures at 33 percent of these facilities fell short of what was needed.

Judges expressed greater concern about their security away from their work locations. While 82 percent of the judges reported that they felt very or somewhat secure at their main court facilities, only 42 percent felt as secure off site. And, while 8 percent felt somewhat or very insecure at their main facilities, 27 percent felt as insecure off site. (See pp. 24 to 27.)

**Comprehensive On-Site
Security Program
Recommended by 1982
Task Force Not Fully
Implemented**

More than half of the 94 marshals GAO questioned reported that their district security committees did not include all the participants specified by the 1982 task force and the Judicial Conference. For example, 54 district committees did not include a GSA security representative, and 10 did not include the district's chief judge. Moreover, many of the committees met infrequently. For instance, 30 of the 94 marshals reported that their security committees met once a year or less. Over one-third of all judges indicated that they were uncertain whether a security committee existed in their districts. (See pp. 34 to 37.)

While the 1982 task force report specified that security surveys of all judicial facilities be conducted by the Marshals Service and GSA security specialists as a team, this generally did not occur. Seventy-three of the 94 marshals indicated that GSA security representatives had not regularly participated in the Marshals Service's surveys; 48 marshals indicated they were unaware that GSA also performed security surveys of buildings housing judicial personnel. Also, 3 marshals reported that they had not regularly conducted security surveys of any judicial facilities within their districts, and another 11 marshals reported they had regularly surveyed only some facilities in their districts. Two marshals reported that none of the facilities within their districts had written security plans; an additional 27 marshals replied that they had plans for only some facilities. Further, the marshals' responses indicated that many of the completed security plans were insufficiently detailed. For example, over one-third of the plans for handling emergencies during regular business hours did not cover either the main building entrance, courtrooms, or judges' chambers.

Failure to conduct all surveys and to develop all plans as recommended potentially exposes judicial personnel to security risks that might be identified and addressed through implementing these requirements. For example, we found that in some cases marshals had overlooked facilities that house bankruptcy, probation, pretrial services, and public defender officials as well as circuit court and senior judges. (See pp. 37 to 39.)

Because all judicial facilities have not been surveyed, the national database recommended by the task force is incomplete. In addition, budget requests for and allocations of judicial security resources are not always based on systematic risk assessments documented in security surveys and plans. Ten marshals reported to GAO that their budget requests were based to some, little, or no extent on security surveys. As a result, security needs may not be met in some districts, while other districts may employ more security measures than needed. For example, 1 district GAO visited had 16 court security officers and had requested an additional officer in a 1991 budget request, even though the district's security plan indicated a need for only 4 officers. (See pp. 39 and 40.)

Off-Site Security Assessments Should Be Part of the Comprehensive Judicial Security Program

The 1982 task force report addressed only on-site security. However, security experts and judges believe that judges are less secure away from judicial facilities. Therefore, GAO believes that a truly comprehensive judicial security program needs to consider and evaluate off-site as well as on-site security needs, applying risk-management principles to both.

Off-site security needs probably will differ among or even within individual judicial districts. However, some nationwide guidance from the Judicial Conference may be appropriate to address basic policy issues, such as whether, to what extent, and under what conditions off-site security equipment should be furnished at government expense. If so, another issue is whether such equipment should be funded from Marshals Service or judicial branch appropriations. (See pp. 45 and 46.)

Some Management Problems Remain

Despite the 1987 memorandum of agreement, some management issues continue to exist among the agencies responsible for judicial security. The Marshals Service and GSA often do not coordinate their security surveys and plans, as envisioned by the 1982 task force recommendations and the 1987 memorandum of agreement. These agencies also differ over who should have responsibility for providing perimeter and building entry security at judicial facilities and what level of security is appropriate. The problem is particularly complicated in the case of multitenant facilities that house other occupants along with judicial branch personnel. (See pp. 40 to 44.)

GAO and other recent studies have found that AOUSC has not provided systematic oversight of the Marshals Service's implementation of the comprehensive security program envisioned by the 1987 memorandum of agreement. (See pp. 44 and 45.)

Also, prior studies of the judiciary and GAO raised concerns that the status of the Marshals Service as an executive branch agency and its dual role in performing certain law enforcement functions detracted from one of its primary missions of providing judicial security. (See pp. 55 to 57.)

Full Implementation of Comprehensive Program Should Precede Any Fundamental Management Changes

GAO discusses several possible alternatives for consolidating basic management responsibilities for providing judicial security. These alternatives include revising the Marshals Service's management and organizational structure with respect to judicial security or transferring operational responsibility for judicial security from the Marshals Service to the judicial branch. GAO believes, however, that priority attention needs to be given to fully implementing the comprehensive judicial security program using current management structures. Undertaking fundamental management changes now might delay or impede completion of this process. Also, full implementation of the comprehensive security program

may, in itself, afford the means to resolve coordination and other management problems. (See pp. 57 to 60.)

Recommendations

GAO makes several recommendations to the Attorney General, the Judicial Conference, and the GSA Administrator. These recommendations are designed to ensure that (1) the comprehensive risk-based security program envisioned by the 1982 task force is implemented fully and consistently in all judicial districts, (2) off-site security risks and needs are assessed as part of the comprehensive program, and (3) roles and responsibilities for judicial security are clarified as necessary and effectively coordinated and carried out. (See pp. 48 to 50.)

Agency Comments

AOUSC, the Justice Department, and GSA provided written comments on a draft of this report. These comments are presented in appendixes V, VI, and VII and are discussed on pages 24 and 41 to 44 and at the end of chapters 2, 3, and 4. All three agencies generally agreed with GAO's findings and conclusions relating to implementation of a comprehensive security program and the 1987 memorandum of agreement. They said they are either taking or planning to take action on most of GAO's recommendations. Their comments focused on improving the program under the current management structure—the 1987 agreement—rather than fundamentally changing the structure.

Justice agreed with GAO's assessment of the Marshals Service's management of the Judicial Security Program and acknowledged that there were some areas needing improvement. Justice said the Marshals Service was moving to improve the implementation of security plans and surveys and to promote the active involvement of district court security committees in judicial security matters. AOUSC agreed that the 1982 task force recommendations should be fully implemented and that off-site security needs should be considered and assessed as part of the program. AOUSC also agreed that the judiciary's oversight of the security program needed to be improved, especially with regard to budget formulation activities and the role of district security committees. It said it was moving to strengthen its oversight and monitoring capabilities. GSA agreed with GAO's conclusion that maintaining and refining the current management/operational structure and system for judicial security, particularly through improved communication and coordination between it and the Marshals Service, was preferable to making fundamental changes.

Contents

Executive Summary		2
Chapter 1		10
Introduction	Recent Violent Acts Highlight the Importance of Federal Judicial Security	10
	Overview of the Federal Judiciary	11
	Various Agencies Are Responsible for Providing and Funding Judicial Security	11
	Prior Efforts to Address Judicial Security Problems	14
	Objectives, Scope, and Methodology	15
Chapter 2		20
Judicial Environment	Judicial Risk Environment	20
Poses Increasing	Judges More Concerned About Security Away From Main Judicial Facilities	24
Risks	Threat Information Needed to Make Risk Assessments Is Incomplete	27
	Conclusions	28
	Recommendation	29
	Agency Comments	29
Chapter 3		31
A Comprehensive	The Task Force's Vision of a Comprehensive Judicial Security System	31
Judicial Security	Task Force Principles Adopted by Security Providers	33
Program Has Not	Task Force Recommendations Not Fully and Consistently Implemented	34
Been Fully and	A More Comprehensive Security Program Should Include Risk-Based Off-Site Security Assessments	45
Consistently	Conclusions	47
Implemented	Recommendations	48
	Agency Comments	50

Chapter 4		55
Alternatives for		
Consolidating	Other Management Concerns Over Judicial Security	55
Management of	Responsibilities	
Judicial Security	Possible Management Alternatives	57
Programs	Conclusions	59
	Agency Comments	60
<hr/>		
Appendixes		
	Appendix I: Judicial Security Involves Interagency Responsibility	62
	Appendix II: Court Security Questionnaire (Federal Judges)	67
	Appendix III: Court Security Questionnaire (U.S. Marshals Service—District Survey)	88
	Appendix IV: Court Security Questionnaire (U.S. Marshals Service—Facility Survey)	109
	Appendix V: Comments From the Administrative Office of the U.S. Courts	131
	Appendix VI: Comments From the Department of Justice	138
	Appendix VII: Comments From the General Services Administration	142
	Appendix VIII: Major Contributors to This Report	144
<hr/>		
Table	Table I.1: Federal Judicial Security—Roles and Responsibilities	62
<hr/>		
Figures		
	Figure 1.1: U.S. Marshals Service and Judicial Branch Appropriations for Judicial Security, Fiscal Years 1983-1993	13
	Figure 2.1: Threats Against Federal Judges and Other Court Officers, Fiscal Years 1987-1993	23
	Figure 4.1: Allocation of Marshals Service 1993 Appropriation, by Program Activity	56

Abbreviations

AOUSC	Administrative Office of the U.S. Courts
CSO	Court Security Officer
DOJ	Department of Justice
FBI	Federal Bureau of Investigation
FPS	Federal Protective Service
GSA	General Services Administration
MOA	memorandum of agreement

Introduction

Adequate physical and personal security for judges, court clerks, probation officers, and other judicial personnel is critical to preserving the integrity of the federal judicial system. In the words of a 1978 report issued by an interagency group formed to study judicial security:

"The absolute necessity of the Federal Judiciary to daily perform its constitutional functions free from duress and intimidation permeates the very basis of the American democratic society as envisioned by the signers of the U.S. Constitution."¹

This principle was reiterated in a March 1982 joint statement by the Chief Justice and Attorney General on the importance of adequate security in the federal judicial system. They stated:

"If we cannot ensure the safety of all participants in the judicial process, we cannot maintain the integrity of the system, we cannot—in sum—'establish justice,' as mandated in the preamble to the Constitution of the United States."

Providing judges and other judicial branch officials reasonable security from physical and psychological intimidation and harm helps ensure that the justice system deals fairly and impartially with volatile and emotional issues involving organized crime, drugs, civil rights, torts, and bankruptcy.

Recent Violent Acts Highlight the Importance of Federal Judicial Security

Beginning in the late 1970s and continuing into more recent years, various highly publicized incidents illustrate the threats and violent acts to which judicial personnel have been subjected at and away from court houses. In 1979, an assailant, allegedly hired by defendants in a pending drug case, shot and killed U.S. District Judge John Wood as he entered his car at his home in San Antonio, TX. In 1988, the father of a plaintiff in a dismissed sexual discrimination case shot and killed U.S. District Judge Richard Daronco in his yard in Pelham, NY. In 1989, an individual appealing a conviction for possessing a pipe bomb sent a package containing another pipe bomb to the Birmingham, AL, residence of U.S. Court of Appeals Judge Robert Vance; the bomb killed the judge and injured his wife.

Violent acts of these types have not been limited to judges. Other judicial personnel also have been the unfortunate victims of violence while in the course of conducting their official duties. For example, in 1992, a federal defendant on trial in Chicago for eight bank robberies slipped free of his handcuffs, wrestled a gun from a deputy marshal, and then fatally shot him and a court security officer. In August 1993, a convicted federal felon who

¹Judicial Security, U.S. Department of Justice, Report of the Interagency Study Group on Judicial System Security (Washington, D.C.: May 24, 1978), p. 5.

had been released on bond and was awaiting sentencing for possession of drugs and firearms dynamited his car in front of the courthouse in Topeka, KS. Taking advantage of the resulting confusion, the felon entered the judicial facility, fatally shot a court security officer, and tossed pipe bombs that injured several other people.

According to the U.S. Marshals Service and other security experts, increases in the number of trials involving drug trafficking and other violent crimes, as well as increases in the number of volatile civil trials, have created a more dangerous environment for judges, prosecutors, witnesses, and others involved in the federal judicial system. As a result, some judicial personnel now perceive increased risks to themselves and have raised concerns about the adequacy of security, not only at, but also away from, court facilities.

Overview of the Federal Judiciary

There are 94 federal judicial districts in the United States, each with its own district court. The district courts are grouped into 12 regional circuits, with each circuit having 1 court of appeals. The nation's highest federal court is the U.S. Supreme Court. The day-to-day business of the federal judiciary takes place in the district courts, which had 554 district judges (of 649 authorized) conducting judicial proceedings as of January 31, 1994. In addition, the judiciary included 311 bankruptcy (326 authorized) and 359 magistrate (381 authorized) judges as of that date.

As discussed in more detail in appendix I, the judicial branch of the federal government has a simple governance structure composed of the Courts, the Judicial Conference of the United States, and the Administrative Office of the U.S. Courts (AOUSC). Within each judicial district, federal judges generally are responsible for the efficient operation of the courts, with chief judges primarily responsible for their day-to-day administration. Although subject to the broad parameters of established policy, individual federal judges have considerable independence concerning the operation of their respective courts.

Various Agencies Are Responsible for Providing and Funding Judicial Security

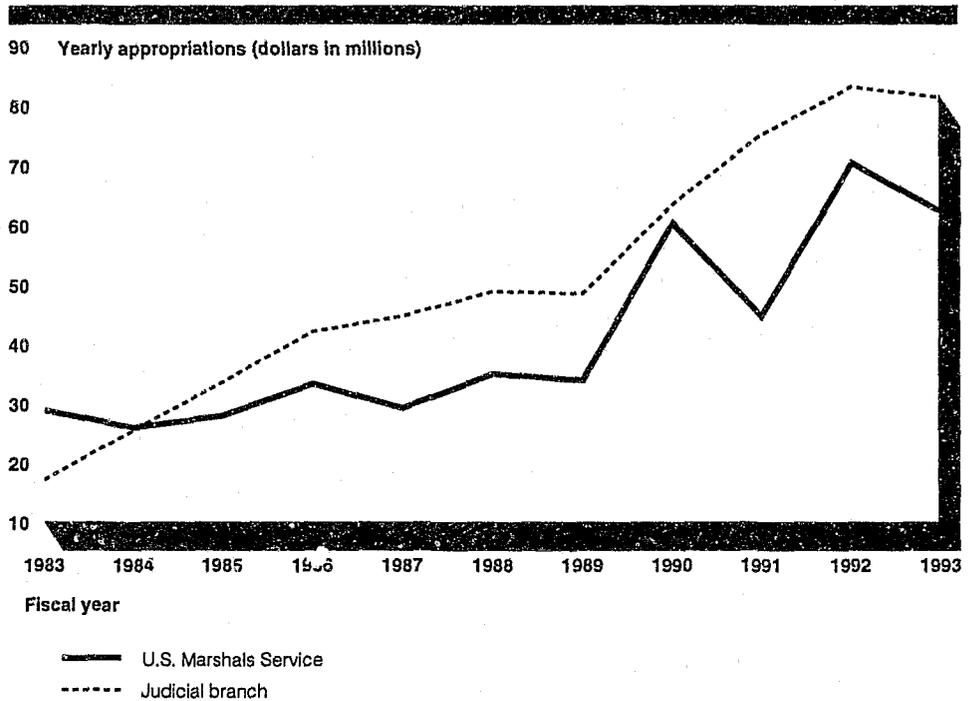
Providing security for the federal judiciary involves both executive and judicial branch agencies. As discussed in more detail in appendix I, the executive branch agency with principal responsibility for protecting federal judicial facilities and personnel is the U.S. Marshals Service, a component of the Department of Justice (DOJ). Each federal judicial district has a U.S. marshal, who is appointed by the president of the United States. The marshal is responsible for judicial security, as well as law

enforcement, matters for the district. The Marshals Service's judicial security program is designed to maintain the integrity of the judicial process by ensuring that each federal judicial facility is secure and that all federal judges, magistrates, prosecutors, and participants can conduct proceedings in an open and safe environment. Under this program, which is funded by appropriations made directly to the Marshals Service, deputy marshals guard prisoners during judicial proceedings and provide temporary protective details for threatened judicial officials.

Judicial branch involvement originates with the Judicial Conference of the United States, which establishes the general policies for administering the federal court system. The judicial branch's court security program, which is funded from judicial branch appropriations, is used to hire court security officers (contract personnel) and procure security equipment to protect court facilities. Since fiscal year 1984, AOUSC has transferred these funds to the Marshals Service to contract for court security officers and procure court (on-site) security equipment for the judicial districts.

As figure 1.1 shows, congressional appropriations for judicial security, from both Marshals Service and judicial branch appropriations, have increased significantly during the past 10 years. For example, judicial security appropriations for the Marshals Service increased from \$28.8 million (in 1993 dollars) in fiscal year 1983 to \$62.2 million in fiscal year 1993. For these same years, the judicial branch's court security appropriations increased from \$17.1 million (in 1993 dollars) to \$81.3 million. These growing appropriations generally were in response to (1) an increase in the number of federal crime initiatives (particularly relating to narcotics and violent crime prosecutions) during this time and (2) an increase in the number of judicial personnel and facilities, each of which represents a need for more security services.

**Figure 1.1: U.S. Marshals Service and
Judicial Branch Appropriations for
Judicial Security, Fiscal Years
1983-1993**



Note: Dollar amounts are expressed in real (1993) dollars, which have been calculated using the implicit price deflator for gross domestic product.

Sources: AOUSC and the Office of Financial Management, U.S. Marshals Service.

In addition to these appropriations, other judicial security costs are covered in rental payments made by the judicial branch to the General Services Administration (GSA), which is responsible for providing building entry and perimeter security at judicial facilities. The specific object classification in judicial branch appropriations called "rental payments to GSA" covers the costs of rental space and all related services—including some security services such as installing intrusion alarm systems. The total rental payments made to GSA by the judiciary from its salaries and expenses appropriations for fiscal years 1991, 1992, and 1993, respectively, were \$257.5 million, \$306.2 million, and \$366.2 million. According to AOUSC, the judiciary will expend an estimated \$436.1 million and \$521.7 million, respectively, in fiscal years 1994 and 1995 for rental payments. According to a GSA security official, security costs were not factored into the rental

fee before fiscal year 1993. Since then, GSA has been charging a flat rate for general security services and actual costs for building-specific services.

Prior Efforts to Address Judicial Security Problems

In 1976, we issued a report² on federal judicial security in response to increasing concerns over violence and disorder in courtrooms. Our report recommended that the Department of Justice, in cooperation with other agencies responsible for judicial security, comprehensively evaluate the needs of each court facility and establish an overall plan for upgrading and monitoring on-site judicial security. In response to this recommendation, in 1976 the Deputy Attorney General established the "Interagency Study Group on Judicial System Security," with representatives from each responsible agency.³ The resulting court security policy presented by the group in its 1978 report clarified agency roles and began the process of addressing how to determine security needs.⁴

In 1982, we reported that the effectiveness of the Marshals Service was limited by its dual roles—as law enforcement agency for the executive branch and security force for the judicial branch.⁵ We recommended, among other things, that the Attorney General establish a policy that the provisions of court security and the execution of court orders be the top priority of each U.S. marshal.

Also in 1982, a report by the Attorney General's Task Force on Court Security⁶ recommended development of a comprehensive judicial security system based on a risk management concept. According to the report, effective risk management should consist of identifying and assessing all of the relevant security risks specifically associated with each facility and then taking actions to ensure that needed protective services are in place. The report recommended that the Marshals Service take the lead role in implementing the risk management concept in each judicial district.

²U.S. Marshals Service—Actions Needed to Enhance Effectiveness (GGD-76-77, July 27, 1976).

³Chaired by the Justice Department, the interagency group consisted of representatives from AOUSC, GSA, the Marshals Service, and the U.S. Postal Service, which, as the manager of several buildings housing court facilities, used to have some security responsibilities. The Postal Service has since relinquished these facility and security responsibilities to GSA.

⁴Judicial Security, Dept. of Justice.

⁵U.S. Marshals' Dilemma: Serving Two Branches of Government (GAO/GGD-82-3, Apr. 19, 1982).

⁶Report of the Attorney General's Task Force on Court Security, U.S. Department of Justice (Washington, D.C.: Mar. 1982).

The 1982 task force report provided basic policy guidance, endorsed by the Attorney General and the Chief Justice, for implementing security plans and procedures. This guidance was formally reiterated in a 1984 memorandum of understanding between the Marshals Service and AOUSC and was supplemented by a 1987 memorandum of agreement (MOA) among the Marshals Service, AOUSC, and GSA. (Further discussion of the task force and the memorandums is contained in the objectives, scope, and methodology section of this chapter and in ch. 3.)

Despite this guidance, persistent deficiencies in the security of the federal judicial system still remained, as noted in a 1987 Department of Justice audit report:

“Security surveys were not performed or security plans were not prepared for all judicial facilities in the districts visited. Some surveys and plans that had been prepared were . . . not on file in the district and were therefore not available for use by the . . . [U.S. Marshal]. In most cases, the surveys and plans were outdated because there were no requirements to perform periodic surveys or keep plans current. As a result, the present security measures in place in the judicial facilities were not consistent with the security surveys and plans. Therefore, the . . . [U.S. Marshals] may not have established adequate security measures, or conversely security may be in excess of needs.”⁷

Similarly, in 1988, we reported that many of the same issues addressed in 1982 by the task force existed even though improvements had occurred.⁸

Objectives, Scope, and Methodology

In 1991, the Chairman, Permanent Subcommittee on Investigations, Senate Committee on Governmental Affairs; the Chairman, Subcommittee on Courts and Administrative Practice, Senate Committee on the Judiciary; and Senator Bob Graham asked us to comprehensively assess the federal government's overall efforts to ensure the security of judicial personnel on site and off site. Also in 1991, the Judicial Conference of the United States issued a special report endorsing a need for this review.⁹ On the basis of subsequent discussions and agreements with the requesters, we focused on

⁷The Judicial Security Program in the United States Marshals Service, U.S. Department of Justice, Audit Report No. 87-17, prepared by the Justice Management Division (Washington, D.C.: Mar. 1987), p. ii.

⁸Domestic Terrorism: Prevention Efforts in Selected Federal Courts and Mass Transit Systems (GAO/PEMD-88-22, June 23, 1988), p. 28.

⁹Special Report to the Executive Committee of the Judicial Conference of the United States, Judicial Conference of the United States, Committee on Court and Judicial Security (Washington, D.C.: June 21, 1991).

- reviewing the risk environment within which judges and other federal judicial personnel must work and their perceptions about the environment and security measures (see ch. 2.);
- reviewing the administrative structure, policies, and procedures for providing judicial security and determining whether appropriate security systems have been implemented in each federal judicial district (see ch. 3.); and
- evaluating whether there is a need to change security management responsibilities now shared by three federal agencies, and if so, what alternatives should be considered for consolidating or streamlining those responsibilities (see ch. 4).

In addressing these questions, much of our work focused specifically on judges, who, as a group, are the most visible symbol of the federal judicial system. However, we tried to obtain information about and/or perspectives from all relevant officials—both the clients (judges, clerical staff, probation officers, etc.) and the providers (marshals and other security personnel) of judicial security. In so doing, we

- developed nationwide data on the relevant issues by using mail-out questionnaires sent to all 1,809 federal judges and all 94 U.S. marshals¹⁰ and administering a telephone questionnaire to all 10 regional directors of GSA's Federal Protective Service;
- conducted interviews with senior officials and performed related work at the headquarters of the principal judicial and executive branch agencies—AOUSC, the Marshals Service, and GSA; and
- performed audit work in 9 judicial districts judgmentally selected from the 94 total districts, including observing security activities and interviewing judges and other judicial personnel, marshals and their deputies, and GSA officials.

Also, to ensure that our work focused on the judicial branch's most significant security concerns, we coordinated throughout our review with the Judicial Conference Committee on Court and Judicial Security.¹¹

Use of Questionnaires to Obtain Nationwide Data

We used three mail-out questionnaires and a telephone interview questionnaire to obtain a broad-based, national perspective on judicial security issues.

¹⁰Each of the 94 judicial districts has a U.S. marshal.

¹¹On October 1, 1993, the Committee on Court and Judicial Security was combined with the Committee on Space and Facilities to create the Committee on Security, Space and Facilities.

- Using a mailing list that AOUSC provided, we sent a questionnaire to each of the 1,809 federal circuit, district, bankruptcy, and magistrate judges in the United States (see app. II). This questionnaire was designed to gather information on the judges' perceptions of job-related risks, the adequacy of on-site and off-site security, and any changes needed in security programs. We received usable responses from 1,470 (81 percent) of the judges. The questionnaires were completed between March and August 1992.
- Also, we mailed a questionnaire to each of the 94 district marshals in the United States to gather data about each district's specific security risks and programs, including the extent of interagency coordination and cooperation (see app. III). All 94 marshals responded. The questionnaires were completed between August and November 1992.
- Further, we mailed another questionnaire to each of the 94 district marshals to gather security-related information about each of the specific judicial facilities located in the respective districts (see app. IV). Using a list provided by the Marshals Service, we mailed out 664 individual facility questionnaires. The district marshals identified an additional 19 facilities that housed judicial personnel. We received questionnaires back from all 683 facilities. According to the marshals' responses, information could not be provided or used for 98 of these facilities because they had closed or the judicial activity had moved out of the district (56), had almost no judicial activities (19), were duplicates of other facilities (9), or were just opened or under construction (8). Also, the Marshals Service had no information on six facilities. The remaining 585 usable facility questionnaires made up the universe of facilities that housed judicial personnel in the 94 districts at the time of our survey, according to information provided by the marshals. The questionnaires were completed between August and November 1992.

To gather information on interagency coordination and cooperation in implementing a comprehensive security program in the federal judicial districts, we used a structured questionnaire to conduct telephone interviews with each of the 10 regional directors of GSA's Federal Protective Service (FPS). The structured interviews were conducted during July and August 1992.

In developing the various questionnaires, we applied as criteria the standards, concepts, and recommendations set forth in the 1982 Attorney General's task force report and the policies, procedures, and requirements set forth in the related 1984 memorandum of understanding and 1987 MOA among the responsible agencies. These criteria were developed by

individuals with considerable expertise in and responsibility for judicial security matters. The task force consisted of representatives of the Department of Justice's Office of the Deputy Attorney General and Justice Management Division, the Marshals Service, and the Federal Bureau of Investigation (FBI). In addition, the task force obtained information from security specialists of the Justice Management Division, Marshals Service, and FBI and from the district court judges, U.S. Marshal, and U.S. Attorney in each of the federal judicial districts. Therefore, we believe the resulting standards, concepts, and recommendations provide a reasonable basis for and approach to addressing judicial security issues and problems.

Also, in analyzing the results of the questionnaires, we adopted a zero tolerance standard in relation to the task force criteria. The task force recommendations were endorsed by the Attorney General, the Chief Justice, the federal judicial community, and the parties to the 1984 memorandum of understanding and 1987 MOA. The significance of not conducting surveys and developing plans as required, in particular, lies in the potential exposure of judicial personnel to serious security risks that might be identified and addressed through implementing these requirements.

Interviews and Related Work at Agency Headquarters

At AOUSC, the Marshals Service, and GSA headquarters, we interviewed senior officials to discuss security policies, budget development and resource allocation issues, and interagency coordination procedures. We reviewed applicable organization, mission, and budget documents, and security-related reports and studies, including those that involved assessing the number and the nature of threats to the judicial system.

Audit Work in Selected Judicial Districts

To obtain first-hand observations about security activities, we judgmentally selected and visited nine judicial districts—Arizona, the District of Columbia, Middle Florida, Middle Tennessee, Northern West Virginia, Southern California, Southern Florida, Southern Georgia, and Western Missouri. In selecting these districts, we attempted to balance the desirability of covering different regions of the country with the need to ensure coverage of districts having relatively high levels of reported threats to judicial system personnel. In the nine selected districts, we interviewed federal judges, probation and pretrial services officers, public defenders, clerks of court, marshals and their deputies, court security officers, GSA building managers, and FPS physical security specialists. In addition to obtaining these officials' perceptions about the adequacy of

judicial security and the effectiveness of interagency coordination, we toured selected judicial facilities and observed the functioning of security equipment and personnel. Also, we reviewed the completeness and currency of available security plans.

We did our work between June 1991 and February 1994 in accordance with generally accepted government auditing standards. AOUSC, DOJ, and GSA provided written comments on a draft of this report. These comments are included in appendixes V, VI, and VII and are summarized and evaluated at the end of chapters 2, 3, and 4. In addition, AOUSC provided suggestions for minor clarifications to a draft of this report; we made changes where appropriate.

Judicial Environment Poses Increasing Risks

The potential for threatening situations and retaliatory acts against judges and other judicial personnel exists not only at court facilities, but also at off-site locations, including personal residences. There is consensus among security experts in the Marshals Service and GSA that the environment in which judges and other judicial personnel operate has become more risky and dangerous. Generally, judges responding to our questionnaire believed that the security measures in place at the judicial facilities where they work are adequate, but their sense of security lessens away from these facilities. The marshals' responses concurred with this perception. One limitation to fully evaluating the risk environment is that data on threats against judicial personnel, which are important both in an individual context and in the aggregate as a key means of assessing trends in the environment, are inconsistent.

Judicial Risk Environment

The risk environment for the judiciary is difficult to quantify with precision because of its uncertain and unpredictable nature. However, the Marshals Service and other security experts believe, and provided data to illustrate, that the environment has become more risky and dangerous.

Security Experts Believe the Judicial Environment Is More Risky

In February 1994, the Director of the Marshals Service, in requiring all U.S. Marshals to take actions to increase security awareness among the judiciary, characterized the risk environment as follows:

"The atmosphere in the justice system today has become progressively hostile, not only reflecting the changed attitudes of our society, but also the nature of litigation being conducted in our Federal courts. As the United States Government is called upon to assume a more active role in the war against drugs and violent crime, acts of violence in or around our court facilities have increased."

According to security officials in the Marshals Service, during the past decade the federal judicial caseload has increased significantly, both in number and in emotional intensity of the related issues. As a result, judicial personnel come into frequent contact with individuals who are prone to violence or who become emotionally distraught about issues related to their cases.

These officials provided the following information to illustrate their concern that judicial personnel are being exposed to increasing levels of risk:

- The rise in “street crime” prosecutions (bank robbery, narcotics trafficking, and other violent crimes) in the federal system has brought more dangerous individuals into the courthouses. In this regard, the number of “high threat/sensitive trials” has increased—from about 130 in 1984 to about 230 in 1993, peaking at almost 400 in 1991. This number probably is understated because the Marshals Service records only those trials that district marshals bring to its attention in connection with requests for special assistance. These trials include narcotics cases involving multiple defendants and organized crime cases.
- The number of multiple-defendant jury trials has increased. For example, from fiscal year 1989 to 1992, jury trials with four or more defendants increased by more than 35 percent. According to the 1982 Attorney General’s task force report, the greater the number of participants in a trial, the greater the need for security.
- A large number of weapons (guns, knives, and other potentially dangerous items) have been identified and confiscated at judicial facilities by court security officers (CSO), despite the increase in the use of metal detectors and screening equipment. For example, during fiscal year 1993, CSOs detected 384,335 concealed guns and knives that individuals were attempting to bring into federal courthouses—about a 10-percent increase over fiscal year 1992—and confiscated over 4,000 of these weapons. In addition, in fiscal year 1993, CSOs detected 59,085 contraband items, including ice picks, screwdrivers, and hacksaw blades, that could have been used as weapons and confiscated 560 of these items.
- The number of prisoners the Marshals Service has to move into and out of, and guard at, the courts has increased almost five times, from 4,000 in 1982 to 19,000 in 1993. This situation is attributable, in part, to the increase in cases involving sentencing guidelines and mandatory minimum sentencing requirements. Moreover, the nature of prisoners also has changed in that there are more “hard-core tough guys” and more multiple-defendant cases, making the task more difficult. In this regard, the number of multiple-defendant cases has grown by 70 percent from 1980 to 1992, and the number of such drug cases has increased by almost 30 percent from fiscal years 1988 to 1992.
- The number of temporary protective details assigned because a judge is under serious threat increased from 30 in 1984 to just over 100 in 1993, peaking at 143 in 1990.

In addition to facing potential violence at judicial facilities, over the past 10 years judges have become increasingly at risk away from judicial facilities, according to Marshals Service officials. Personal information on judges is now more accessible and readily available to the public through

the Freedom of Information Act and via computerization. Personal information also is publicly released through the judicial nomination/confirmation process. Also, some judges purchase vanity automobile license plates and/or list their home telephone numbers in local directories, which can make it easier to locate their residences. As noted in chapter 1, the three fatal attacks against federal judges all occurred at their personal residences.

GSA security experts concurred with the Marshals Service's assessment. They believed that the environment has become increasingly riskier and that judges are probably more at risk because of their positions than they were 5 to 10 years ago. In this regard, they stated that the existence of a court facility in a federal building generally increases the risk level of the building occupants. These officials provided the following reasons for the increased risks to the judiciary:

- More gangs and other violent groups have the capability and willingness to commit violent acts.
- Judges are perceived by defendants as more of an adversary today than they were in the 1960s and 70s.
- There are more high-risk trials today.

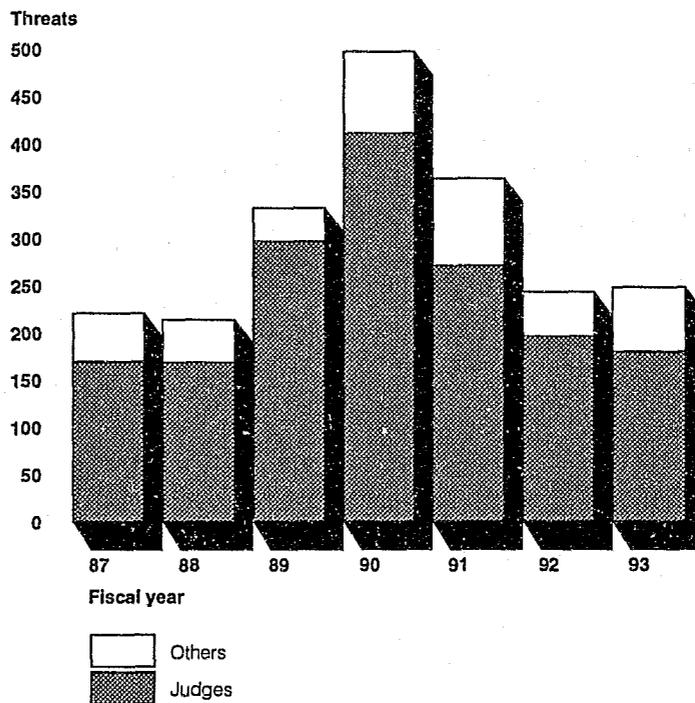
Threat Environment Persists but Few Threats Likely to Be Carried Out

One of the key indicators used by the Marshals Service to measure the judicial risk environment is the number of reported threats made against judges and other judicial personnel (i.e., threat data). According to Marshals Service data, the number of threats to judicial personnel has increased slightly since 1987. During fiscal years 1982 through 1986, the total number of threats against judges and other judicial personnel averaged 169, ranging from a low of 118 in 1983 to a high of 240 in 1985. Beginning in fiscal year 1987, the Marshals Service began collecting and classifying threats by type of judicial position. As shown in figure 2.1, the number of reported threats against judges increased dramatically in 1989 and reached a peak in 1990. The Marshals Service attributes this increase, in part, to the increased awareness of threats against judicial personnel in the aftermath of the pipe bomb murder of Judge Robert Vance in 1989. Since then, however, the number of threats has decreased, resulting in a total number of reported threats in 1993 just slightly higher than in 1987.

While Marshals Service officials believe threat data are a good indicator of the status of the judicial risk environment, they advised caution in interpreting historical threat data. As discussed later, for example, there

have been inconsistencies in the way threats were defined and reported over the years. Moreover, external factors can influence the number of threats being identified. For instance, the number of judicial personnel may have increased. Or, during specific periods, judges may have been sensitized by particularly violent and well-publicized incidents to report all possible threats.

Figure 2.1: Threats Against Federal Judges and Other Court Officers, Fiscal Years 1987-1993



Source: U.S. Marshals Service.

Although the judicial system does have some inherent work-related dangers, available evidence shows that few threats are likely to be carried out. Recent investigative analyses conducted by the FBI and the Marshals Service's Threat Analysis Division show that relatively few threats are potentially dangerous, i.e., likely to be acted out. For example, of the total reported threats against federal judges in fiscal year 1992, the Marshals Service categorized only 15 as posing moderate to high risks. Also, only 4

of 63 threats investigated that year by the FBI resulted in federal prosecution.

On the other hand, recognition must be given to the fact that prospectively assessing the seriousness of any given threat is a subjective, inexact process. At the time it occurs, any threat—no matter how insignificant it first appears—must be taken seriously because it could result in violent action against judicial personnel. Even a single acted-on threat is cause for major concern. In this regard, in its written comments on a draft of this report DOJ emphasized that the Marshals Service takes every threat seriously and tries to err on the side of caution in evaluating and responding to the threat.

Moreover, violent acts against judicial personnel often are not preceded by threats. In fact, according to Marshals Service officials, none of the previously mentioned fatal attacks on the three judges, the deputy marshal, the court security officer in Chicago, and the court security officer in Topeka, KS, were preceded by threats against these individuals.

Judges More Concerned About Security Away From Main Judicial Facilities

As discussed earlier, to ensure the integrity of the judicial system, it is essential that judges, as well as other judicial personnel, feel as secure as possible from outside threats and harm. Thus, perceived dangers are cause for concern.

Judges and marshals believe the environment in which federal judges and other judicial personnel operate poses serious risks to their physical security. Almost 60 percent of the federal judges responding to our questionnaire had received specific threats during their careers, 24 percent in 1991 alone. However, about 75 percent of the respondents were more concerned with the unknown general danger associated with being a judge than with specific threats against them. In this regard, 86 percent of the judges believed that they were at greater risk in their jobs than other citizens. The judges were about equally divided as to whether the potential risk was greater at or away from the court facilities.

Most federal judges expressed satisfaction with the security provided for them at the courthouses where they mainly presided. Sixty-one percent of the judges believed that security measures at their primary facilities generally met what was needed; another 16 percent believed that more security was provided than was necessary.

However, there was more concern about security at other secondary facilities. Approximately 50 percent (710) of the federal judges who responded to our questionnaire worked at more than 1 facility. These judges believed that the security measures at 33 percent of these secondary facilities fell somewhat or greatly short of what was needed.

Moreover, judges generally expressed greater concern about their security away from their work locations. While 82 percent of the judges reported that they felt very or somewhat secure at their main court facilities, only 42 percent felt as secure off site. Similarly, while 8 percent felt somewhat or very insecure at their main facilities, 27 percent felt just as insecure off site.

The following examples were provided by judges who had experienced off-site threats:

- One judge was threatened with a potential bomb attack of his residence. Although the Marshals Service provided a protective detail, the judge chose to move his family out of the house temporarily as a precaution.
- A judge was placed under protective detail after a former defendant in court became obsessed and began sending the judge sexually explicit letters. In response to the potential threat, the Marshals Service installed monitored alarm equipment at the judge's residence.

Many of the concerns expressed by judges were supported by the district marshals who responded to our questionnaire. Most marshals believed that judicial personnel were very or somewhat secure in and around the court facilities but much less so away from the facilities. For example, 90 percent of the marshals believed that district and appellate court judges were very or somewhat secure at the court facilities, but only 12 percent believed that the same judges were as secure away from the facilities. Almost 50 percent of the marshals felt that these judges were somewhat or very insecure away from the court facilities.

Extent and Diversity of Judicial Facilities Can Affect Security Risk

One of the challenges to providing on-site security is the extent and diversity of judicial facilities throughout the United States. According to the results of our facility questionnaire, 85 percent of the facilities were multitenant buildings, a fact that creates additional difficulties in providing security to the judiciary. The judicial facility often occupies more than one floor of a building, with a mean of 2.9 floors per facility occupied. Fifty-three percent of the facilities contained more than one public

entrance. Twenty-one percent of the facilities were located in areas classified as high-crime areas, while 39 percent were in low-crime areas.

Similar diversity exists in terms of the security arrangements in effect at the facilities. For example, 55 percent of the facilities in our survey usually had no security personnel assigned at the main public entrances, and 53 percent had no security screening equipment in place at these entrances. Almost all of these facilities were multitenant buildings. Moreover, even when security screening equipment was in place, there were varied policies for bypassing such equipment. Federal judges, for example, were allowed to bypass security screening in 54 percent of the facilities in our survey, whereas in only 22 percent of the facilities no one was allowed to bypass screening.

Off-Site Security Measures

Off-site security is provided to judges temporarily, usually based on threat-specific needs. One of the standard off-site security measures provided by the Marshals Service is protective details. For example, if a threat of violence is deemed sufficiently serious, a deputy marshal may be tasked with guarding a judge's residence. About 89 percent of the judges responding to our questionnaire believed that protective details were effective for off-site security, and most believed that details were provided when necessary. Twenty-three percent of the judges responding to our survey had received temporary protective details sometime during their careers, and 9 percent of those responding had declined a detail sometime during their careers.

Apart from threat-specific protective details, judges indicated a number of general measures they thought might be useful for off-site security. When asked to rate the possible effectiveness of a list of off-site security equipment, the judges responding to our survey indicated that the following would be very or somewhat effective in addressing their off-site security needs: home alarms (91 percent), cellular phones (87 percent), car alarms (77 percent), remote car starters (71 percent), and beepers/pagers (54 percent). Most judges reported that they did not at the time have such equipment for protection from job-related threats; for example, only 32 percent of the judges indicated that they had home alarms, and only 2 percent had remote car starters.

When asked who provided and paid for the equipment they currently had, the judges' responses indicated some variation, depending on the type of equipment involved. For example, the judges themselves had paid for most

of the cellular phones (66 percent of 276), car alarms (96 percent of 172), and home alarms (97 percent of 423); either the court or the Marshals Service had paid for most of the beepers/pagers and the remote car starters. The issue of off-site security equipment is discussed in more detail in chapter 3.

Threat Information Needed to Make Risk Assessments Is Incomplete

We found that one key piece of information that the Marshals Service uses to assess risks facing the judiciary, threat data, is incomplete. Until recently, the Marshals Service's policy and procedures manual had no clear and comprehensive definition of what constitutes a threat. Also, all threats to judicial personnel are not being reported to the Marshals Service, even though there is a system in place for assessing the seriousness of threats and providing protection to judges and other personnel when appropriate. Until a clear, uniform definition is widely understood and used, and judicial personnel consistently report the threats they receive, the Marshals Service will find it difficult to fully assess the risk environment and respond with the appropriate security measures.

Threat Definitions Vary, and Not All Threats Are Reported

To fully assess the severity of and develop a plan to deal with risks to judges and other judicial personnel, there must be a precise definition and clear understanding of what constitutes a threat to ensure that those who receive threats report them and that the Marshals Service has an opportunity to assess and appropriately respond to them. When we began our review in June 1991, the Marshals Service's Threat Analysis Division defined a threat as "the stated or implied (underscoring provided) intention to commit violence against a person or facility under the protection of the U.S. Marshals Service." However, the court security manual used by district marshals at that time defined a threat as "a declaration of an intention or determination to (underscoring provided) inflict punishment, pain, or loss." In December 1991, the Marshals Service proposed that the court security manual define a threat as

"any declaration, whether explicit or implied, of an intention to assault, resist, oppose, impede, intimidate, or otherwise interfere with any member of the federal judiciary, (underscoring provided) including their staffs and families."

However, this definition was not adopted until August 1993, when the Marshals Service issued and distributed a revised policy and procedures manual.¹

As is evident, the definition adopted in the revised manual is much broader than the previous definitions. The manual definition of threat encompasses implied as well as explicit declarations; it also encompasses actions other than assault that may or may not necessarily be physically threatening or harmful. This difference—and the absence of any clear, comprehensive definition in the manual before the 1993 revision—could have created confusion among judicial personnel and marshals as to which statements and actions should be reported as threats.

Aside from the definition, we found that judicial personnel did not report all threats against them. For example, 353 of the 1,470 (24 percent) federal judges responding to our questionnaire indicated that they had received at least 1 threat during calendar year 1991. However, 28 percent of these judges indicated that they did not report all threats to the Marshals Service. The most prevalent reason cited by the judges for not reporting all threats was that they did not take the threats seriously.

Such inaction on the part of the judges may have been attributed to a lack of understanding on the part of the judges as to what constitutes a threat. More significantly, however, according to Marshals Service officials, such inaction could place judges, and all judicial personnel, in potentially dangerous situations. This inaction could also deprive the responsible agencies of information that is critical to assessing and responding to the security needs of the judiciary. In this regard, accumulating complete information on the number, types, and nature of threats made against judicial personnel is important for performing risk assessments and developing security plans. However, until the Marshals Service's definition of threat is widely understood and uniformly applied, and judicial personnel consistently report the threats they receive, data needed for developing comprehensive risk assessments will be incomplete.

Conclusions

Judicial system personnel face various risks inherent in their jobs. Threats of physical violence, while only one factor in the risk environment facing judicial system officials, are nevertheless an important factor that must be considered. Historically, security measures have focused primarily at

¹U.S. Marshals Service Policy and Procedures Manual, Vol. X: Judicial and Court Security (Washington, D.C.: Aug. 6, 1993).

on-site locations. However, judges feel more at risk at secondary judicial facilities and even more at risk away from judicial facilities.

The number of threats over time is an indicator that can be used to gauge trends in levels of risk. However, to be most useful as an indicator, threat data must be based on a clear, uniform definition. Threat data reported in recent years cannot be treated uniformly because different definitions have encompassed everything from implied statements to violent actions. Complicating this situation is the fact that judges, who received most of the threats, did not report all the threats they received. Incomplete reporting makes it more difficult for the Marshals Service to fully assess the risk environment and respond with the appropriate judicial security measures. The Marshals Service has taken positive steps by adopting and including a uniform definition in its policy and procedures manual. However, to improve the reporting of threat data and ensure that it has the opportunity to independently assess and appropriately respond to potential threats to judges and other judicial personnel, the Marshals Service needs to make sure that, through training and briefings, the definition is widely distributed among and understood by all judicial personnel and that they understand the process for and the importance of reporting threats.

Recommendation

We recommend the Attorney General direct that the Director of the U.S. Marshals Service, working with AOUSC and the Judicial Conference, encourage judges and other judicial personnel to report to the Marshals Service all threats by explaining the definition and the process for and importance of reporting threat information.

Agency Comments

In its written comments, DOJ concurred with our conclusions and recommendation regarding the need to reinforce the policies and procedures for reporting threats to the Marshals Service. DOJ noted that the Director and other Marshals Service officials continually emphasize the importance and necessity of reporting threats to the local marshals office. But, in keeping with our recommendation, DOJ stated that the Marshals Service was in the process of disseminating correspondence to AOUSC that is intended to clearly define judicial threats, to set forth the procedures for reporting them, and to emphasize the importance of prompt notification, even when in doubt. In a related action, according to DOJ, the Service also has been actively attempting to raise the judiciary's general awareness of the risks associated with its profession by offering

judicial personnel and their families security briefings and providing them security handbooks.

In its comments, AOUSC indicated that future discussions of the Judicial Conference Committee on Security, Space and Facilities likely will include the importance of judges reporting all threats that they receive as well as the need for judges to carefully consider security measures recommended by the Marshals Service.

The Marshals Service's and AOUSC's actions, if properly carried out, should enhance the judiciary's awareness of the meaning of threats and the importance of reporting them even when in doubt.

We believe it is important, however, that these actions be periodically reinforced because of the potential for turnover among judges and marshals.

A Comprehensive Judicial Security Program Has Not Been Fully and Consistently Implemented

A comprehensive risk-based program for systematically assessing and addressing federal judicial security needs has not been fully and consistently implemented. Even though specific responsibilities and criteria for planning, implementing, and reviewing a comprehensive judicial security system have been agreed to by the Marshals Service, AOUSC, and GSA, they have not been consistently implemented.

The Marshals Service may not have an adequate basis for evaluating district requests for security resources because its national database of current judicial security requirements and resources may not be accurate and complete. Moreover, there is no assurance that requests for district security resources have been adequately justified and that budget requests for security resources from the Marshals Service to the Judicial Conference and DOJ reflect the actual needs of the districts. Therefore, the essential security needs of some districts may not be met, while other districts may have excessive security measures in place.

Although a significant number of judges feel less secure away from than at court facilities, off-site security needs have not been systematically assessed as part of the comprehensive program. Moreover, uncertainty exists as to how permanent off-site security measures, to the extent justified, should be funded.

The Task Force's Vision of a Comprehensive Judicial Security System

In 1982, the Attorney General's Task Force on Court Security specified the Marshals Service's responsibilities and the criteria for the Marshals Service's use in developing and implementing a comprehensive system of security at judicial facilities. The task force recommended that the Marshals Service develop a comprehensive security program based on the principle of risk management. As envisioned by the task force, the risk management approach would involve anticipating, recognizing, and appraising security risks and then initiating appropriate actions to remove or reduce those risks. Inherent in the risk management principle is the assumption that various levels of anticipated risks and actual threat environments can be measured and defined and that resources can be justified and allocated on the basis of the projected or actual security needs.

Although the task force made 12 specific court security policy recommendations, the primary ones involved the need for the Marshals Service to (1) establish security committees, conduct security surveys, and develop security plans for each of the 94 judicial districts; and (2) establish

**Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented**

and maintain a national database of resources and information needed to manage an effective court security program.

Security Committees

The task force envisioned that each district's security committee would consist of the key persons in the district responsible for judicial security, including the U. S. Marshal, the chief district judge, the U.S. attorney, the court clerk, and a representative of the principal provider of building security (usually GSA). Subsequently, in 1989 and 1990 the Judicial Conference expanded membership on the district security committees to include representatives of the appellate and bankruptcy courts, and a magistrate, respectively. Specifically, the task force intended that each committee would (1) coordinate the planning, implementation, and continuous review of each judicial facility's security system within the district; (2) define specific goals and objectives of the district's overall judicial security system; (3) schedule the preparation and updating of security surveys and plans for each facility within the district; and (4) assign each facility a priority for implementing security measures identified in its security survey and plan. The task force report envisioned that the committee would "be institutionalized as an integral component" of the district's security system.

Security Surveys

In addition to establishing security committees, the task force recommended that each district conduct a comprehensive security survey of all federal judicial facilities. The task force expected the Marshals Service to develop a single court security survey form for use in all federal judicial districts. District marshals were to have primary responsibility for these surveys, which would collect information on building design and characteristics, the number and composition of building occupants, and the nature and extent of the judicial workloads. The surveys also were to be used to compile inventories of security resources and security resource requirements as well as to identify vulnerable areas of buildings and alternative security measures needed. Survey results were to incorporate building floor plans, photographs, and other supporting documents, such as contracts for security services and building maintenance.

Security Plans

The task force recommended that on the basis of the survey results each district marshal develop a written security plan for each federal judicial facility in the district. Each security plan was to include instructions and procedures for meeting court security needs during various levels of

anticipated risks and actual threat environments. Finally, each plan was to specify which federal judicial personnel would be eligible for personal security services provided by the Marshals Service.

National Database

The task force also recommended that the Marshals Service establish and maintain a national database of all information needed to manage the court security program. The database was to be developed from completed security surveys and established security plans for all federal judicial facilities. Also, the database was to include information on the number of threats on members of the federal judiciary and U.S. attorneys and their assistants, the number of courtroom disturbances, and the resources used to provide necessary court security. District marshals are to forward copies of updated security surveys and plans to the Marshals Service's Court Security Division for inclusion in the national database. The Court Security Division is to analyze the database, assess resource requirements, and identify any resource allocation needs. As a result, the task force envisioned that the database would become "a critical element in budget justifications" for the court security program, thus allowing the Marshals Service to better ensure the efficient and effective use of judicial security resources.

Task Force Principles Adopted by Security Providers

In March 1982, as a first step in implementing the recommendations of the task force, the Attorney General designated the Marshals Service the primary provider of security services to federal judicial personnel. In support of this designation, GSA gave the Marshals Service procurement authority for contracting guard services and security systems. To develop appropriate judicial security systems within districts, the Marshals Service directed district marshals to establish district court security committees and prepare security surveys and plans for all federal judicial facilities.

Officials at Marshals Service headquarters told us that (1) the Marshals Service endorsed the task force's recommendations in 1984, (2) the concepts presented in the task force report were still valid, and (3) the Marshals Service had incorporated key risk management principles into its guidance.

In January 1984, the Marshals Service and AOUSC entered into a memorandum of understanding, which established guidelines for implementing the task force's recommendations. In April 1987, as a further step toward implementing a comprehensive security program AOUSC, the

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

Marshals Service, and GSA entered into an MOA designed to (1) better incorporate the recommendations of the Attorney General's 1982 task force report and (2) reduce the coordination problems that existed among the agencies responsible for providing judicial security. The MOA, which supplemented the earlier memorandum of understanding, identified the following specific agency responsibilities:

- AOUSC is responsible for (1) communicating the policies and decisions of the Judicial Conference, (2) providing appropriated funds to the Marshals Service for implementation of judicial security programs, (3) monitoring the effectiveness of security programs and use of appropriated funds, and (4) reviewing plans for physical security.
- The Marshals Service is responsible for (1) developing a nationwide security program, (2) conducting security surveys of all judicial facilities, (3) establishing a court security committee in each district, (4) contracting for installation and maintenance of judicial security systems and hiring of court security officers, and (5) providing entry security for buildings occupied by judicial personnel if requested to do so by GSA.
- GSA is responsible for (1) providing perimeter protection and entry control at federally occupied buildings; (2) purchasing, installing, monitoring, and maintaining entry control security systems; (3) participating in court security surveys; and (4) providing Federal Protective Service Officers to respond to emergency situations.

**Task Force
Recommendations
Not Fully and
Consistently
Implemented**

Despite specific criteria and recommended actions provided 12 years ago by the Attorney General's task force report, the basic elements necessary for a comprehensive program addressing judicial security were not fully and consistently in place in all the federal judicial districts. We found that specific procedures on establishing security committees and preparing security surveys and plans have not been incorporated into the Marshals Service's official guidance to districts.¹ Without specific procedures, district marshals were not always aware of their security responsibilities and had not consistently applied risk management principles in providing security measures. As a result, insufficient security measures may be in place in some districts, while unneeded or excessive security measures may exist in others.

¹U.S. Marshals Service Policy and Procedures Manual, Vol. X.

Many Security Committees Lacked Key Participants and Met Infrequently

In response to the task force's recommendations, the Marshals Service directed district marshals to establish security committees by August 1982. In response to our questionnaire, 92 of 94 marshals said they had established security committees in their districts. However, five chief district judges who responded to our judges' questionnaire stated that their districts did not have a security committee, even though four of these judges came from districts in which, according to the marshals' responses, the chief judge was a committee member. Moreover, as a further indication of the general lack of awareness of security committees and their important role and purpose, about one-third of all judges responding to our questionnaire were uncertain if a committee had been established in their districts.

Even in districts with a committee, there were indications that the committees were not always involved in the district's judicial security program. In this regard, while the task force report indicated that the committees should be institutionalized as an integral part of the districts' security systems, many committees did not include all key participants recommended by the task force and/or met infrequently.

The committees were not always representative of the district's judicial personnel and security providers. Over half of the marshals reported that their respective district committees did not include all the key participants recommended by the task force. Specifically, 54 district committees did not include a GSA security representative, 10 did not include the district's chief district judge, 10 did not include U.S. attorney staff, and 2 did not include the district's clerk of court. Moreover, with regard to the Judicial Conference's membership expansion requirements, 37 committees did not include a magistrate, 28 did not include a bankruptcy court representative, and 59 did not include an appellate court representative.

While both the task force and the Marshals Service stressed the importance of the district security committees in determining security needs and budget resources, they did not prescribe how often committees should meet. We found that the frequency varied. In response to our questionnaire, 30 marshals, almost one-third, reported that their district committees met once a year or less. About 66 percent reported that their committees met more than once a year. One marshal did not know how often the committee in his district met.

We believe that active district security committees composed of all representatives called for by the 1982 task force can play a key role in

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

developing comprehensive security surveys and plans. Conversely, the lack of such committees can detract from coordinated action on security matters. In one district we visited, we observed the following examples that illustrate the benefits of a fully integrated district security committee:

- The district security committee met at least twice a year and included all the appropriate participants plus representatives of the district's other judicial offices, such as probation, pretrial services, and public defenders.
- When district judicial personnel expressed concern that visitors to the multitenant building were screened only when they entered a judicial area, the district marshal offered to move the Marshals Service screening equipment from the court floors to the front entrance of the building. GSA obtained approval from all the tenant agencies, and court security officers began screening all visitors entering the building. This change in procedure resulted in increased security for all tenants.
- Judges involved in a number of high-risk trials had expressed concerns about the unsecured parking area behind the courthouse. Through the security committee, officials from the Marshals Service and GSA evaluated the security risks, and, following discussions with city officials about the concerns, obtained city funding to build a protective wall around the parking area, which improved perimeter protection for the judges and other judicial personnel.

It is likely that similar problems exist in other districts—problems that active and effective security committees could resolve. According to our questionnaire results, one problem may involve differences of opinion regarding security needs because judges have significant latitude to decide how their courts will operate and, on occasion, issue court orders to modify security measures. When asked whether any federal judges in their districts had ever taken particular actions contrary to security guidance and decisions, 40 district marshals reported that judges had prevented the implementation of security measures or had them discontinued, 22 reported that judges had issued court orders to override security decisions, 40 reported that judges had not followed established security policies and procedures, and 54 reported that judges had decided not to use security equipment. Also, eight marshals reported that judges had security measures implemented against the Marshals Service's recommendations.

In addition, during our visits to judicial districts, judges and marshals told us about instances of individual judges declining certain courthouse security measures. For example, a judge in one district ordered that an

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

entryway metal detector be disabled because it was too intimidating for elderly citizens entering the building. Judges in another district refused to allow the installation of cameras to monitor courtroom activities because, where these were installed in other cities, defense attorneys used copies of the videotapes to impeach witness credibility by analyzing the witnesses' testimony using voice stress analysis. We also were told of one district where the chief judge required what marshals considered to be excessive security measures, such as ordering deputy marshals to be present during certain low-risk court proceedings, which the district marshal did not believe was necessary or justified. It should be noted, however, that 28 U.S.C. §566 gives the courts discretion to require marshals to attend any court session.

It is axiomatic that judges want to be and should be involved in determining the security measures that affect them. However, the district security committees, as envisioned by the task force, were to serve as a more appropriate vehicle for resolving security-related issues that ultimately could affect other judicial personnel and the public. We believe the intent of the task force's recommendation was that active and representative district security committees, working as a team, be established to develop security measures that meet the needs of all parties and ensure efficient allocation of resources within the districts.

Security Surveys Not
Performed and Plans Not
Developed Consistently

The 94 marshals' responses to our district questionnaire revealed that security surveys had not been performed and security plans have not been developed in all judicial districts. Fourteen of the district marshals responding to our questionnaire reported they did not regularly conduct security surveys of all judicial facilities in their districts. In addition, although the task force specified that security specialists from the Marshals Service and GSA, as a team, perform security surveys of district judicial facilities, our survey results indicated that they generally had not done so. Seventy-three marshals reported that GSA security representatives had not regularly participated in the marshals' security surveys. Forty-eight marshals reported they were not aware that GSA also performed security surveys of buildings housing judicial facilities.

We also found problems with district security plans. Twenty-nine of the 94 marshals responding to our questionnaire reported having written security plans that did not include all judicial facilities in their respective districts. This number included two marshals who reported having no written security plans for any facilities within their districts.

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

Responses to our questionnaire indicated that at least 5 of the 94 marshals were apparently unaware of all the judicial facilities in their districts. On the basis of the responses of these 5 marshals, we determined that they were unaware of the existence of 21 of the total 73 facilities located in their districts. The 21 facilities, all of which should be under the protection of the Marshals Service, housed bankruptcy, probation, pretrial services, public defender, and circuit and senior judges' offices. Consequently, any surveys conducted and plans developed in these districts likely did not consider the security needs of all applicable facilities.

As defined by the task force (and other related documents), the phrase "federal judicial facility" broadly referred to any facility housing judicial personnel, including all federal courtrooms and judges' chambers; the offices of the court clerks, executives, and reporters; and the offices of probation personnel and public defenders. Some marshals, however, interpreted the phrase as referring only to courthouses. This misinterpretation might explain why some facilities were overlooked, since the latter interpretation would have excluded probation, pretrial services, and public defender offices from district security surveys and plans because these offices might have been located apart from main courthouses and/or did not house judges.

Also, the marshals' responses to the facilities questionnaire showed that security plans for many judicial facilities did not document specific procedures for responding to emergencies and other disturbances. For example, the plans often did not identify the personnel to be notified and their assignments and did not estimate the response times. Emergency response plans dealing with regular business hours often did not cover the main building entrance (38 percent), the parking area (53 percent), courtrooms (36 percent), and judges' chambers (34 percent). Even more facilities did not have emergency response plans developed for security problems arising after regular business hours.

Although the Marshals Service developed formats for security surveys and security plans in 1982 that generally met the task force's criteria, these formats were not incorporated into the Marshals Service's policies and procedures. Without uniformity, it is difficult for the Marshals Service to use the surveys and plans to make accurate decisions on how to allocate security resources nationwide. In October 1993, the Court Security Division Chief informed us that the Marshals Service planned to begin supplementing its manual with separate pamphlets containing detailed

instructions, forms, and formats for the preparation of security surveys and plans.

Incomplete Security Database Could Affect Resource and Budget Decisions

The task force recommended that the Marshals Service establish and maintain a national database of all information needed to manage the court security program. The database was to include information on the number of threats against members of the federal judiciary and other officials, the number of courtroom disturbances, and the types of resources used to provide necessary court security. The task force report described the database as "a critical element in budget justification" that the Marshals Service would analyze to assess documented resource requirements and to identify any current and future resource allocation needs.

Because all district marshals had not conducted comprehensive security surveys or prepared security plans, the national database on judicial security is incomplete. We believe this situation may account for some of the equipment discrepancies we observed during our site visits. For example, a courthouse in a low-crime area of one district we visited had equipment capable of detecting plastic explosives. On the other hand, a courthouse in a high-crime area of another district had equipment incapable of detecting plastic explosives. In another district, the Senior Deputy Marshal told us that \$30,000 worth of security screening equipment was allocated to a bankruptcy court. However, the equipment was not being used because no personnel were available to operate it.

In addition, the district marshals' responses to our questionnaire indicated that budget requests for judicial security resources are not always based on systematic assessments of risk documented in district security surveys and plans. Ten marshals reported that their budget requests were made to some, little, or no extent based on needs identified by security surveys. Moreover, 16 marshals reported that their budget requests were made to some, little, or no extent in response to requests of the district court security committee. As a result, some security needs may not be met in some districts, while other districts may be employing more security measures than needed. We reviewed budget requests for court security in the districts we visited and did not always find a clear link between the budget request and the security plan. The following are examples of the problem:

- One district had 16 court security officers and asked for 1 more in a 1991 budget request. However, the district's security plan indicated a need for a total of only four court security officers.
- The Marshals Service's 1992 budget submission referred to providing a bullet-proof shielded courtroom in one location due to sensitive drug trials in 1989 and 1990. However, according to Marshals Service security officials, the bullet-proof shielding already had been installed 6 years earlier.

GSA and Marshals Service Security Activities Not Integrated and Coordinated

Despite the 1987 MOA, some coordination problems between the security providers—the Marshals Service and GSA—continue to exist. Almost 25 percent of district marshals responding to our questionnaire said they were generally or very dissatisfied with coordination with GSA on security matters. As noted previously, about 80 percent of the district marshals indicated that GSA security representatives did not participate in district security surveys. In addition, 59 percent of district marshals stated that GSA did not have a security representative on district court security committees.

Nine of the 10 GSA Federal Protective Service (FPS) regional directors we spoke with indicated that agency security representatives in their regions never or seldom were given the opportunity to participate in Marshals Service court security surveys. Some of the regional directors speculated that this omission was due to the fact that the marshals believed they, not GSA, were primarily responsible for such surveys and, thus, saw little benefit in having GSA participate.

Although not required to do so by the 1987 MOA, GSA also conducts its own physical security surveys at facilities—including judicial facilities—for which it has responsibility. Five of the 10 FPS directors told us the Marshals Service sometimes participated in these surveys. One director stated that in his region the district marshals never participated in these surveys, but the director also acknowledged that marshals were not always asked to participate. Marshals Service officials concurred with this assessment. They indicated that district marshals sometimes find out about GSA surveys by accident and thus do not have an opportunity to participate.

GSA is not always represented on district security committees. All 10 FPS directors told us that agency representatives had attended security committee meetings at least sometimes; only 3 of the 10 stated that they always attended security committee meetings. One director stated that he

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

did not know when committee meetings took place because GSA was not invited. Another director told us that judges in some districts specifically ordered that FPS not participate in the districts' security committee meetings.

GSA security officials said they had no policies or procedures, other than the MOA, prescribing attendance requirements for the district court security committee meetings. They said they periodically send a memo to GSA's regions reminding them of the MOA and generally discussing its requirements. An FPS central office official stated that GSA had no policy beyond the MOA for attending security committee meetings or for coordinating GSA's representation among various agency field offices. GSA headquarters officials and 9 of 10 FPS directors surveyed indicated that agency participation in local committee meetings was important in that such meetings provided the opportunity to interact and exchange information on security needs, concerns, and plans.

The most serious coordination problem between the Marshals Service and GSA relates to responsibility for building entrance and perimeter security. According to our facilities survey responses, 85 percent of judicial facilities were located in multitenant buildings. Fifty-three percent of judicial facilities had more than one public entrance. Fifty-five percent had no security personnel regularly assigned at the main public entrance, and 53 percent had no security equipment in place at this entrance.

About 73 percent of judicial facilities were in GSA-owned or -leased buildings. However, Marshals Service officials told us that GSA does not always fulfill its entrance and perimeter security responsibilities and that, at some locations, the Marshals Service is performing some of the duties that should be GSA's responsibility as outlined in the 1987 MOA. For example, these officials told us that court security officers often provide perimeter security as well as in-house security at some court-only and even multitenant facilities when GSA does not provide such security. Marshals Service officials also told us that they have provided parking security that they believe is GSA's responsibility.

GSA, on the other hand, believes it has fulfilled its responsibilities for entrance control and perimeter security under the 1987 MOA. In commenting on a draft of this report, GSA stated that it disagreed with any implication that the Marshals Service has to perform certain security functions because GSA is not fulfilling its responsibilities under the 1987 MOA. In this regard, GSA commented that where it has not identified a

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

building-related need for special entrance security, the MOA specifically provides for the Service to move court-related security activities to a building's entrance or perimeter.

We do not believe we imply that GSA is not fulfilling its responsibilities under the MOA. Our point is that there are currently differences of opinion between GSA and the Marshals Service regarding the provision of building entry or perimeter security, particularly in relation to multitenant facilities, that need to be resolved.

For example, during our exit conference with GSA security officials, they acknowledged that multitenant buildings pose the biggest challenge concerning the provision of entrance and perimeter security. They attributed this to the fact that while GSA needs to ensure that the court facilities in such buildings are adequately secured, it also has an obligation to the other tenants and the public to keep the building open and accessible. Thus, they said that since the Marshals Service usually secures access to the floors on which court facilities are housed, GSA and other building tenants prefer when feasible to keep general access to buildings open. GSA security officials said that, on the basis of criteria under its physical security program for federally occupied buildings, GSA security specialists do a security survey for every building under GSA's responsibility, decide on a case-by-case basis whether and to what extent security is required, and provide the appropriate level and type of security. The security officials said that in some instances, such as in the case of the high profile Branch Davidians trial in San Antonio, TX, GSA will provide for tight security and screening at the main entrance of multitenant buildings.

On the other hand, during our exit conference with Marshals Service security officials, they expressed the belief that it was generally more economical, efficient, and effective to have security control at the main entrance to a building rather than on the one or more floors that house the court facilities. They also generally believed that such entrance control should be standard. As an illustration to support the need for main entrance security, Marshals Service officials pointed to the recent attack on the court facility housed in a multitenant federal building in Topeka, KS. The officials said that prior to the incident, which resulted in the death of a court security officer, the district marshal had recommended to GSA that the security screening post on the floor housing the court facilities be moved to the main entrance of the building and that the other 25 entrances to the building be closed. The officials said that since the incident, GSA has agreed to let the Marshals Service put security screening equipment and

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

guards at two main entrances, and GSA has either closed or restricted access to the other entrances.

In addition to the coordination problems between the Marshals Service and GSA regarding district court security committees and the conduct of surveys, as well as apparent misunderstandings and differences of opinion regarding how best to provide entrance control and perimeter security, security officials from both agencies said they did not meet on a regularly scheduled basis at the headquarters level to discuss progress and problems under the 1987 MOA. GSA officials thought such meetings at the national and regional levels would help improve communication and coordination.

In this regard, the Judicial Conference's Committee on Security, Space and Facilities (formerly the Committee on Court and Judicial Security) meets semiannually to discuss the status of the judicial security program and related problems and issues. According to AOUSC officials, while AOUSC and Marshals Service security officials have been regular participants in those meetings, GSA security officials have not. GSA officials told us that they had not been invited to the meetings, especially the last couple of years. AOUSC and Marshals Service officials acknowledged that GSA had not been invited to the last few meetings because they had stopped coming when they were invited. We believe such misunderstandings can hinder the communication and coordination needed to ensure the efficient and effective provision of judicial security.

In their written comments on a draft of this report, both DOJ and AOUSC noted that in recognition of the need for better communication and coordination between the executive and judicial branch agencies, the Attorney General and judiciary jointly established the Security and Facilities Working Group. The interagency/branch group, which is chaired by the Deputy Attorney General, includes senior officials of AOUSC, the Marshals Service, GSA, and the Bureau of Prisons, as well as the Chairmen of the Judicial Conference's Committee on Security, Space and Facilities and the Security Subcommittee. The primary mission of the group is to identify, analyze, and provide recommendations for resolution of issues related to the security of judicial officers and court facilities. The group, which was formed in September 1993, held its first meeting in February 1994. The group has since established a security subcommittee, which includes representatives from the Marshals Service, AOUSC, and GSA. The subcommittee was expected to meet more frequently than the full group. The subcommittee recently held its first meeting to develop an

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

agenda for decisions and actions by the group. According to AOUSC, some of the issues the group plans to address include security budget coordination and off-site security for judicial officers.

**Judicial Branch Not
Actively Involved in
Monitoring Security
Matters**

The 1987 MOA provided that AOUSC would monitor the effectiveness of the Marshals Service's court security program, including its use of judicial branch appropriations. However, with only a three-person headquarters staff and no field structure, AOUSC court security officials told us they did not have sufficient resources to effectively monitor judicial security matters. Moreover, they had not established procedures and a process for carrying out their oversight role under the MOA. Indeed, the Marshals Service, rather than AOUSC, essentially develops and implements the judicial branch court security budget. But, according to AOUSC court security officials, other than reviewing the budget each year, they have not been able to verify the extent of district court security committee involvement in preparing the budgets or the Marshals Service's use of appropriated judicial funds. Active oversight by AOUSC—for example, obtaining and analyzing Marshals Service progress reports on implementation of security activities and conducting periodic surveys—is important if the judiciary is to ensure full, efficient, and effective implementation of a comprehensive judicial security program by the Marshals Service. Such oversight seems especially important given the fragmented nature of the administrative structure for judicial security, the growing cost—almost \$100 million in judicial branch funds alone projected for fiscal year 1995—and the prospect of tighter budgets in the future. Such oversight might have identified some of the inconsistencies and problems discussed earlier in this chapter.

Recent studies by the National Academy of Public Administration and AOUSC's Financial Analysis Office concluded that AOUSC was not adequately monitoring the effectiveness of the judicial security program and that the judiciary needed to become more involved in managing and monitoring the use of its security resources. Also, in its report on the judiciary's and other agencies' appropriations for fiscal year 1994, the House Committee on Appropriations strongly urged the judicial branch to review its budget principles and procedures and bring them more in line with those of the legislative and executive branches. In response to these efforts and our review, AOUSC indicated in its written comments on a draft of this report that it recently sought and received approval from the Judicial Conference and Congress to hire three additional professional staff to enhance AOUSC's ability to oversee and monitor the judicial security program. AOUSC also

indicated in its comments that it soon expected to hire as one of the three positions a security/law enforcement expert to head the court security office.

Similarly, the Judicial Conference, through its Committee on Security, Space and Facilities, can play a key role in systematically developing and overseeing implementation of a comprehensive judicial security program. The Conference has begun to do so through its Committee's current efforts, begun in spring 1993, to develop a long-range planning proposal for judicial security. However, the Conference's role could also include formulating, both directly and through consultation with AOUSC and the Marshals Service, needed policies relative to establishing basic security priorities for budget purposes, the reporting of threats, and the provision of off-site security equipment for general use not associated with specific threats.

The Judicial Conference might also play a more active role in achieving consistent understandings and approaches to security matters on the part of judges. As previously discussed, 40 marshals reported to us that judges in their districts had prevented the implementation of security measures, and 22 marshals reported that judges issued court orders overriding security decisions. Regarding these situations, the Conference could issue guidance to federal judges on the importance of security matters and on ways in which security issues could most effectively be resolved, such as through the district security committees.

A More Comprehensive Security Program Should Include Risk-Based Off-Site Security Assessments

The 1982 Attorney General's task force recommendations addressed security only at judicial facilities, and that is historically where most security measures have been focused. As discussed previously, however, events since the task force's recommendations, and the perceptions of judges and marshals, have highlighted the need for an assessment of the general security risks to which judges and other judicial personnel may be exposed away from the workplace and the security measures, if any, needed to deal with those risks.

As noted in chapter 2, off-site security currently is provided to judges temporarily, usually as part of protective details in response to specific threats. While judges were generally satisfied with this temporary protection, the response to our questionnaires and other information indicate that, beyond specific threats, marshals and judges believed that judges were as much at risk away from as at court facilities. Also, both

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

marshals and judges believed that judges generally were less secure off site than on site. The judges also believed that certain security equipment—such as home alarms and cellular phones—would be effective in providing a more permanent measure of off-site security. However, there currently is no provision for systematically assessing and addressing general off-site security risks and needs as part of security surveys and plans—the foundation of the comprehensive security program. In our view, decisions about the type and extent of off-site security measures should be based on the risk-management concept, as on-site security measures are supposed to be.

While application of risk-management concepts may call for different off-site security measures between or even within individual judicial districts, some nationwide guidance may be appropriate to establish the general parameters of off-site security. Some basic policy issues that could be addressed nationally include what factors should govern the provision of off-site security equipment, to what extent should the government pay for such equipment, and what agency should be responsible for funding? For example, Comptroller General decisions on the use of general operating appropriations for government-furnished security measures that constitute permanent improvements to private property require that (1) the measures be incidental and essential to the purpose of the appropriation, (2) the cost be reasonable, (3) the improvements be for the primary benefit of the government, and (4) the government's property interest in the improvements be protected.

To the extent that the government decides to provide off-site security equipment for general use not associated with a specific threat, a key issue would be whether such equipment should be funded from Marshals Service or judicial branch appropriations. Currently, neither AOUSC's nor the Marshals Service's budget includes funding for off-site security equipment for such general use. In March 1991, the Attorney General stated that the judicial branch's budget should fund off-site security equipment for general use not associated with a specific threat just as its budget now funds on-site security equipment. At that time, the judiciary believed that the Marshals Service budget should fund off-site security equipment for general use because that budget already provided officers and equipment for temporary off-site details. However, in responding to our questionnaire, 73 percent of the judges believed the judicial branch should fund off-site security equipment, while only 19 percent believed the executive branch should. The remaining 8 percent believed that the judges themselves should pay for off-site security equipment.

Conclusions

A comprehensive program for identifying and addressing security risks, consistent with the recommendations of the 1982 attorney general's task force, has not been fully implemented in all of the nation's judicial districts. For example:

- Fully representative security committees have been put in place in only less than half of the judicial districts.
- The Marshals Service has not developed and distributed specific procedures and uniform formats for preparing security surveys and plans.
- District marshals have not collected all of the information necessary to identify and address judicial security risks.
- GSA and the Marshals Service have not adequately coordinated their security responsibilities as described in the 1987 MOA.
- AOUSC and the Judicial Conference have not systematically overseen and monitored the judicial security program and the use of appropriated funds.

The district security committees are crucial to ensuring that an efficient and effective comprehensive judicial security program is working in each district. However, there is currently no assurance that all committees are playing an integral role in their districts' security programs, as envisioned by the 1982 task force. Therefore, in addition to reiterating the requirement for and importance of such committees, the Marshals Service also needs a monitoring mechanism to ensure that each direct committee is playing an integral role in determining and prioritizing on- and off-site security needs; developing and reviewing security budgets; and monitoring and coordinating the planning, implementation, and review of district security activities.

Unless security surveys and plans are complete and current for each district, the Marshals Service cannot maintain a current national database of security resources and needs, and neither the Marshals Service headquarters nor the district marshals can adequately plan and budget for security resource requirements. As a result, there is no assurance that security resources are being efficiently managed or effectively used to address the most crucial security needs.

In addition, off-site security risks have not been systematically assessed, and should be, in order for the judicial security program to be truly comprehensive. Also, to the extent that general off-site security measures are deemed necessary based on systematic assessments, the funding issue would need to be resolved. We believe it would be preferable that any general use off-site security equipment determined to be necessary and

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

appropriate be funded by the judicial branch budget, which is now the funding source for on-site equipment. This would give the judiciary a more direct role in and control over decisions relating to such equipment. Moreover, it might afford the judiciary greater flexibility in allocating resources and making budget trade-offs between on-site and off-site security equipment needs.

Despite the growing judicial budget for security and AOUSC's responsibility under the 1987 MOA, AOUSC has not systematically monitored the effectiveness of the judicial security program as administered by the Marshals Service and GSA, or the Marshals Service's use of judicial branch appropriated funds. Recent Judicial Conference and congressional approval of additional staff to enhance AOUSC's oversight and monitoring capabilities should help. But now the Judicial Conference needs to continuously ensure that AOUSC takes appropriate action to actively and systematically monitor the effectiveness of the judicial security program. To ensure that this is done, the Judicial Conference needs to require AOUSC to annually report to it on the results of its program oversight activities. This mechanism should enhance the Judicial Conference's ability to effectively oversee the security program and budget and provide policy direction in the security area.

In this regard, the Judicial Conference, through its Committee on Security, Space and Facilities, needs to develop related policy guidance in conjunction with its development of a long-range plan for judicial security. This guidance should address such matters as (1) emphasizing to the federal judiciary the importance of reporting all threats, resolving security concerns and issues through the district security committees, and otherwise cooperating with the Marshals Service and other agencies in efforts to provide appropriate security; and (2) establishing general parameters for the provision of off-site security equipment for other than temporary protective details, including the extent to which the government should fund such equipment and what the source of funding should be.

Recommendations

To ensure that the comprehensive security program is fully and consistently implemented in each of the nation's judicial districts, we recommend that the Attorney General have the Director of the Marshals Service take the following actions:

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

- Update the Court Security Division's operating manual to include
(1) procedures for establishing and operating district security committees and preparing and updating security surveys and plans and
(2) requirements for uniform, comprehensive formats for security surveys and plans.
- In consultation with AOUSC and the Judicial Conference, reiterate to district marshals the 1982 task force recommendations and expectations that security committees be established in every district and that they include all parties specified by the task force and the Judicial Conference, and establish a monitoring mechanism to ensure that these committees play an integral role in district security activities.
- In consultation with AOUSC and the Judicial Conference, incorporate consideration of off-site security needs into district security surveys and plans, using risk-management principles to identify, evaluate, and prioritize such needs.

We also recommend that the Attorney General and the Administrator of GSA, in consultation with AOUSC and the Judicial Conference, resolve the differences between the Marshals Service and GSA regarding building entrance and perimeter security needs and responsibilities, revising as necessary the 1987 MOA.

To enhance judicial branch input into judicial security matters, we recommend that the judiciary take the following actions:

- The Director, AOUSC, should take whatever measures are necessary to enable AOUSC to systematically monitor and oversee the effectiveness of the comprehensive judicial security program and the use of appropriated funds as envisioned by the 1982 task force and required by the 1987 MOA.
- The Director, AOUSC, in consultation with the Marshals Service and GSA, should report annually to the Judicial Conference on the results of AOUSC's monitoring and oversight activities and its recommendations for resolving any problems.
- The Committee on Security, Space and Facilities should develop additional policy guidance on judicial security matters for consideration by the Judicial Conference, including the reporting of threats, the role of district security committees, cooperation with the Marshals Service and GSA, and the provision and funding of general off-site security equipment.

To improve coordination and cooperation among the parties to the MOA, we recommend that the Attorney General, the Director of AOUSC, and the

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

Administrator of GSA direct security officials of the Marshals Service, AOUSC, and GSA, respectively, to

- periodically meet at the national level to discuss progress and problems in implementing a comprehensive judicial security program and address any problems and issues, and
- sponsor periodic regional meetings to foster interchange among the agencies' key district officials involved in judicial security matters and to discuss and resolve key issues.

Agency Comments

In their written comments on a draft of this report, AOUSC, DOJ, and GSA generally agreed with our findings and conclusions relating to the implementation of a comprehensive security program and the 1987 MOA. The agencies said they are either taking or planning to take action on most of our recommendations. DOJ agreed with our assessment of the Marshals Service's management of the judicial security program and acknowledged that there were some areas needing improvement. AOUSC concurred with our conclusions that the 1982 task force recommendations should be fully implemented and that off-site security needs should be considered and assessed as part of the program. GSA agreed that court security issues could be better addressed through improved communication and coordination between the Marshals Service and FPS. All three agencies generally expressed a commitment to continual dialogue among themselves concerning judicial security.

DOJ commented that the Marshals Service is in the process of taking action on our recommendations to improve implementation of the requirements for district court security committees and for reviewing and updating security surveys and plans. DOJ said that the Judicial and Court Security Volume of the Marshals Service Policy and Procedures Manual, as updated in August 1993, addressed these requirements. In addition, DOJ noted that further revisions to the Manual, including new survey and plan formats and the minimum requirements for the composition of district security committees, will be made to the Manual at a later date. In the interim, policy notices are to be used. Also, the Manual is to be distributed to all chief judges. In addition to the Manual changes, DOJ said that all district marshals were in the process of reviewing the surveys and plans for all judicial facilities using the new formats and revising them as necessary. These actions, when effectively completed, should enhance the marshals' and the judiciary's understanding of and compliance with the requirements regarding security committees, surveys, and plans.

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

With regard to improving the district security committees, DOJ commented that the marshals are being tasked with submitting reports to the Marshals Service Court Security Division on their committees' meetings, including agendas and participants. DOJ said that the Marshals Service also intends to reemphasize to all chief judges the importance of regular security committee meetings. However, DOJ pointed out that since the chief judges chair the district committees and ultimately control the frequency and agenda of meetings, full cooperation of the judiciary will be required for the committees to function effectively. In this connection, AOUSC in its comments recognized the need to energize the district security committees and ensure that they regularly conduct productive meetings. Accordingly, in March 1994, AOUSC urged all chief judges to convene meetings of their district security committees and evaluate their CSO staffing requirements. AOUSC also said that the Subcommittee on Security of the Committee on Security, Space and Facilities was considering a reporting mechanism for the committees to ensure that they are actively involved in their districts' security matters. According to AOUSC, the subcommittee also planned to consider a policy regarding regularly scheduled meetings. Finally, GSA, recognizing the importance of its participation on the district security committees, said it planned to advise its FPS regions to work proactively with the marshals in this regard. These actions, if effectively implemented by the three agencies, should go a long way toward making the district security committees an integral part of each district's security system as envisioned by the 1982 task force.

With regard to our conclusion and related recommendation that consideration of off-site security needs be systematically assessed as part of the comprehensive security program, DOJ agreed that judges are increasingly at risk as a result of their official duties and that the matter of off-site security needed to be further addressed. Accordingly, the Marshals Service proposed that discussions on this issue be initiated with the Judicial Conference Committee on Security, Space and Facilities at its next meeting. Nevertheless, DOJ cautioned that while the Marshals Service is capable of performing the function of assessing and determining off-site security needs in the absence of a specific threat, the questions of whether it should do so and how the activity should be funded need to be resolved, and this would best be done by Congress. In its comments AOUSC viewed our draft report as acknowledging that some level of off-site security needs to be provided to judicial officers. However, our conclusions and recommendation focus on the need to systematically assess off-site needs applying risk-management principles; this assessment would then serve as a basis for determining what, if any, level of off-site security measures

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

should be provided. Nevertheless, AOUSC commented that the problem was more one of funding than of responsibility or authority. We agree that ultimately Congress would need to authorize funds and positions for this function, but first the Judiciary and DOJ need to develop and reach agreement on a proposal, which could be addressed by Congress through the budget and appropriation process. In this regard, AOUSC noted that the issue of off-site security will be an agenda item for the new interagency/branch Security and Facilities Working Group (see pp. 43 and 44) and will be addressed in the judiciary's long-range plan currently under development.

AOUSC generally agreed with our recommendations for enhancing the judiciary's input into judicial security matters. It committed to enhancing its oversight of efforts by the Marshals Service and GSA to implement the judicial security program, as well as enhancing its oversight of the judicial security budget. In this regard, AOUSC said it had obtained authorization from the Judicial Conference and Congress to expand its staff to enhance its oversight and monitoring capabilities, and it was seeking a security/law enforcement expert to head its security office. AOUSC also said it planned to regularly request and/or conduct analyses of various aspects of the judicial security program, such as the recently completed Marshals Service analysis of the allocation of CSO positions. From a broader perspective, AOUSC said that it and the Judicial Conference have taken several actions to enhance the judiciary's oversight of its budget in general, including increasing the Conference's involvement in developing and reviewing program budgets. In this connection, AOUSC said that the Committee on Security, Space and Facilities will play a more active role in reviewing and making priority decisions about the fiscal year 1996 budget submission for judicial security. We believe that if implemented regularly and effectively, these actions, together with the increased monitoring and involvement of the district security committees, should go a long way toward enhancing oversight of the judicial security program and related budget. In the long term, these actions should help improve program efficiency and effectiveness and reduce communication and coordination problems among the responsible agencies.

AOUSC agreed with our recommendation that it report annually to the Judicial Conference. It plans to provide operational status reports that would be in addition to position and working papers that its Court Security Office periodically prepares on an as-needed basis, in consultation with the Marshals Service and GSA, for the Conference's Committee on Security, Space and Facilities. We revised the

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

recommendation to clarify that AOUSC should develop the annual reports for the Judicial Conference in consultation with the Marshals Service and GSA rather than report to them.

In commenting on our recommendation that the Judicial Conference's Committee on Security, Space and Facilities develop policy guidance on various judicial security matters discussed in this report, AOUSC said that the committee is aware of its judicial security oversight role and has been involved actively in the development of security-related policy issues. However, as AOUSC pointed out, the committee recognizes that more needs to be done concerning on-site and off-site security and the committee plans to pursue an enhanced oversight role. In this regard, the committee needs to address several operational-related policy issues, including those covered in our recommendation.

DOJ and AOUSC agreed with our recommendation that they meet periodically at the national level to discuss progress and problems in implementing a comprehensive judicial security program. Both agencies believed that the recommendation had substantially been fulfilled with the recent establishment of the interagency/branch Security and Facilities Working Group (discussed on pp. 43 and 44). Although GSA did not specifically address the recommendation or mention the working group, it said that it (1) planned to meet with the Marshals Service and AOUSC in the near future to continue the ongoing dialogue concerning judicial security and (2) remained open to revising the 1987 MOA, as necessary.

We believe that establishing the working group is a major step forward in improving communication and coordination among the parties to the MOA. The group should provide a useful forum for identifying, analyzing, and resolving both on-site and off-site judicial security issues. However, we believe it is too soon to claim success because the working group is still in the very early developmental stages and, at the time we received the agencies' comments, had only met once since its establishment in September 1993. We believe the group's success will depend on the regularity and productivity of its and its subcommittee's meetings and on the efficiency and effectiveness of the resulting actions. Moreover, in addition to the working group, we believe the semiannual meetings of the Judicial Conference Committee on Security, Space and Facilities provide an excellent forum for debating and resolving judicial security issues and concerns. Thus, it is important that security officials from GSA, as well as AOUSC and the Marshals Service, regularly participate in this forum.

Chapter 3
A Comprehensive Judicial Security Program
Has Not Been Fully and Consistently
Implemented

DOJ and GSA did not comment specifically on the recommendation that they resolve the differences between the Marshals Service and GSA regarding building entrance and perimeter security needs and responsibilities and revise the 1987 MOA as necessary. However, GSA did advise its FPS regions to take action to improve their involvement in district security committees. It also proposed to improve coordination and cooperation in general by advising its regions to work closely with the Marshals Service in conducting GSA's physical surveys and risk assessments and to provide both the Service and the judiciary copies of survey reports for any buildings housing judicial facilities. In addition, GSA committed itself to meeting with the Marshals Service and AOUSC in the near future to continue the ongoing dialogue concerning judicial security and to revising the 1987 MOA, as necessary. We continue to believe it is essential for the Marshals Service and GSA, together with AOUSC and the Judicial Conference, to specifically resolve any misunderstandings or differences of opinion among them regarding building entrance and perimeter security needs and responsibilities. Thus, the new working group needs to address and resolve this issue.

Finally, in response to our recommendation that DOJ, AOUSC, and GSA hold periodic regional meetings to foster interchange among their key district security personnel, the Marshals Service said it was directing its circuit court security inspectors to meet periodically with the judiciary's circuit executives and regional GSA officials. We believe that this is an excellent step toward improving communication and coordination on security matters at the local level, but the success of this initiative will require regular and active participation by all parties. Moreover, as with the working group at the national level, the success of the local meetings will depend on their regularity and productivity and on the efficiency and effectiveness of the resulting actions.

Alternatives for Consolidating Management of Judicial Security Programs

In addition to coordination problems, other concerns have been raised involving the division of judicial security responsibilities that ultimately might require alternative management structures to resolve. During our review, we identified several alternatives and their advantages and disadvantages, which we present in this chapter. However, we believe that consideration of any fundamental changes in judicial security management structure and responsibilities should await full implementation of the comprehensive security program, as discussed in chapter 3.

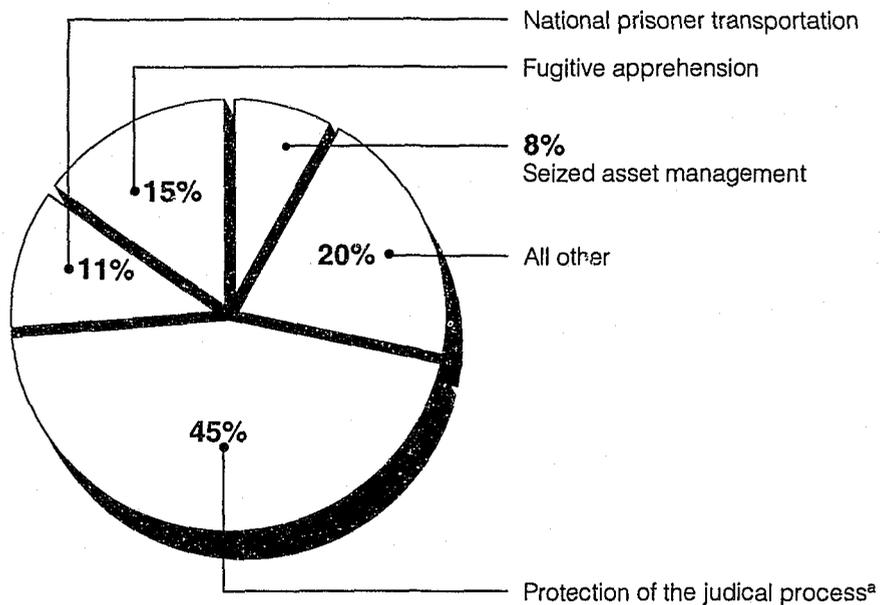
Other Management Concerns Over Judicial Security Responsibilities

Apart from coordination problems, particularly between the Marshals Service and GSA, other concerns have been raised involving the division of judicial security responsibilities. One concern relates to the division of funding for security activities between the judicial branch and the Marshals Service. Deputy marshals provide courtroom security when prisoners are present and staff temporary protective details. These activities are funded from appropriations to the Marshals Service. However, the Marshals Service now determines security needs and prepares budget requests not only for itself but also for the judicial branch. Since fiscal year 1984, AOUSC has transferred judicial branch security-related appropriations to the Marshals Service, which uses the funds to hire court security officers (CSO) and purchase security equipment. District marshals oversee the use of CSOs and equipment at the judicial facilities. As noted in chapter 3, with only a three-person staff in its Court Security Office, AOUSC has not exercised active oversight over the Marshals Service's use of judicial branch funds. This situation may change given AOUSC's recently announced intentions to increase the Court Security Office's staffing and to improve its oversight and monitoring of the judicial security program.

Another management concern is the dual role of the Marshals Service in performing certain law enforcement functions as a component of DOJ along with its judicial security activities. In addition to providing judicial security, the Marshals Service is responsible for various other program activities, such as fugitive apprehension, national prisoner transportation, and seized asset management. As figure 4.1 shows, these activities account for significant portions of the Marshals Service's annual appropriations. Even within the protection of the judicial process program activity, which is the largest budgetary category shown in figure 4.1, judicial security is not the predominant work hour component. For example, during fiscal years 1991 and 1992, 20 percent of all Marshals Service district work hours

were used for prisoner security compared with 10 percent for judicial security.¹

Figure 4.1: Allocation of Marshals Service 1993 Appropriation, by Program Activity



^aJudicial security, prisoner security, and witness protection.

Source: Marshals Service data (based on \$337.8 million appropriated for fiscal year 1993). Details do not add to 100 percent due to rounding.

One expression of concern over the dual role of the Marshals Service is contained in a June 1991 report by the Judicial Conference Committee on Court and Judicial Security. The report suggested that the Marshals Service placed too much emphasis on its "more glamorous roles in law enforcement" and gave insufficient attention to one of its primary missions of providing judicial security. On the other hand, most judges responding to our questionnaire were generally satisfied with the way in which the Marshals Service and CSOs carried out their judicial security functions. Approximately three-quarters of the judges believed that marshals placed about the right amount of emphasis on providing security, while about

¹At the time of our review, fiscal year 1992 hourly work statistics were the latest available such data in a format compatible with budget categories.

19 percent believed the marshals provided less emphasis than was needed. Over 82 percent of the judges expressed satisfaction with security provided by CSOs, while only 8 percent were somewhat or very dissatisfied with CSOs.

Possible Management Alternatives

A number of management alternatives have been suggested by several sources to fundamentally change the current management responsibilities for providing judicial security. These sources are (1) a 1978 interagency group report² that studied options for improving judicial security, (2) a 1979 House Appropriations Committee report³ that suggested judicial security responsibilities within the Marshals Service, and (3) some suggestions we received from security managers in the Marshals Service, AOUSC, and GSA during our review. A brief summary of these alternatives, along with some of their advantages and disadvantages, is presented in the following sections.

Alternative 1: Give the Marshals Service Sole Responsibility for Funding and Managing All Judicial Security Programs

Under this alternative, the Marshals Service would fund and manage on-site and off-site judicial security. One advantage of this alternative is that the Marshals Service has the security, contract, and personnel specialists in its headquarters and the marshals and deputies in the districts necessary to provide all aspects of on-site and off-site judicial security. Although the appropriations process would change, little program disruption or additional costs should result from placing all funding and management responsibilities for security programs within the Marshals Service.

In terms of disadvantages, this alternative could be viewed as exacerbating the perceived tension and potential competition between the Marshals Service's law enforcement and judicial security roles. Also, placing the entire budget within the Marshals Service would make judicial security subject to executive branch priorities. As a result, judicial security activities would have to compete for funds with other Marshals Service functions—fugitive apprehension, transportation of federal prisoners, and management of seized assets—as well as externally with other agencies. Finally, although it would make sense for the Marshals Service to provide perimeter and entry security at buildings housing only the judiciary, it might be impractical for the Marshals Service to take over GSA's responsibility for building security at multitenant facilities. Dissimilar to

²Judicial Security, Dept. of Justice.

³H.R. Rep. No. 247, 96th Cong., 1st Sess. 16-17 (1979).

buildings where the judiciary is the sole occupant, the Marshals Service would still have to coordinate and work out any differences with other resident agencies in making decisions about entrance control security.

**Alternative 2: Establish a
Separate Marshals Service
Court Security Force**

Establishing a separate court security force within the Marshals Service could resolve concerns over the Marshals Service's potential mission conflicts. Under this alternative, the responsibilities of contract CSOs could be expanded to include more activities currently performed by deputy marshals, thereby freeing the deputies to perform their other duties. For example, about 60 percent of the marshals who responded to our questionnaire expressed the opinion that CSOs could perform certain functions that deputy marshals now perform, such as guarding prisoners during judicial proceedings and attorney-client conferences.

On the other hand, judges have expressed reservations about CSOs performing duties now performed by deputies. Perhaps a more fundamental problem is that, as with the first alternative, placing the entire budget within the Marshals Service would make judicial security subject to Marshals Service and other executive branch priorities. In addition, completely separating judicial security from other Marshals Service operations and resources, while perhaps guaranteeing a floor for resources devoted to judicial security, might at the same time effectively impose a ceiling, thereby limiting flexibility and available resources. Finally, the same problem exists as under the first alternative with providing perimeter and entry security at multitenant facilities.

**Alternative 3: Give the
Judiciary Sole
Responsibility for Funding
and Managing On-Site
Security Program**

This alternative would address the concerns over the dual role of the Marshals Service and would consolidate responsibility for judicial security within the judiciary, which is the beneficiary of the program. Forty-one percent of the judges responding to our questionnaire expressed the opinion that the judiciary could establish a satisfactory security program. On the other hand, 25 percent of the judges thought otherwise, and another 34 percent were unsure. In any event, AOUSC could provide judicial security by expanding the CSO program.

In terms of disadvantages, this alternative would require major changes to existing processes and could also result in some additional costs. Moreover, this alternative may not completely relieve the Marshals Service of all judicial security responsibilities. For example, depending on the

capabilities of the security force established, AOUSC might still need deputy marshals for temporary protective details.

Perhaps more fundamentally, AOUSC has neither the headquarters staff nor the field structure to manage a security program. Therefore, it might take some time for the judicial branch to put in place the infrastructure necessary to support a comprehensive judicial security program. Finally, the same problem exists as under the other alternatives with providing perimeter and entry security at multitenant facilities.

Conclusions

We and others have reported on divided responsibilities, overlapping roles, and coordination problems primarily involving the Marshals Service and GSA. Despite the 1987 MOA, some problems continue to exist, which suggests the need to consider alternative approaches for consolidating security responsibilities. On the basis of our past reports and other reports, as well as suggestions we received from security managers in the Marshals Service, AOUSC, and GSA during our review, we identified some possible suggestions for improving the management of security programs. Perhaps the least disruptive alternative would be to consolidate responsibility for judicial security in the Marshals Service. However, the judiciary would have little or no control over the budget, which would have to compete with other executive branch priorities. On the other hand, giving AOUSC sole responsibility for the security program would place accountability directly on the security program beneficiary, the judiciary, and give the judiciary more control over the funding and direction of the program. However, significant organizational structure changes would be required.

We believe that priority attention should be given first to fully implementing the 1982 task force recommendations for on-site security and developing and integrating into that system off-site security measures based on risk-management concepts. While there still appear to be some coordination and related problems among the judicial security agencies, making fundamental changes in management responsibilities now could detract from these priority efforts and disrupt the provision of security services in the near term. Additionally, full implementation of the comprehensive security system recommended by the Attorney General's 1982 task force may address some of the management problems and eliminate the need for any fundamental changes. For example, ensuring that GSA representatives participate on district security committees,

particularly in connection with security surveys and plans, may help alleviate coordination problems.

Therefore, in our view, consideration of fundamental changes to the management structure and responsibilities should await completion of efforts to fully implement a comprehensive security program, including an off-site security component, consistent with the recommendations presented in chapter 3. If problems persist, the Judicial Conference, working with AOUSC and the other parties to the MOA, could then revisit the need for fundamental changes and consider alternatives for consolidating responsibilities for judicial security in one agency.

Agency Comments

AOUSC, DOJ, and GSA did not comment on the specific alternatives discussed in this chapter. However, GSA agreed with our overall conclusion that maintaining and refining the current system was preferable to fundamentally changing the existing management and organizational mechanisms. While AOUSC and DOJ did not specifically address this overall conclusion, their comments, like GSA's, focused primarily on improving implementation of the comprehensive security program envisioned by the 1982 Attorney General's task force, consistent with the recommendations presented in chapter 3. The three agencies also indicated their commitment to improving coordination and communication under the current management arrangement embodied in the 1987 MOA. In this regard, we believe that the actions the three agencies are taking and plan to take should, if properly executed, enhance the efficiency and effectiveness of the federal government's judicial security efforts.

Judicial Security Involves Interagency Responsibility

Responsibility for protecting the federal judiciary involves the interaction of a number of federal executive and judicial branch organizations at the federal level and court participants and U.S. Marshals at the district level. The agency with principal responsibility for the protection and security of the judiciary is the U.S. Marshals Service. Other organizations involved in providing judicial security, as shown in table I.1, include the Judicial Conference of the United States, the Administrative Office of the U.S. Courts (AOUSC), and General Services Administration (GSA). Generally, these organizations set policies at a national level that subsequently are implemented within judicial districts that experience differing threats and security problems.

Table I.1: Federal Judicial Security—Roles and Responsibilities

Branch	Organization	Security responsibilities
Judicial	Judicial Conference of the United States	Provides policymaking and oversight through its Committee on Security, Space and Facilities. Has authority over the Administrative Office of the U.S. Courts.
	AOUSC	Implements Judicial Conference policy. Has administrative control over federal court system, including judicial security budgeting and oversight.
	Federal courts	Provide local rules and decisionmaking on security implementation.
Executive	U.S. Marshals Service (Justice Department)	Primary security provider to federal judicial personnel. Establishes security procedures for each judicial district and oversees operational effectiveness. Establishes district court security committees.
	GSA	Provides perimeter, entry, and emergency response security services at government-occupied buildings.

Source: Developed by GAO from judicial branch and executive branch organizational and mission documents.

Judicial Branch

In addition to the courts themselves, the judicial branch of the U.S. government includes several institutions that provide for the judiciary's own administration and self-government. The federal courts system governs itself on the national level through the Judicial Conference of the United States.

Judicial Conference of the
United States

The Judicial Conference of the United States is a body of 27 federal judges, who come together twice yearly to (1) consider policy issues affecting the federal courts, (2) make legislative recommendations to Congress, (3) propose amendments to the federal rules of practice and procedure, and (4) consider administrative problems of the courts. The Conference's work is accomplished through extensive use of committees composed primarily of federal judges.

The Conference addresses the area of judicial security through its Committee on Security, Space and Facilities. This committee oversees all court and judicial security matters, including (1) review of policies governing judicial security, (2) review of security services provided by the U.S. Marshals Service and GSA, and (3) oversight of the Marshals Service's relations with the courts and court security committees. The committee may make recommendations for policy changes to the Judicial Conference as appropriate. The committee also may provide policy guidance to AOUSC staff supporting the judicial security program.

Administrative Office of
the U.S. Courts

AOUSC, which is headed by a director appointed by the Chief Justice of the United States, performs many support functions for the federal courts system. By statute, AOUSC, which was created by Congress in 1939, is responsible for, among other things,

- controlling all funds disbursed for court operations, including judicial security;
- procuring equipment, supplies, and services necessary to support the operations of courts; and
- providing space and facilities for the courts and court units.

Through its Court Security Office, AOUSC maintains liaison with the Marshals Service and GSA headquarters on security matters and represents AOUSC with these agencies in formulating and executing security policies for the judiciary. That part of the court security program funded by the judiciary and administered by the Marshals Service is limited to judicial facility security and is primarily reactive to the courts' needs in the security area—including (1) procurement, installation, and maintenance of security systems and equipment for courts and adjacent areas and (2) the hiring of court security officers.¹

¹Court security officers are contract personnel authorized to perform security functions, such as operating and monitoring security equipment and providing guard services. These officers are deputized by the U.S. Marshal, which allows them—while on duty—to carry weapons and enforce federal laws.

Federal Courts

Each state has at least one federal judicial district containing a U.S. district court, with some states having as many as four. Within each district there may be other federal courts, such as magistrate courts, bankruptcy courts, and courts of appeal. District and appellate court judges are appointed for life under Article III of the Constitution, while magistrates and bankruptcy court judges are appointed by district and appellate court judges to assist in conducting certain trial proceedings.

The federal judges within each court—particularly the chief district judge—can formulate local rules and procedures that generally determine how the court's internal affairs, including security affairs, will be handled. Individual judges typically exercise a considerable degree of independence concerning court operations and, on occasion, eliminate or modify existing security arrangements through the use of court orders.

Executive Branch

Within the executive branch, two agencies share responsibility for providing security to federal judicial personnel. The U.S. Marshals Service, which is the primary agency, establishes security measures and oversees their operations. GSA monitors the perimeter and entry points to buildings occupied by agencies and responds to emergencies.

U.S. Marshals Service

The U.S. Marshals Service, a bureau within the executive branch's Department of Justice (DOJ), performs dual functions for the executive and judicial branches. A U.S. Marshal is appointed for each of the federal judicial districts. Within their law enforcement role, U.S. marshals are responsible for programs involving witness security and fugitive apprehension. With respect to the judiciary, marshals are charged to obey, execute, and enforce all orders of the district courts, as well as provide for judicial security.

The Marshals Service has responsibility for the protection of court proceedings, court officials, and court areas occupied by the judiciary, such as courtrooms, judges' chambers, and other office areas used by members of the judiciary. This task includes providing security services to any judicial personnel who are threatened because of their involvement in the judicial process, whether inside or outside the courtroom. The Marshals Service's Court Security Division carries out its security function through four individual programs:

- The judicial facility security program provides for the deployment of security systems, security equipment, and court security officers.
- The courtroom security program provides security at federal court proceedings through the courtroom presence of deputy marshals.
- The personal security program provides for the personal security of members of the judiciary, trial participants, and any other officials who are threatened during the course of performing their official duties.
- The technical assistance program provides assistance in surveying and determining security requirements at federal court facilities.

By an agreement between AOUSC and the Marshals Service, security funds appropriated to the federal judiciary are transferred to the Marshals Service for security-related equipment and services, including the contracting of court security officers. Court security officers assist the deputy marshals in providing security within the court facilities—such as operating entryway metal detectors and x-ray machines, monitoring video surveillance equipment, and providing fixed and roving guard services. Court security officers, while on duty, are deputized by the district marshal.

The U.S. Marshal in each district also establishes court security committees that provide a means of coordination between members of the court being protected and those agencies responsible for providing security. Membership typically should consist of the U.S. marshal, the chief district judge, magistrate judge, a Circuit Court representative, a Bankruptcy Court representative, the U.S. attorney, the clerk of the court, and a GSA representative. These committees provide a forum for members of the court to identify and discuss their security needs and give input to the security providers on current security problems and potential solutions. The committee also approves the district's security budget plan, which is forwarded to Marshals Service headquarters, AOUSC, and the Judicial Conference for budget considerations.

General Services Administration

GSA is authorized to maintain, operate, and protect any building, property, or grounds occupied by federal agencies—including the judiciary. At federal judicial facilities, GSA is typically responsible for providing general building and perimeter security and responding to alarms and emergency incidents. During unusual situations, such as sensitive trials, GSA will provide additional security, on a reimbursable basis, to the Marshals Service.

**Appendix I
Judicial Security Involves Interagency
Responsibility**

GSA has established the Federal Protective Service (FPS) to carry out its security responsibilities. FPS provides protection services for almost 7,000 buildings and their tenants and visitors. At these locations, about 500 FPS officers, in cooperation with local law enforcement officials, maintain law and order, prevent disturbances harmful to the orderly conduct of government business, and investigate crimes committed on federal property. At all federally owned or leased buildings, including judicial facilities, GSA's physical security specialists conduct security surveys and make security recommendations related to facility issues such as perimeter and entry control. GSA employs and contracts for personnel to carry out its security responsibilities.

Court Security Questionnaire (Federal Judges)



U.S. General Accounting Office

Court Security Questionnaire (Federal Judges)

INTRODUCTION

The U.S. General Accounting Office (GAO), an agency of Congress, is reviewing the security provided to federal judicial personnel. The purpose of this survey is to ascertain the level of security provided to federal judicial personnel and determine what can be done to improve the security.

Most of the questions in this survey can be answered easily by checking boxes or filling in blanks. Additional comments may be written at the end of the questionnaire. If necessary, additional pages may be attached.

The questionnaire should take about 20 minutes to complete. If you have any questions, please call Jerilyn Green or Vernon Tehas at (214) 855-2600.

Please return the completed questionnaire in the enclosed pre-addressed envelope within 10 days of receipt. In the event the envelope is misplaced, the return address is:

U.S. General Accounting Office
Dallas Regional Office
Attn: Ms. Jerilyn Green
1445 Ross Avenue, Suite 1500
Dallas, TX 75202

Thank you for your assistance.

**Appendix II
Court Security Questionnaire (Federal
Judges)**

Please Note:

Unless otherwise stated, please answer the following questions as they relate to the court in which you most often preside and/or the district/circuit in which this court is located.

SECTION I. BACKGROUND INFORMATION

The purpose of this section is to gather background information on the types of cases on your docket, job-related threats you may have received during your judicial career, and your general concerns regarding a potential for danger because of your judicial service.

Section I - A. Types of Cases Heard

1. We are interested in determining the effect that type of cases has on your perception of risk.

Please estimate to the best of your ability the percentage of cases on your docket during calendar year 1991 you perceived as high risk, moderate risk, and low risk. (ENTER PERCENTS. AN ESTIMATION WILL SUFFICE.)

N=1,332

a. High Risk (i.e., substantial potential for violence) **Mean = 6.5**
Median = 2.0 Percent

b. Moderate Risk (i.e., some potential for violence) **Mean = 13.7**
Median = 10.0 Percent

c. Low Risk (i.e., little or no potential for violence) . . . **Mean = 79.8**
Median = 89.0 Percent

Total 100 Percent

2. For those cases you believe were high-risk, please indicate the nature of these cases. (CHECK ALL THAT APPLY. IF NONE OF THE CALENDAR YEAR 1991 CASES ON YOUR DOCKET WERE HIGH RISK, GO TO TOP OF NEXT PAGE.)

N=884

- | | |
|--|--------|
| 1. <input type="checkbox"/> Abortion | 4.9 % |
| 2. <input type="checkbox"/> Corporate Bankruptcy | 13.3 % |
| 3. <input type="checkbox"/> Personal Bankruptcy | 25.7 % |
| 4. <input type="checkbox"/> Corporate liability | 2.0 % |
| 5. <input type="checkbox"/> Drug dealers | 83.1 % |
| 6. <input type="checkbox"/> Habeas corpus | 18.7 % |
| 7. <input type="checkbox"/> Organized crime | 30.1 % |
| 8. <input type="checkbox"/> Violent crime | 52.6 % |
| 9. <input type="checkbox"/> Other, please specify: | 36.8 % |

**Appendix II
Court Security Questionnaire (Federal
Judges)**

Section I - B. Job-Related Threats

A threat is the stated or implied intention to commit violence against a person or facility. The questions in this section refer to job-related threats, which include those made either directly to you or indirectly through an intermediate source (that is, someone told you of a threat made against you). The threats can be directed against you alone, your family, or personnel associated with your court.

3. Throughout your career as a federal judge, have you ever received threats? (CHECK ONE.)

N=1,450

- 1. Yes --> (CONTINUE WITH QUESTION 4.) 59.7 %
- 2. No --> (SKIP TO SECTION I - C. ON TOP OF PAGE 5.) 40.3 %

4. In calendar year 1991, did you receive any threats? (CHECK ONE.)

N=861

- 1. Yes --> (CONTINUE WITH QUESTION 5.) 41.0 %
- 2. No --> (SKIP TO QUESTION 9.) 59.0 %

5. How many of the total number of threats you received in calendar year 1991 were made against the following individuals? (ENTER NUMBERS. IF NONE, ENTER "0". AN ESTIMATE WILL SUFFICE.)

N=353

- a. You alone Mean = 1.45
Median = 1 Threats
- b. Your family and friends Mean = .12
Median = 0 Threats
- c. You and your family or friends Mean = .18
Median = 0 Threats
- d. Court personnel/ participants Mean = .14
Median = 0 Threats
- e. You and court personnel/participants Mean = .48
Median = 0 Threats
- f. Other (Specify) Mean = .07
Median = 0 Threats

6. How many of the threats you received in calendar year 1991 were related to cases on your docket and how many were not specifically related to these cases? (ENTER NUMBERS. IF NONE, ENTER "0". AN ESTIMATE WILL SUFFICE.)

N=353

- a. Number of threats related to cases on my docket Mean = 1.50
Median = 1 Threats
- b. Number of threats not specifically related to cases on my docket Mean = .38
Median = 0 Threats
- c. Number of threats - not known if related to cases Mean = .18
Median = 0 Threats

**Appendix II
Court Security Questionnaire (Federal
Judges)**

Section I - B. Job Related Threats (Continued)

7. Of all of the threats you received during calendar year 1991, how many did you report to the Marshals Service? (CHECK ONE.)

N=353

- | | | |
|--|-------------------------------|--------|
| 1. <input type="checkbox"/> All of the threats --> (SKIP TO QUESTION 9.) | | 71.7 % |
| 2. <input type="checkbox"/> Most of the threats | } (CONTINUE WITH QUESTION 8.) | 6.2 % |
| 3. <input type="checkbox"/> Some of the threats | | 5.4 % |
| 4. <input type="checkbox"/> Few of the threats | | 2.5 % |
| 5. <input type="checkbox"/> None of the threats | | 14.2 % |

8. Please indicate why you did not report all threats to the Marshals Service. (CHECK ALL THAT APPLY.)

N=100

- | | |
|--|--------|
| 1. <input type="checkbox"/> I did not take the threat(s) seriously | 60.0 % |
| 2. <input type="checkbox"/> I did not know what to do | 2.0 % |
| 3. <input type="checkbox"/> I did not want to be inconvenienced by the threat reporting process | 8.0 % |
| 4. <input type="checkbox"/> I did not want additional protection | 16.0 % |
| 5. <input type="checkbox"/> I reported the threat(s) to someone else --> (Please specify: _____) | 19.0 % |
| 6. <input type="checkbox"/> Other --> (Please specify: _____) | 26.0 % |

**Appendix II
Court Security Questionnaire (Federal
Judges)**

9. Please answer this question based on your personal experiences concerning threats handled by the Marshals Service.

In your district or circuit, how would you rate the performance of the Marshals Service on the following? (CHECK ONE BOX IN EACH ROW.)

	Excellent (1)	Good (2)	Adequate or marginal (3)	Poor (4)	Very poor (5)	No opinion (6)
a. Determining whether threats are valid N=743	56.3 %	30.3 %	9.3 %	2.6 %	1.6 %	(N=80)
b. Determining the validity of threats in a timely manner N=738	55.8 %	30.4 %	8.8 %	3.3 %	1.8 %	(N=77)
c. Notifying judges of the existence of threats in a timely manner N=724	63.1 %	26.0 %	6.8 %	2.8 %	1.4 %	(N=78)

Section I - C. General Concerns About Risk

The questions in this section refer to a general potential for risk (danger or hazard), if any, perceived by judges because of their judicial service.

10. Do you believe federal judges in general face a greater risk to their lives than do other citizens in our society? (CHECK ONE.)

N=1,438

- 1. Yes 86.4 %
- 2. No 13.6 %

11. What do you believe poses the greatest risk to federal judges? (CHECK ONE.)

N=1,399

- 1. The known (stated or implied) threat 17.4 %
- 2. The unknown general danger associated with being a federal judge 74.5 %
- 3. Other (Please specify) 8.1 %

12. Would you say that the potential for risk due to your position is greater in and around the court facility or away from the court facility? (CHECK ONE.)

N=1,434

- 1. In and around the court facility 30.5 %
- 2. Away from the court facility 33.1 %
- 3. About the same 36.5 %

**Appendix II
Court Security Questionnaire (Federal
Judges)**

Section I - C. General Concerns About Risk (Continued)

13. How would you rate the following as sources of potential risk to you as a federal judge? (CHECK ONE BOX IN EACH ROW.)

CIVIL CASES	Very high source of risk (1)	Somewhat high source of risk (2)	Neither high nor low source of risk (3)	Somewhat low source of risk (4)	Very low source of risk (5)	Not applicable (6)
a. A dissatisfied litigant N=1,377	22.2 %	36.4 %	15.3 %	13.4 %	12.6 %	(N=34)
b. A friend, family member, or associate of litigant reacting to a decision N=1,328	7.3 %	30.9 %	21.0 %	18.4 %	22.4 %	(N=49)
c. Counsel reacting to a decision N=1,203	.1 %	1.2 %	5.5 %	6.1 %	87.1 %	(N=170)
d. A pro se litigant reacting to a decision N=1,371	25.7 %	40.4 %	13.0 %	13.9 %	7.1 %	(N=41)
e. A member of the public reacting to a decision N=1,296	.6 %	9.3 %	16.2 %	23.0 %	50.9 %	(N=81)
f. Other - Please specify: _____ N=73	47.9 %	27.4 %	4.1 %	5.5 %	15.1 %	(N=45)
_____ N=13	(N=3*)	(N=7*)	(N=2*)	(N=1*)	-	(N=3)

CRIMINAL CASES	Very high source of risk (1)	Somewhat high source of risk (2)	Neither high nor low source of risk (3)	Somewhat low source of risk (4)	Very low source of risk (5)	Not applicable (6)
a. A dissatisfied defendant N=1,126	23.9 %	41.8 %	14.8 %	12.0 %	7.5 %	(N=186)
b. A friend, family member, or associate of defendant reacting to a decision N=1,103	13.0 %	40.8 %	19.6 %	15.1 %	11.5 %	(N=193)
c. Counsel reacting to a decision N=973	.3 %	1.1 %	6.0 %	6.9 %	85.7 %	(N=317)
d. A pro se defendant reacting to a decision N=1,070	21.1 %	41.7 %	15.0 %	12.6 %	9.6 %	(N=230)
e. A member of the public reacting to a decision N=1,054	.8 %	9.6 %	17.4 %	22.7 %	49.6 %	(N=228)
f. A recently released prisoner N=1,100	9.5 %	38.5 %	22.5 %	17.6 %	11.8 %	(N=195)
g. An organized crime figure N=1,033	20.9 %	32.0 %	19.2 %	13.3 %	14.6 %	(N=248)
h. A defendant tried on a drug charge N=1,078	17.9 %	42.0 %	20.9 %	11.9 %	7.3 %	(N=203)
i. Other - Please specify: _____ N=53	45.3 %	41.5 %	5.7 %	1.9 %	5.7 %	(N=75)
_____ N=2	(N=2*)	-	-	-	-	(N=7)

**Appendix II
Court Security Questionnaire (Federal
Judges)**

SECTION II. ON-SITE SECURITY

The purpose of this section is to gather information on the various components of on-site security. Topics in this section include general on-site security information, the role of the Marshals Service, the role of Court Security Officers, and actual security in the courtroom. On-site security refers to the security equipment and security personnel (such as deputy marshals and court security officers) provided in and/or around the court facility. Please answer the following as they relate to the court in which you most often preside.

Section II - A. General On-Site Security

14. In general, how secure or insecure do you feel from job-related threats/danger at your court facility? (CHECK ONE.)

N=1,447

- 1. Very secure 42.6 %
- 2. Somewhat secure 39.8 %
- 3. Neither secure nor insecure 9.3 %
- 4. Somewhat insecure 6.5 %
- 5. Very insecure 1.8 %

15. According to your perceived security needs, do security measures at your court facility exceed, meet, or fall short of what is needed? (CHECK ONE.)

N=1,446

- 1. Greatly exceed what is needed 2.9 %
- 2. Somewhat exceed what is needed 13.4 %
- 3. Generally meet what is needed 61.1 %
- 4. Somewhat fall short of what is needed 18.7 %
- 5. Greatly fall short of what is needed 3.9 %

16. In your opinion, who should have the authority in determining the on-site security needs of your court facility and personnel? (CHECK ONE.)

N=1,436

- 1. The U.S. Marshal only 3.2 %
- 2. Judges only 2.1 %
- 3. District Court Security Committee 11.2 %
- 4. U.S. Marshal and judges equally 27.8 %
- 5. U.S. Marshal primarily, with input from the judges 36.6 %
- 6. Judges primarily, with input from the U.S. Marshal 18.7 %
- 7. Other - Please specify: _____ .5 %

17. In calendar year 1991, did you receive any training/instruction concerning security measures provided at your court facility? (CHECK ONE.)

N=1,443

- 1. Yes --> From Whom? _____ 35.9 %
- 2. No 56.8 %
- 3. Uncertain } (SKIP TO QUESTION 19.) 7.3 %

**Appendix II
Court Security Questionnaire (Federal
Judges)**

18. In your opinion, how adequate or inadequate was the training/instruction concerning security measures that you received?
(CHECK ONE.)

N=503

- 1. More than adequate 15.3 %
- 2. Generally adequate 71.0 %
- 3. Neither adequate nor inadequate 11.9 %
- 4. Generally inadequate 1.2 %
- 5. Very inadequate .6 %

If you have any suggestions on how this training/instruction could be improved, please use the space below.

Section II - B. Role of the Marshals Service

The following questions are concerned with the security provided by the Marshals Service (U.S. Marshal and U.S. Deputy Marshals) in and around your court facility.

19. In your district or circuit, how much emphasis do you feel is currently placed on the following by the Marshals Service?
(CHECK ONE BOX IN EACH ROW.)

	Much more emphasis than needed (1)	Somewhat more emphasis than needed (2)	About the right amount of emphasis (3)	Somewhat less emphasis than needed (4)	Much less emphasis than needed (5)	No opinion (6)
a. Providing security for the court N=1,368	.8 %	5.3 %	74.6 %	15.2 %	4.1 %	(N=44)
b. Obeying, executing, and enforcing orders issued by the court N=1,244	.8 %	2.7 %	85.7 %	8.4 %	2.5 %	(N=144)
c. Performing law enforcement functions N=1,164	2.5 %	6.9 %	85.0 %	3.9 %	1.8 %	(N=220)

**Appendix II
Court Security Questionnaire (Federal
Judges)**

20. In your court, who decides how many deputy marshals will be present during court proceedings? (CHECK ONE.)

N=1,328

- | | |
|---|--------|
| 1. <input type="checkbox"/> You (the individual judge) alone | 7.8 % |
| 2. <input type="checkbox"/> The Marshals Service | 47.5 % |
| 3. <input type="checkbox"/> The District Court Security Committee | 1.3 % |
| 4. <input type="checkbox"/> You <u>and</u> the Marshals Service | 30.9 % |
| 5. <input type="checkbox"/> You <u>and</u> the District Court Security Committee | .5 % |
| 6. <input type="checkbox"/> The Marshals Service <u>and</u> the District Court Security Committee | 2.1 % |
| 7. <input type="checkbox"/> Other(s) - Please specify: _____ | 9.9 % |

21. Do you believe that the proper individuals are currently making this decision? (CHECK ONE.)

N=1,291

- | | | |
|---------------------------------|--------|--|
| 1. <input type="checkbox"/> Yes | 72.0 % | |
| 2. <input type="checkbox"/> No | 28.0 % | -> If no, who do you believe should have the authority to make this decision? (CHECK ONE.) |

N=372

- | | |
|---|--------|
| 1. <input type="checkbox"/> You (the individual judge) alone | 16.4 % |
| 2. <input type="checkbox"/> The Marshals Service | 1.3 % |
| 3. <input type="checkbox"/> The District Court Security Committee | 5.4 % |
| 4. <input type="checkbox"/> You <u>and</u> the Marshals Service | 62.6 % |
| 5. <input type="checkbox"/> You <u>and</u> the District Court Security Committee | 3.5 % |
| 6. <input type="checkbox"/> The Marshals Service <u>and</u> the District Court Security Committee | 6.5 % |
| 7. <input type="checkbox"/> Other(s) - Please specify: _____ | 4.3 % |

**Appendix II
Court Security Questionnaire (Federal
Judges)**

Section II - B. Role of Marshals Service (Continued)

22. In your opinion, how adequate or inadequate is the ability of the Marshals Service (U.S. Marshal and U.S. deputy Marshals) to provide the following on-site security measures? (CHECK ONE BOX IN EACH ROW.)

	More than adequate (1)	Generally adequate (2)	Neither adequate nor inadequate (3)	Generally inadequate (4)	Very inadequate (5)	Not applicable (6)
a. To provide the proper number of deputy marshals to transport prisoners to the court facility N=1,054	9.5 %	72.5 %	7.3 %	8.6 %	2.1 %	(N=301)
b. To provide the proper number of deputy marshals to guard prisoners in the courtroom N=1,059	9.1 %	75.8 %	6.9 %	5.9 %	2.4 %	(N=298)
c. To provide the proper number of deputy marshals to guard prisoners during attorney consultation within the court facility N=962	8.1 %	71.9 %	11.5 %	6.1 %	2.3 %	(N=354)
d. To provide enough deputy marshals in a reasonable amount of time to respond to court disturbances N=1,273	9.1 %	65.1 %	12.3 %	9.7 %	3.7 %	(N=92)
e. To take custody of a defendant, when needed N=1,122	9.1 %	72.9 %	10.2 %	5.7 %	2.0 %	(N=228)

Appendix II
Court Security Questionnaire (Federal
Judges)

23. Have you ever requested, appointed, or designated a court crier, crier-law clerk, or bailiff (NOT a deputy marshal) pursuant to 28 U.S. Code Section 755 to serve in your courtroom? (CHECK ONE.)

N=1,392

1. No 80.4 % --> (GO TO QUESTION 24.)
2. Yes 19.6 % --> Do you currently have a crier, crier-law clerk, or bailiff in your courtroom? (CHECK ONE.)

N=238

1. No 19.3 % --> (GO TO QUESTION 24.)
2. Yes 80.7 % --> Does the individual occupying any of these positions provide any significant security function? (CHECK ONE.)

N=222

1. No 78.8 % --> (GO TO QUESTION 24.)
2. Yes 21.2 % --> Please describe:

24. If the Marshals Service was not responsible for court security, do you believe a satisfactory security program could be established under the Judicial Branch (Administrative Office of the U.S. Courts)? (CHECK ONE.)

N=1,403

1. Definitely yes 13.0 %
2. Probably yes 27.9 %
3. Unsure 34.1 %
4. Probably no 17.7 %
5. Definitely no 7.2 %

**Appendix II
Court Security Questionnaire (Federal
Judges)**

Section II - C. Role of Court Security Officers

Court Security Officers are contract employees (usually former law enforcement officers), hired to primarily provide security at the entrances to federal court facilities. The court security officer program is funded by the Administrative Office of the U.S. Courts and managed by the U.S. Marshals Service. Please answer the following questions as they relate to the court security officers in your court.

25. Overall, how satisfied or dissatisfied are you with the security provided by court security officers in your court? (CHECK ONE.)

N=1,372

- | | |
|--|--------|
| 1. <input type="checkbox"/> Very satisfied | 48.1 % |
| 2. <input type="checkbox"/> Somewhat satisfied | 34.4 % |
| 3. <input type="checkbox"/> Neither satisfied nor dissatisfied | 9.5 % |
| 4. <input type="checkbox"/> Somewhat dissatisfied | 5.9 % |
| 5. <input type="checkbox"/> Very dissatisfied | 2.1 % |
| 6. <input type="checkbox"/> Not applicable | N=68 |

26. In which of the following situations do you believe that court security officers, if given proper training and authority, should be permitted to provide courtroom security? (CHECK ONE BOX FOR EACH SITUATION.)

- | | | | | |
|----------------------------------|---------|---------------|--------------|-----------------------|
| a. Pre-trial civil hearings | N=1,103 | 1. 84.6 % Yes | 2. 15.4 % No | 3. (N=231) No opinion |
| b. Civil trials | N=1,165 | 1. 90.7 % Yes | 2. 9.3 % No | 3. (N=185) No opinion |
| c. Post-trial civil hearings | N=1,098 | 1. 87.1 % Yes | 2. 12.9 % No | 3. (N=226) No opinion |
| d. Pre-trial criminal hearings | N=981 | 1. 68.9 % Yes | 2. 31.1 % No | 3. (N=344) No opinion |
| e. Criminal trials | N=1,005 | 1. 64.2 % Yes | 2. 35.8 % No | 3. (N=321) No opinion |
| f. Post-trial criminal hearings | N=995 | 1. 65.4 % Yes | 2. 34.6 % No | 3. (N=326) No opinion |
| g. Other - Please specify: _____ | N=39 | | | |

**Appendix II
Court Security Questionnaire (Federal
Judges)**

27. Which of the following duties do you believe that court security officers, if given proper training and authority, should be permitted to perform? (CHECK ONE BOX FOR EACH DUTY.)

a. Transport prisoners to/from court facility	N=948	1. 43.7 % Yes	2. 56.3 % No	3. (N=423) No opinion
b. Guard prisoners in the courtroom	N=993	1. 53.0 % Yes	2. 47.0 % No	3. (N=380) No opinion
c. Guard prisoners during attorney conferences within the court facility	N=962	1. 61.3 % Yes	2. 38.7 % No	3. (N=408) No opinion
d. Serve summonses	N=1,048	1. 78.1 % Yes	2. 21.9 % No	3. (N=324) No opinion
e. Other - Please specify: _____	N=20			

28. If the current court security officer program were revised and placed under the Administrative Office of the U.S. Courts, what changes do you believe would be necessary for court security officers to provide satisfactory security to the courts? (CHECK ALL THAT APPLY.)

N=1,470

(NOTE: PERCENTAGES TOTAL TO MORE THAN 100% DUE TO MULTIPLE RESPONSES.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> Additional training | 70.2 % |
| 2. <input type="checkbox"/> More stringent physical requirements | 51.4 % |
| 3. <input type="checkbox"/> Authority to make arrests | 60.7 % |
| 4. <input type="checkbox"/> Authority to carry a weapon | 62.3 % |
| 5. <input type="checkbox"/> Other - Please specify: _____ | 12.0 % |

29. If the responsibility for court security were placed under the Administrative Office of the U.S. Courts (using a revised court security officer program), should that program include responsibility for protective details? (CHECK ONE.)

N=1,383

- | | |
|--|--------|
| 1. <input type="checkbox"/> Definitely yes | 28.6 % |
| 2. <input type="checkbox"/> Probably yes | 29.2 % |
| 3. <input type="checkbox"/> Unsure | 27.0 % |
| 4. <input type="checkbox"/> Probably no | 9.8 % |
| 5. <input type="checkbox"/> Definitely no | 5.4 % |

**Appendix II
Court Security Questionnaire (Federal
Judges)**

SECTION III. OFF-SITE SECURITY

The purpose of this section is to gather information on the various components of off-site security. Off-site security refers to the security provided and/or needed while away from the court facility. Topics in this section include general off-site security information, possible off-site security equipment, and protective details. Please answer the following questions as they relate to the court in which you most often preside and/or the district/circuit in which that court is located.

Section III - A. General Off-Site Security

30. In general, how secure or insecure do you feel from job-related threats/danger away from the court facility? (CHECK ONE.)

N=1,430

- | | |
|---|--------|
| 1. <input type="checkbox"/> Very secure | 16.7 % |
| 2. <input type="checkbox"/> Somewhat secure | 25.5 % |
| 3. <input type="checkbox"/> Neither secure nor insecure | 30.3 % |
| 4. <input type="checkbox"/> Somewhat insecure | 19.9 % |
| 5. <input type="checkbox"/> Very insecure | 7.5 % |

31. In calendar year 1991, did you receive any training/instruction concerning off-site security/personal safety measures? (CHECK ONE.)

N=1,426

- | | | |
|--|--------------------------|--------|
| 1. <input type="checkbox"/> Yes ----> From whom? _____ | 31.1 % | |
| 2. <input type="checkbox"/> No | } (SKIP TO QUESTION 33.) | 63.5 % |
| 3. <input type="checkbox"/> Uncertain | | |

32. In your opinion, how adequate or inadequate was the training/instruction concerning off-site security measures that you received? (CHECK ONE.)

N=432

- | | |
|---|--------|
| 1. <input type="checkbox"/> More than adequate | 9.0 % |
| 2. <input type="checkbox"/> Generally adequate | 70.1 % |
| 3. <input type="checkbox"/> Neither adequate nor inadequate | 14.8 % |
| 4. <input type="checkbox"/> Generally inadequate | 4.9 % |
| 5. <input type="checkbox"/> Very inadequate | 1.2 % |

If you have any suggestions on how this training/instruction could be improved, please use the space below.

**Appendix II
Court Security Questionnaire (Federal
Judges)**

Section III - B. Off-Site Security Equipment

33. According to your perceived off-site security needs, how effective or ineffective do you believe the following equipment would be? (CHECK ONE BOX IN EACH ROW.)

		Very effective (1)	Somewhat effective (2)	Neither effective nor ineffective (3)	Somewhat ineffective (4)	Very ineffective (5)	No opinion (6)
a. Cellular phones	N=1,240	50.2 %	36.6 %	8.5 %	2.7 %	1.9 %	(N=150)
b. Beeper/pager	N=1,092	17.5 %	36.3 %	27.2 %	10.0 %	8.2 %	(N=215)
c. Remote car starter	N=1,109	32.1 %	38.7 %	19.1 %	5.0 %	4.5 %	(N=231)
d. Car alarm	N=1,166	34.0 %	43.2 %	14.8 %	4.1 %	3.9 %	(N=188)
e. Home alarm	N=1,237	53.4 %	37.2 %	6.2 %	1.3 %	1.9 %	(N=134)
f. Other (Specify)	N=83	66.3 %	24.1 %	8.4 %	1.2 %	-	(N=10)
_____	N=20	(N=14)	(N=4)	(N=1)	-	(N=1)	(N=1)
_____	N=4	(N=3)	-	-	(N=1)	-	-

34. Please indicate whether or not you have the following equipment specifically to protect yourself and/or your family in the event of job-related threats, danger, or incidents. Also, if you have a particular piece of equipment for this purpose, please indicate who provided it. (CHECK "YES" OR "NO" FOR EACH ROW. IF "YES", CHECK THE BOX INDICATING THE PROVIDER. IF YOU ADDED ANY ITEMS UNDER "OTHER" IN QUESTION 33, PLEASE ALSO ADD THESE ITEMS IN THIS QUESTION.)

		Have equipment for protection	
		Yes (1)	No (2)
a. Cellular phones	N=1,377	20.8 %	79.2 %
b. Beeper/pager	N=1,325	4.2 %	95.7 %
c. Remote car starter	N=1,329	2.0 %	98.0 %
d. Car alarm	N=1,337	12.9 %	87.1 %
e. Home alarm	N=1,374	31.6 %	68.4 %
f. Other (Specify)	N=120	73.3 %	26.7 %
_____	N=12	(N=11)	(N=1)
_____	N=2	(N=2)	-

	If "Yes", equipment provided by:			
	Myself (1)	Marshals Service (2)	The Court (3)	Other Specify: (4)
N=276	65.6 %	21.7 %	11.6 %	1.1 %
N=56	10.7 %	26.8 %	60.7 %	1.8 %
N=25	(N=10)	(N=13)	(N=2)	-
N=172	95.9 %	2.3 %	.6 %	1.2 %
N=423	96.7 %	1.4 %	.2 %	1.7 %
N=81	91.4 %	3.7 %	1.2 %	3.7 %
N=12	(N=10)	(N=2)	-	-
N=2	(N=1)	-	-	(N=1)

**Appendix II
Court Security Questionnaire (Federal
Judges)**

Section III - B. Off-Site Security Equipment (Continued)

35. In your opinion, who should have the authority to determine the off-site security equipment needs of federal judges? (CHECK ONE.)

N=1,391

- | | |
|--|--------|
| 1. <input type="checkbox"/> The U.S. Marshal only | 2.4 % |
| 2. <input type="checkbox"/> Judges only | 6.6 % |
| 3. <input type="checkbox"/> District Court Security Committee | 10.2 % |
| 4. <input type="checkbox"/> U.S. Marshal and judges equally | 32.4 % |
| 5. <input type="checkbox"/> U.S. Marshal primarily, with input from the judges | 21.1 % |
| 6. <input type="checkbox"/> Judges primarily, with input from the U.S. Marshal | 26.2 % |
| 7. <input type="checkbox"/> Other - Please specify:
_____ | 1.2 % |

36. In your opinion, who should be responsible for funding the security equipment needs of federal judges while away from the court? (CHECK ONE.)

N=1,320

- | | |
|--|--------|
| 1. <input type="checkbox"/> You (the individual judge) alone | 8.0 % |
| 2. <input type="checkbox"/> The Executive Branch of government | 18.7 % |
| 3. <input type="checkbox"/> The Judicial Branch of government | 73.3 % |

Section III - C. Protective Details

The Marshals Service provides protective details to judicial officers and their families when determined necessary. The need for and extent of protective services are based on several factors, including the likelihood that an individual's life will be endangered because of that individual's participation in judicial proceedings.

37. In your opinion, are protective details in your district or circuit assigned more often than necessary, about as often as necessary, or less often than necessary? (CHECK ONE.)

N=765

- | | |
|--|---------|
| 1. <input type="checkbox"/> Much more often than necessary | .5 % |
| 2. <input type="checkbox"/> Somewhat more often than necessary | 2.7 % |
| 3. <input type="checkbox"/> About as often as necessary | 87.3 % |
| 4. <input type="checkbox"/> Somewhat less often than necessary | 7.2 % |
| 5. <input type="checkbox"/> Much less often than necessary | 2.2 % |
| 6. <input type="checkbox"/> They are not assigned at all | (N=80) |
| 7. <input type="checkbox"/> No opinion | (N=568) |

38. In your opinion, how effective or ineffective are protective details as a means of protecting judges? (CHECK ONE.)

N=792

- | | |
|---|---------|
| 1. <input type="checkbox"/> Very effective | 36.1 % |
| 2. <input type="checkbox"/> Somewhat effective | 52.5 % |
| 3. <input type="checkbox"/> Neither effective nor ineffective | 5.4 % |
| 4. <input type="checkbox"/> Somewhat ineffective | 4.7 % |
| 5. <input type="checkbox"/> Very ineffective | 1.3 % |
| 6. <input type="checkbox"/> No opinion | (N=614) |

**Appendix II
Court Security Questionnaire (Federal
Judges)**

39. Have you ever used a protective detail? (CHECK ONE.)

N=1,405

1. Yes 23.3 %
2. No 76.7 %

40. Have you ever turned down or discontinued a protective detail? (CHECK ONE.)

N=1,407

1. No 90.8 %
2. Yes --> Please explain why. 9.2 %

41. In your opinion, has the Marshals Service ever prematurely discontinued a protective detail provided to you? (CHECK ONE.)

N=1,242

1. No 97.9 %
2. Yes --> Please explain. 2.1 %

42. Has the Marshals Service ever declined to provide you a protective detail when you believed one was needed? (CHECK ONE.)

N=1,343

1. No 98.1 %
2. Yes --> Please explain. 1.9 %

SECTION IV. DISTRICT COURT SECURITY COMMITTEE

The District Court Security Committee is responsible for advising on the planning, implementation, and continuous review of the court security system for each federal judicial facility in its district. Please answer the following questions as they relate to your experience with District Court Security Committees.

43. Has a court security committee been established in your district? (CHECK ONE.)

N=1,395

1. Yes (CONTINUE WITH QUESTION 44.) 54.5 %
2. No 9.5 %
3. Uncertain } (SKIP TO TOP OF NEXT PAGE.) 36.1 %

44. Are you currently serving or have you ever served as a member of the District Court Security Committee? (CHECK ONE.)

N=763

1. Yes 36.4 %
2. No 63.6 %

**Appendix II
Court Security Questionnaire (Federal
Judges)**

45. In your opinion, how effectively or ineffectively does the court security committee in your district address security needs of the following judicial family members? (CHECK ONE BOX IN EACH ROW.)

		Very effectively	Somewhat effectively	Neither effectively nor ineffectively	Somewhat ineffectively	Very ineffectively	No opinion
		(1)	(2)	(3)	(4)	(5)	(6)
a. Article III judges	N=557	29.8 %	47.8 %	13.5 %	5.4 %	3.6 %	(N=171)
b. Magistrate judges	N=495	23.6 %	47.5 %	15.2 %	8.9 %	4.8 %	(N=215)
c. Bankruptcy judges	N=499	20.6 %	44.9 %	18.0 %	10.8 %	5.6 %	(N=219)
d. Court clerk and administrative staff	N=445	18.4 %	41.6 %	22.5 %	10.8 %	6.7 %	(N=267)
e. Pre trial service staff	N=329	16.1 %	36.8 %	30.7 %	8.8 %	7.6 %	(N=363)
f. Probation office staff	N=338	16.0 %	37.9 %	30.2 %	8.6 %	7.4 %	(N=358)
g. Public defender staff	N=276	14.5 %	29.3 %	37.0 %	9.4 %	9.8 %	(N=393)
h. U.S. Attorney/staff	N=295	18.6 %	33.2 %	32.5 %	8.5 %	7.1 %	(N=389)

SECTION V. OTHER FACILITIES IN WHICH YOU PRESIDE

The purpose of this section is to gather information about facilities, other than your main facility (headquarters), in which you preside.

46. Do you preside at any facility other than headquarters? (CHECK ONE.)

N=1,412

1. Yes --> (CONTINUE WITH QUESTION 47.) 51.4 %
2. No --> (SKIP TO QUESTION 49.) 48.6 %

**Appendix II
Court Security Questionnaire (Federal
Judges)**

47. For each of these other facilities at which you have presided during calendar year 1991, please indicate how secure or insecure you feel from job-related threats/danger while at the facility. (PLEASE ENTER THE NAME AND LOCATION OF EACH OTHER FACILITY AND CHECK ONE BOX FOR EACH FACILITY YOU ENTERED.)

Please enter the name and location of each facility:		Very secure	Somewhat secure	Neither secure nor insecure	Somewhat insecure	Very insecure
		(1)	(2)	(3)	(4)	(5)
a.	N=710	26.3 %	34.1 %	13.9 %	16.0 %	8.7 %
b.	N=371	28.8 %	31.3 %	17.0 %	15.4 %	7.5 %
c.	N=172	35.5 %	32.0 %	16.9 %	10.5 %	5.2 %
d.	N=85	31.8 %	30.6 %	17.6 %	11.8 %	8.2 %
e.	N=38	36.8 %	34.2 %	13.2 %	10.5 %	5.3 %
f.	N=10	(N=3*)	(N=5*)	(N=1*)	-	(N=1*)

48. According to your perceived security needs, do security measures at these facilities exceed, meet, or fall short of what is needed? (PLEASE CHECK ONE BOX FOR EACH FACILITY YOU ENTERED IN THE PRIOR QUESTION.)

Please answer for the facilities entered in the prior question.		Greatly exceed what is needed	Somewhat exceed what is needed	Generally meet what is needed	Somewhat fall short of what is needed	Greatly fall short of what is needed
		(1)	(2)	(3)	(4)	(5)
Facility "a" from prior question.	N=699	1.3 %	4.9 %	58.8 %	23.7 %	11.3 %
Facility "b" from prior question.	N=366	1.6 %	4.1 %	60.1 %	23.8 %	10.4 %
Facility "c" from prior question.	N=173	1.2 %	6.4 %	66.5 %	19.7 %	6.4 %
Facility "d" from prior question.	N=89	-	6.7 %	61.8 %	23.6 %	7.9 %
Facility "e" from prior question.	N=41	-	7.3 %	65.9 %	19.5 %	7.3 %
Facility "f" from prior question.	N=17	(N=1*)	(N=1*)	(N=11*)	(N=2*)	(N=2*)

SECTION VI. DUTIES PERFORMED BY MARSHALS SERVICE

49. Are you a Chief District Judge (or the Chief District Judge's designee)? (CHECK ONE.)

N=1,408

1. Yes --> (CONTINUE WITH QUESTION 50.) 5.8 %
2. No --> (SKIP TO ITEM 51.) 94.2 %

**Appendix II
Court Security Questionnaire (Federal
Judges)**

50. Are the following duties performed by the U.S. Marshal or deputy marshals in your district? If yes, how satisfied or dissatisfied are you with their performance of these duties? (CHECK "YES", "NO", OR "DO NOT KNOW" FOR EACH DUTY. IF "YES" CHECK LEVEL OF SATISFACTION.)

Duties	Duty Performed				Level of Satisfaction		
	Yes (1)	No (2)	Do not know (3)		Generally satisfied (1)	Uncertain/ No opinion (2)	Generally dissat- isfied (3)
a. Conduct comprehensive court security surveys of federal judicial facilities. N=71	95.8 %	4.2 %	(N=7)	N=67	80.6 %	14.9 %	4.5 %
b. Provide a written security plan for each facility based on a security survey. N=49	79.6 %	20.4 %	(N=28)	N=45	66.7 %	24.4 %	8.9 %
c. Establish and coordinate a district court security committee for each federal facility. N=60 If established, how often does the committee meet each year? Mean = 3.3 Median = 2 Times	91.7 %	8.3 %	(N=12)	N=51	82.4 %	7.8 %	9.8 %
d. Establish procedures for planning the number of marshals needed for upcoming cases. N=61	85.2 %	14.8 %	(N=15)	N=54	87.0 %	11.1 %	1.9 %
e. Establish procedures to determine, plan, and provide temporary security measures for special judicial events and/or actual threatening/dangerous environments. N=69	95.7 %	4.3 %	(N=8)	N=63	88.9 %	9.5 %	1.6 %
f. Establish/maintain routine communications among the federal judiciary and the agencies responsible for providing security. N=68	89.7 %	10.3 %	(N=9)	N=62	77.4 %	14.5 %	8.1 %
g. Establish/maintain liaison with federal, state, and local criminal justice agencies. N=48	91.7 %	8.3 %	(N=28)	N=51	72.5 %	25.5 %	2.0 %
h. Establish/promulgate written policies and guidelines for management of a comprehensive court security program. N=37 If established, to whom are these guidelines provided?	73.0 %	27.0 %	(N=41)	N=33	63.6 %	27.3 %	9.1 %
i. Perform periodic security inspections at all federal judicial facilities. N=53	94.3 %	5.7 %	(N=25)	N=54	81.5 %	11.1 %	7.4 %
j. Perform periodic reviews of operating security plans. N=49	87.8 %	12.2 %	(N=28)	N=49	75.5 %	18.4 %	6.1 %
k. Establish/maintain training programs designed to heighten awareness of security risks and appropriate security responses. N=44	59.1 %	40.9 %	(N=34)	N=39	56.4 %	35.9 %	7.7 %

**Appendix II
Court Security Questionnaire (Federal
Judges)**

SECTION VII. ADDITIONAL COMMENTS ON COURT SECURITY

51. The remaining space is available for any additional comments and recommendations on the subject of court security for judicial personnel. If referring to a specific question, please provide the number of that question. If necessary, you may add additional sheets.

Thank you for your assistance. Please return your completed questionnaire in the enclosed pre-addressed envelope.

Court Security Questionnaire (U.S. Marshals Service—District Survey)

U.S. General Accounting Office



Court Security Questionnaire U.S. Marshals Service — District Survey

INTRODUCTION

The U.S. General Accounting Office (GAO), an agency of Congress, is conducting a study of the security provided to federal judicial personnel.

This "District Survey" contains questions about judicial security issues that involve policies and practices at a district-wide level. This questionnaire is to be completed only by the U.S. Marshal in this district. (The accompanying "Facility Surveys" may be filled out by Deputy Marshals or Court Security Officers, if you feel that they can better complete any or all parts of those questionnaires.)

If you have any questions, please call Jerilyn Green or Vernon Tehas at (214) 855-2600.

Please return completed questionnaires together, (or separately, as they are completed), in the pre-addressed envelopes provided. Please return all questionnaires within 3 weeks of receipt; your prompt attention is appreciated. In the event the envelopes are misplaced, the return address is:

U.S. General Accounting Office
Dallas Regional Office
Attn: Ms. Jerilyn Green
1445 Ross Avenue, Suite 1500
Dallas, TX 75202

Thank you for your assistance.

I. SURVEY INFORMATION

Unless otherwise noted, please answer the following questions as they relate to operations in your district taken as a whole.

INDIVIDUAL COMPLETING THIS QUESTIONNAIRE:

Name: _____

Title: _____

Address: _____

Phone: () _____ - _____

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

II. RISK TO FEDERAL JUDICIAL PERSONNEL

In this section, we would like your general impressions of the risks of potential violence faced by federal judges and other federal judicial personnel. Please think about conditions throughout your district when answering.

1. Do you believe federal judges in general face a greater risk to their lives than do other citizens in our society? (CHECK ONE)

N=94

1. No 12.8 %
 2. Yes 86.2 %
 3. Do not know 1.1 %

2. Which of the following do you believe poses the greatest risk to federal judges? (CHECK ONE)

N=94

1. The unknown (stated or implied) threat 12.8 %
 2. The unknown general danger associated with being a federal judge 84.0 %
 3. Other ----> Please Specify: _____ 2.1 %
 4. Do not know 1.1 %

3. Based on your experiences in this district, how much risk to federal judges is generally associated with the civil cases and criminal cases heard here? (CHECK ONE BOX IN EACH ROW)

		Very high source of risk (1)	Somewhat high source of risk (2)	Neither high nor low source of risk (3)	Somewhat low source of risk (4)	Very low source of risk (5)	Not Applicable (6)
Civil cases heard here	N=94	4.3 %	31.9 %	21.3 %	22.3 %	20.2 %	-
Criminal cases heard here	N=94	13.8 %	53.2 %	24.5 %	6.4 %	2.1 %	-

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

4. In general, how secure or insecure do you believe the following types of judicial personnel are from job-related threats or danger in and around the court facilities in this district?

(WHEN REFERRING TO JUDGES IN ANY QUESTION, INCLUDE SENIOR JUDGES AND VISITING JUDGES
IN YOUR CONSIDERATIONS; CHECK ONE BOX IN EACH ROW)

Type of Personnel:		In and around the court facility, these personnel are:					Not Applicable (6)
		Very Secure	Somewhat Secure	Neither Secure nor Insecure	Somewhat Insecure	Very Insecure	
		(1)	(2)	(3)	(4)	(5)	
Article III Judges (District & Appeals Judges)	N=92	41.3 %	48.9 %	2.2 %	6.5 %	1.1 %	(N=2)
U.S. Magistrate Judges	N=92	40.2 %	47.8 %	4.3 %	6.5 %	1.1 %	(N=2)
U.S. Bankruptcy Judges	N=91	33.0 %	49.5 %	4.4 %	8.8 %	4.4 %	(N=3)
Clerk of Court staff	N=94	39.4 %	46.8 %	6.4 %	6.4 %	1.1 %	-
Pretrial Services staff	N=87	34.5 %	50.6 %	4.6 %	5.7 %	4.6 %	(N=7)
Probation Office staff	N=92	31.5 %	51.1 %	7.6 %	5.4 %	4.3 %	(N=1)
Public Defender staff	N=58	19.0 %	44.8 %	17.2 %	12.1 %	6.9 %	(N=34)
U.S. Attorney staff	N=92	26.1 %	52.2 %	13.0 %	3.3 %	5.4 %	(N=2)

5. In general, how secure or insecure do you believe the following types of judicial personnel are from job-related threats or danger AWAY from the court facilities in this district? (CHECK ONE BOX IN EACH ROW)

Type of Personnel:		Away from the court facility, these personnel are:					Not Applicable (6)
		Very Secure	Somewhat Secure	Neither Secure nor Insecure	Somewhat Insecure	Very Insecure	
		(1)	(2)	(3)	(4)	(5)	
Article III Judges (District & Appeals Judges)	N=92	1.1 %	10.9 %	39.1 %	30.4 %	18.5 %	(N=2)
U.S. Magistrate Judges	N=92	-	13.0 %	42.4 %	27.2 %	17.4 %	(N=2)
U.S. Bankruptcy Judges	N=91	-	14.3 %	41.8 %	29.7 %	14.3 %	(N=3)
Clerk of Court staff	N=94	3.2 %	11.7 %	55.3 %	18.1 %	11.7 %	-
Pretrial Services staff	N=87	2.3 %	12.6 %	51.7 %	19.5 %	13.8 %	(N=7)
Probation Office staff	N=92	2.2 %	14.1 %	48.9 %	23.9 %	10.9 %	(N=2)
Public Defender staff	N=65	1.5 %	10.8 %	56.9 %	16.9 %	13.8 %	(N=26)
U.S. Attorney staff	N=92	1.1 %	13.0 %	45.7 %	27.2 %	13.0 %	(N=2)

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

III. ON-SITE SECURITY PLANNING

A. Security Surveys and Plans

"Security Surveys" are any written or documented inspections or reviews that take an inventory of security measures, evaluate the performance of security systems, and help the Marshals Service assess security needs at a particular facility.

"Security Plans" refer to written reports of building security measures and procedures, judicial personnel profiles, recommendations for facility changes, and other facility-related information.

6. At how many, if any, judicial facilities in this district does the Marshals Service regularly conduct Security Surveys? (CHECK ONE)

N=94

- | | | |
|--|-----------------------------------|--------|
| 1. <input type="checkbox"/> None of the facilities --> SKIP TO QUESTION 11 | 3.2 % | |
| 2. <input type="checkbox"/> Some facilities | } CONTINUE WITH THE NEXT QUESTION | 11.7 % |
| 3. <input type="checkbox"/> All facilities | | |

7. How often are these Security Surveys conducted? (CHECK ONE -- CHOOSE ANSWER THAT MOST CLOSELY APPROXIMATES ACTUAL SCHEDULE)

N=90

- | | |
|---|--------|
| 1. <input type="checkbox"/> Less than once a year | 17.8 % |
| 2. <input type="checkbox"/> About once a year | 60.0 % |
| 3. <input type="checkbox"/> More than once a year | 22.2 % |
| 4. <input type="checkbox"/> Do not know | |

8. Which of the following people regularly participate in or assist with these Security Surveys? (CHECK ALL THAT APPLY)

N=91

(NOTE: PERCENTAGES TOTAL TO MORE THAN 100% DUE TO MULTIPLE RESPONSES.)

- | | |
|--|---------|
| a. <input type="checkbox"/> USMS district personnel | 100.0 % |
| b. <input type="checkbox"/> USMS Court Security Field Inspector | 51.6 % |
| c. <input type="checkbox"/> USMS Court Security Headquarters Inspector | 24.2 % |
| d. <input type="checkbox"/> GSA building management representative | 30.8 % |
| e. <input type="checkbox"/> GSA security representative (e.g., Federal Protective Service) | 19.8 % |
| f. <input type="checkbox"/> Representative from (non-GSA) building management | 9.9 % |
| g. <input type="checkbox"/> Other: _____ | 26.4 % |

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

9. Which of the following items, if any, are usually examined in these Security Surveys? (CHECK EITHER "YES" OR "NO" FOR EACH OF THE FOLLOWING ITEMS -- IF "NO," ARE THEY EXAMINED IN ANOTHER WAY?)

Do Security Surveys examine:		Examined In Security Survey?		IF NO: Examined Other way?	
		Yes (1)	No (2)	Yes (1)	No (2)
Facility design/layout	N=91	93.4 %	6.6 %	(N=5)	(N=1)
Number of facility occupants	N=91	73.6 %	26.4 %	(N=13)	(N=11)
Types of occupants (judges, staff attorneys, etc.)	N=91	97.8 %	2.2 %	(N=1)	(N=1)
Number of trials held in facility	N=91	67.0 %	33.0 %	(N=16)	(N=13)
Types of trials	N=91	72.5 %	27.5 %	(N=13)	(N=11)
Types of other activities (pretrial services, etc.)	N=91	70.3 %	29.7 %	(N=12)	(N=15)
Security resources (equipment & personnel) present	N=91	98.9 %	1.1 %	(N=1)	-
Security resources needed	N=91	97.8 %	2.2 %	(N=2)	-
Vulnerabilities, and security measures needed to address them	N=91	97.8 %	2.2 %	(N=2)	-
Security responsibilities of different agencies	N=91	78.0 %	22.0 %	(N=6)	(N=14)
Other: _____	N=9	(N=9)	-	-	-
Other: _____	N=2	(N=2)	-	-	-

10. To what extent, if at all, are the results of the Marshals Service's Security Surveys in this district used for the following purposes? (CHECK ONE BOX IN EACH ROW)

		Security Surveys are used for this purpose:				
		To a very great extent (1)	To a great extent (2)	To a moderate extent (3)	To some extent (4)	To little or no extent (5)
To identify court security needs in this district	N=91	68.1 %	26.4 %	4.4 %	1.1 %	-
To develop written Security Plans for facilities	N=91	45.1 %	39.6 %	9.9 %	4.4 %	1.1 %
To develop the annual budget request	N=91	50.5 %	29.7 %	12.1 %	4.4 %	3.3 %
Other Purpose: _____	N=12	(N=7)	(N=3)	(N=1)	-	(N=1)

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

14. Which, if any, of the following items are included in the Security Plans for judicial facilities in this district?
(CHECK EITHER "YES" OR "NO" FOR EACH OF THE FOLLOWING ITEMS -- IF "NO," ARE THEY INCLUDED
IN ANOTHER DOCUMENT?)

Do security plans include:		Included in Security Plans?		IF NO: Included Elsewhere?	
		Yes (1)	No (2)	Yes (1)	No (2)
Appraisals of different risk environments in the district	N=92	76.1 %	23.9 %	(N=8)	(N=14)
Appropriate security responses to different risk environments	N=92	90.2 %	9.8 %	(N=6)	(N=3)
Guidelines for predicting disturbances or violence, to be used in anticipating risk	N=92	68.5 %	31.5 %	(N=16)	(N=12)
Rules governing the composition and responsibilities of the District Court Security Committee	N=92	75.0 %	25.0 %	(N=13)	(N=8)
Personal profiles of federal judges in this district	N=92	89.1 %	10.9 %	(N=9)	(N=1)
Procedures for reviewing court calendars and dockets to identify upcoming security risks	N=91	80.2 %	19.8 %	(N=13)	(N=5)
Procedures for projecting future court security needs	N=90	81.1 %	18.9 %	(N=16)	(N=3)
Guidelines for determining temporary security needs for special events or threat situations	N=91	85.7 %	14.3 %	(N=10)	(N=4)
Other: _____	N=3	(N=2)	(N=1)	(N=1)	-
Other: _____	N=1	(N=1)	-	-	-

15. In general, how satisfied or dissatisfied are you with the coordination that currently exists between the Marshals Service and the following groups, if any, that have any security responsibility in or around the judicial facilities in this district?
(CHECK ONE BOX IN EACH ROW; IF GROUP HAS NO SUCH RESPONSIBILITY, CHECK "NOT APPLICABLE")

Groups that may have security responsibilities in this district:		Satisfaction or dissatisfaction with coordination:					Not Applicable
		Very satisfied (1)	Generally satisfied (2)	Neither satisfied nor dissatisfied (3)	Generally dissatisfied (4)	Very dissatisfied (5)	
GSA	N=88	10.2 %	46.6 %	20.5 %	12.5 %	10.2 %	(N=6)
Commercial landlords of District buildings	N=46	6.5 %	45.7 %	39.1 %	6.5 %	2.2 %	(N=47)
Other governmental or commercial tenants of buildings	N=76	10.5 %	53.9 %	27.6 %	6.6 %	1.3 %	(N=18)
Other: _____	N=9	(N=3)	(N=4)	-	(N=1)	(N=1)	(N=2)

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

16. Does the Marshals Service currently provide security services in this district that you believe should be the responsibility of another agency or group? (CHECK ONE)

N=94

1. No 67.0 %
2. Yes 31.9 % --> Please briefly describe such a service, and the agency or group in question: _____
3. Do not know/No opinion 1.1 %

B. District Court Security Committee

17. Is a District Court Security Committee currently in place in your district? (CHECK ONLY ONE -- IF MORE THAN ONE COMMITTEE EXISTS, ANSWER THE FOLLOWING QUESTIONS FOR THE LARGEST, OR "MAIN" COMMITTEE)

N=94

1. No --> SKIP TO QUESTION 26 2.1 %
2. Yes --> CONTINUE WITH THE NEXT QUESTION 97.9 %

18. Which of the following types of people are now members of the Committee? (CHECK EITHER "YES" OR "NO" FOR EACH OF THE FOLLOWING PERSONNEL TYPES)

Are any of the following on the Committee?		Yes (1)	No (2)
Chief Judge, U.S. District Court	N=92	89.1 %	10.9 %
Other Federal District Court Judge	N=92	60.9 %	39.1 %
Federal Appeals Judge	N=92	32.6 %	67.4 %
U.S. Magistrate Judge	N=92	59.8 %	40.2 %
U.S. Bankruptcy Judge	N=92	64.1 %	35.9 %
U.S. Marshal	N=92	100.0 %	-
Clerk of Court staff	N=92	97.8 %	2.2 %
Pretrial Services staff	N=92	34.8 %	65.2 %
Probation Office staff	N=92	58.7 %	41.3 %
Public Defender staff	N=91	18.7 %	81.3 %
U.S. Attorney staff	N=92	89.1 %	10.9 %
GSA security representative (FPS)	N=92	41.3 %	58.7 %
GSA Building Manager	N=91	79.1 %	20.9 %
Other: _____	N=16	(N=15)	(N=1)

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

19. How often does the Committee usually meet? (CHECK ONE – CHOOSE ANSWER THAT MOST CLOSELY APPROXIMATES ACTUAL SCHEDULE)

N=92

- | | |
|---|--------|
| 1. <input type="checkbox"/> Less than once a year | 8.7 % |
| 2. <input type="checkbox"/> About once a year | 23.9 % |
| 3. <input type="checkbox"/> More than once a year | 66.3 % |
| 4. <input type="checkbox"/> Do not know | 1.1 % |

20. Which, if any, of the following roles does the Committee play in the development of the annual budget request? (CHECK ALL THAT APPLY)

N=92

(NOTE: PERCENTAGES TOTAL TO MORE THAN 100% DUE TO MULTIPLE RESPONSES.)

- | | |
|---|--------|
| a. <input type="checkbox"/> Identifying security needs | 89.1 % |
| b. <input type="checkbox"/> Suggesting equipment or personnel to be requested | 79.3 % |
| c. <input type="checkbox"/> Reviewing and approving security plans | 76.1 % |
| d. <input type="checkbox"/> Reviewing and commenting on the budget request | 51.1 % |
| e. <input type="checkbox"/> Making binding decisions on the budget request | 23.9 % |
| f. <input type="checkbox"/> Other role: _____ | 6.5 % |

21. In your opinion, how often do the recommendations of the Committee that are implemented result in an increase in the level of security in your district? (CHECK ONE)

N=91

- | | |
|---|--------|
| 1. <input type="checkbox"/> Seldom, if ever | 5.5 % |
| 2. <input type="checkbox"/> Some of the time | 19.8 % |
| 3. <input type="checkbox"/> Often | 37.4 % |
| 4. <input type="checkbox"/> Very often | 17.6 % |
| 5. <input type="checkbox"/> Always or almost always | 19.8 % |
| 6. <input type="checkbox"/> Do not know/No opinion | (N=1) |

} Please describe the most recent instance: _____ N=87

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

22. In your opinion, how often do the recommendations of the Committee that are implemented result in a decrease in the level of security in your district? (CHECK ONE)

N=88

- 1. Seldom, if ever 94.3 %
- 2. Some of the time 3.4 %
- 3. Often 2.3 %
- 4. Very often -
- 5. Always or almost always -
- 6. Do not know/No opinion (N=4)

} Please describe the most recent instance: _____ N=9

23. In your opinion, how effective or ineffective is the Committee in addressing the security needs of federal judicial personnel in the main District building and in other judicial facilities throughout the district? (CHECK ONE BOX IN EACH ROW)

		In addressing the security needs of this group, the Committee is:					
Group:		Very effective (1)	Moderately effective (2)	Neither effective nor ineffective (3)	Moderately ineffective (4)	Very ineffective (5)	Do not know/Not applicable (6)
Personnel in <u>main building</u> of this District	N=90	64.4 %	30.0 %	5.6 %	-	-	(N=1)
Personnel in <u>other judicial facilities</u> in the District	N=83	48.2 %	33.7 %	12.0 %	3.6 %	2.4 %	(N=9)

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

24. In your opinion, how effective or ineffective is the Committee in addressing the security needs of the following federal judicial personnel in this district? (CHECK ONE BOX IN EACH ROW.)

Group:	In addressing the security needs of this group, the Committee is:					
	Very effective	Moderately effective	Neither effective nor ineffective	Moderately ineffective	Very ineffective	Do not know/Not applicable
	(1)	(2)	(3)	(4)	(5)	(6)
Article III Judges (District & Appeals Judges) N=88	71.6 %	21.6 %	6.8 %	-	-	(N=3)
U.S. Magistrate Judges N=88	69.3 %	23.9 %	6.8 %	-	-	(N=4)
U.S. Bankruptcy Judges N=88	61.4 %	27.3 %	9.1 %	1.1 %	1.1 %	(N=4)
Clerk of Court staff N=89	57.3 %	30.3 %	11.2 %	1.1 %	-	(N=2)
Pretrial Services staff N=76	48.7 %	28.9 %	21.1 %	-	1.3 %	(N=16)
Probation Office staff N=86	52.3 %	30.2 %	16.3 %	-	1.2 %	(N=5)
Public Defender staff N=48	39.6 %	18.7 %	35.4 %	-	6.3 %	(N=41)
U.S. Attorney staff N=87	46.0 %	28.7 %	20.7 %	1.1 %	3.4 %	(N=5)

25. In your opinion, how much value does the Committee have for addressing the security needs of this district? (CHECK ONE)

N=92

1. Little or no value 1.1 %
2. Some value 9.8 %
3. Moderate value 18.5 %
4. Great value 47.8 %
5. Very great value 22.8 %
6. Do not know/No opinion -

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

C. The Roles of Federal Judicial Personnel

26. In your opinion, how much influence do the following groups have in determining this district's security policies and measures? (CHECK ONE BOX FOR EACH GROUP)

Group:	The following groups have:						Do not know/Not applicable (6)
	Very great influence (1)	Great influence (2)	Moderate influence (3)	Some influence (4)	Little or no influence (5)		
The District Court Security Committee as a group N=92	44.6 %	33.7 %	13.0 %	7.6 %	1.1 %	(N=2)	
The Chief District Judge N=92	68.5 %	25.0 %	4.3 %	1.1 %	1.1 %	(N=1)	
Other federal judges N=89	34.8 %	43.8 %	15.7 %	4.5 %	1.1 %	(N=4)	
The U.S. Marshal N=94	59.6 %	29.8 %	7.4 %	3.2 %	-	-	
GSA representatives N=87	4.6 %	16.1 %	39.1 %	21.8 %	18.4 %	(N=6)	
Other: _____ N=4	(N=1)	(N=1)	(N=1)	(N=1)	-	(N=1)	

27. Are there federal judges in your district who routinely request a CSO or Deputy Marshal for their courtrooms in cases where the Marshals Service has determined that the risk level does not require them? (CHECK ONE)

N=94

- 1. No 58.5 %
- 2. Yes 41.5 %
- 3. Do not know -

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

28. To your knowledge, have any federal judges in your district ever taken any of the following actions? (CHECK EITHER "YES" OR "NO" FOR EACH ROW, AND EXPLAIN IF DESIRED)

		Yes (1)	No (2)	If you have any comments or explanations of any of these actions, please use the space below:
Prevented the implementation of a security measure, or had one discontinued?	N=94	42.6 %	57.4 %	
Had a security measure implemented against USMS recommendations?	N=94	8.5 %	91.5 %	
Issued a court order to override a security-related decision the USMS had made?	N=94	23.4 %	76.6 %	
Chosen not to use installed security equipment?	N=94	57.4 %	42.6 %	
Chosen not to follow established security policies or procedures?	N=94	42.6 %	57.4 %	
Used a CSO or Deputy Marshal for non-security purposes?	N=94	18.1 %	81.9 %	

29. Does the Marshals Service in this district offer any kind of standard security instruction or training to federal judges, besides the security orientation given to new judges nationwide? (CHECK ONE)

N=94

- | | |
|--|--------|
| 1. <input type="checkbox"/> No --> SKIP TO QUESTION 32 | 14.9 % |
| 2. <input type="checkbox"/> Yes | 85.1 % |
| 3. <input type="checkbox"/> Do not know | |
- } CONTINUE WITH THE NEXT QUESTION

30. Which of the following forms does this within-district security instruction or training take? (CHECK ALL THAT APPLY)

N=80 (NOTE: PERCENTAGES TOTAL TO MORE THAN 100% DUE TO MULTIPLE RESPONSES.)

- | | |
|---|--------|
| a. <input type="checkbox"/> Written security materials | 88.8 % |
| b. <input type="checkbox"/> Group instruction or briefings | 55.0 % |
| c. <input type="checkbox"/> One-on-one instruction or briefings | 77.5 % |
| d. <input type="checkbox"/> In-home security assessments | 53.8 % |
| e. <input type="checkbox"/> Firearms training or practice | 56.3 % |
| f. <input type="checkbox"/> Other: _____ | 17.5 % |
| g. <input type="checkbox"/> Do not know | - |

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

31. To what extent, if at all, do federal judges participate in the security instruction or training offered in this district?
(CHECK ONE)

N=78

- 1. To little or no extent 19.2 %
- 2. To some extent 30.8 %
- 3. To a moderate extent 26.9 %
- 4. To a great extent 20.5 %
- 5. To a very great extent 2.6 %
- 6. Do not know/No opinion (N=2)

IV. THE BUDGET PROCESS

32. Considering the specific items requested in the last annual budget you submitted, to what extent were they made for the following reasons: (CHECK ONE BOX FOR EACH ROW)

Reasons for requests:		Your requests were made for these reasons...					Do not know/Not applicable (6)
		To a very great extent (1)	To a great extent (2)	To a moderate extent (3)	To some extent (4)	To little or no extent (5)	
To meet the minimum requirements of the U.S. Court Design Guide	N=80	30.0 %	27.5 %	21.3 %	11.3 %	10.0 %	(N=14)
To respond to the requests of the District Court Security Committee	N=87	33.3 %	33.3 %	14.9 %	9.2 %	9.2 %	(N=7)
To respond to the requests of the Chief District Judge	N=86	23.3 %	31.4 %	22.1 %	11.6 %	11.6 %	(N=8)
To respond to the requests of other federal judges	N=85	23.5 %	31.8 %	16.5 %	16.5 %	11.8 %	(N=9)
To respond to needs identified by technical experts (N=c.g., physical security specialists)	N=83	32.5 %	36.1 %	16.9 %	7.2 %	7.2 %	(N=11)
To respond to security needs identified by a Security Survey	N=83	31.3 %	43.4 %	13.3 %	3.6 %	8.4 %	(N=11)
To respond to security needs that you or your staff have identified	N=89	52.8 %	36.0 %	9.0 %	2.2 %	-	(N=5)
Other reason(s):	N=2	(N=2)	-	-	-	-	(N=1)

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

33. In your opinion, how much influence do the following groups have in determining the district's court-related budget request? (CHECK ONE BOX FOR EACH ROW)

Groups:	In determining the budget request, these groups have:					
	Very great influence (1)	Great influence (2)	Moderate influence (3)	Some Influence (4)	Little or no influence (5)	Do not know/Not applicable (6)
The District Court Security Committee as a group N=85	37.6 %	27.1 %	20.0 %	9.4 %	5.9 %	(N=9)
The Chief District Judge N=87	42.5 %	37.9 %	12.6 %	2.3 %	4.6 %	(N=7)
Other Federal Judges N=83	13.3 %	49.4 %	19.3 %	10.8 %	7.2 %	(N=10)
The U.S. Marshal N=91	58.2 %	28.6 %	6.6 %	3.3 %	3.3 %	(N=3)
Other: _____ N=6	(N=2)	(N=1)	(N=3)	-	-	(N=2)

V. OFF-SITE SECURITY

34. Thinking about the off-site security needs of federal judicial personnel in your district, how effective or ineffective do you believe the following equipment would be for improving their off-site security? (CHECK ONE BOX IN EACH ROW)

	Very effective (1)	Somewhat effective (2)	Neither effective nor ineffective (3)	Somewhat ineffective (4)	Very ineffective (5)	Do not know/No opinion (6)
Cellular phones N=91	44.0 %	36.3 %	15.4 %	2.2 %	2.2 %	(N=1)
Beeper/pager (to alert judge at any time) N=92	27.2 %	48.9 %	19.6 %	1.1 %	3.3 %	(N=2)
Remote car starter N=90	30.0 %	47.8 %	14.4 %	3.3 %	4.4 %	(N=4)
Car alarm N=93	47.3 %	41.9 %	5.4 %	1.1 %	4.3 %	(N=1)
Home alarm N=93	60.2 %	35.5 %	1.1 %	2.2 %	1.1 %	-
Other equipment? (SPECIFY) _____ N=13	(N=7)	(N=5)	-	-	(N=1)	-
_____ N=3	(N=2)	(N=1)	-	-	-	-
_____ N=2	(N=2)	-	-	-	-	-

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

35. Which, if any, of the following equipment has ever been provided by the Marshals Service to any federal judicial personnel in this district? (CHECK ONE BOX IN COLUMNS A, B, AND C FOR EACH ROW)

		A.			B.			C.	
		Provided to judge(s) while under threat?			Provided to judge(s) not under threat?			Provided to other judicial personnel?	
		Yes (1)	No (2)		Yes (1)	No (2)		Yes (1)	No (2)
Cellular phones	N=93	24.7 %	75.3 %	N=92	16.3 %	83.7 %	N=90	5.6 %	94.4 %
Beeper/pager	N=93	10.8 %	89.2 %	N=92	4.3 %	95.7 %	N=90	2.2 %	97.8 %
Remote car starter	N=92	6.5 %	93.5 %	N=90	5.6 %	94.4 %	N=88	-	100.0 %
Car alarm	N=91	4.4 %	95.6 %	N=91	1.1 %	98.9 %	N=90	2.2 %	97.8 %
Home alarm	N=93	16.1 %	83.9 %	N=89	3.4 %	96.6 %	N=88	4.5 %	95.5 %
Other Equipment? _____	N=17	(N=13)	(N=4)	N=13	(N=5)	(N=8)	N=14	(N=4)	(N=10)
_____	N=1	(N=1)	-	N=0	-	-	N=0	-	-
_____	N=0	-	-	N=0	-	-	N=1	(N=1)	-

36. In your opinion, who should have the authority to determine the off-site security equipment needs of federal judges? (CHECK ONE)

N=94

- 1. The U.S. Marshals Service only 8.5 %
- 2. Judges only -
- 3. District Court Security Committee 10.6 %
- 4. U.S. Marshals Service and judges equally 17.0 %
- 5. U.S. Marshals Service primarily, with input from the judges 52.1 %
- 6. Judges primarily, with input from the U.S. Marshals Service 8.5 %
- 7. Other: _____ 3.2 %
- 8. Do not know/No opinion -

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

VI. PROTECTIVE DETAILS

37. To your knowledge, have protective details ever been provided to any of the following judicial personnel in this district? (CHECK EITHER "YES" OR "NO" FOR EACH ROW)

		Yes (1)	No (2)
Article III Judges (District & Appeals Judges)	N=93	75.3 %	24.7 %
U.S. Magistrate Judges	N=93	26.9 %	73.1 %
U.S. Bankruptcy Judges	N=93	5.4 %	94.6 %
Clerk of Court staff	N=93	3.2 %	96.8 %
Pretrial Services staff	N=92	1.1 %	98.9 %
Probation Office staff	N=93	1.1 %	98.9 %
Public Defender staff	N=89	1.1 %	98.9 %
U.S. Attorney staff	N=93	41.9 %	58.1 %

38. In your opinion, are protective details for federal judges in your district assigned more often than necessary, about as often as necessary, or less often than necessary? (CHECK ONE)

N=81

- 1. Much more often than necessary -
- 2. Somewhat more often than necessary -
- 3. About as often as necessary 96.3 %
- 4. Somewhat less often than necessary 2.5 %
- 5. Much less often than necessary 1.2 %
- 6. Do not know/No opinion (N=12)

39. Has the Marshals Service in this district ever had to turn down a judge's request for a protective detail? (CHECK ONE)

N=94

- 1. No 96.8 %
- 2. Yes 3.2 % --> Please describe such an instance:

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

40. Has the Marshals Service in this district ever had to discontinue a protective detail when a judge wished it to continue? (CHECK ONE)

N=94

1. No 94.7 %

2. Yes 5.3 % --> Please describe such an instance:

41. Has a judge in this district ever declined or discontinued a protective detail that the Marshals Service had implemented for them? (CHECK ONE)

N=94

1. No 90.4 %

2. Yes 9.6 % --> Please describe such an instance:

VII. COURT SECURITY OFFICERS

42. Which, if any, of the following duties do CSO's currently perform in your district? (CHECK EITHER "YES" OR "NO" IN EACH ROW)

Do CSO's in this district now perform these duties:	Yes (1)	No (2)
Operating screening equipment at entrances N=94	98.9 %	1.1 %
Guarding entrances and exits N=94	91.5 %	8.5 %
Monitoring CCTV and alarm systems N=94	93.6 %	6.4 %
Roving inside the court facility N=94	100.0 %	-
Standing guard during court proceedings N=94	94.7 %	5.3 %
Escorting jury to and from courtrooms N=94	84.0 %	16.0 %
Escorting prisoners to and from courtrooms N=94	10.6 %	89.4 %
Standing guard in parking lot or garage N=94	61.7 %	38.3 %
Assisting in transporting prisoners N=94	4.3 %	95.7 %
Other: _____ N=9	(N=9)	-
Other: _____ N=2	(N=2)	-

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

43. Which of the following duties do you believe that CSO's, if given proper training and authority, should be permitted to perform? (CHECK ONE BOX FOR EACH DUTY -- IF ANSWER IS "NO," PLEASE EXPLAIN)

Duty:	Should CSO's be permitted to perform this duty?	IF NO: Please briefly explain why not:
Transport prisoners to/from court facility N=94	1. <input type="checkbox"/> Yes 41.5 % 2. <input type="checkbox"/> No 57.4 % 3. <input type="checkbox"/> No opinion 1.1 %	
Guard prisoners in the courtroom N=94	1. <input type="checkbox"/> Yes 58.5 % 2. <input type="checkbox"/> No 41.5 % 3. <input type="checkbox"/> No opinion -	
Guard prisoners during attorney conferences within the court facility N=93	1. <input type="checkbox"/> Yes 59.1 % 2. <input type="checkbox"/> No 40.9 % 3. <input type="checkbox"/> No opinion -	
Serve summonses N=94	1. <input type="checkbox"/> Yes 27.7 % 2. <input type="checkbox"/> No 67.0 % 3. <input type="checkbox"/> No opinion 5.3 %	
Other: _____ N=12	1. <input type="checkbox"/> Yes (N=11) 2. <input type="checkbox"/> No - 3. <input type="checkbox"/> No opinion (N=1)	

**Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)**

44. In which of the following situations do you believe that court security officers, if given proper training and authority, should be permitted to provide courtroom security? (CHECK ONE BOX FOR EACH SITUATION -- IF ANSWER IS "NO," PLEASE EXPLAIN.)

Situation:	Should CSO's be permitted to provide courtroom security in this situation?	IF NO: Please briefly explain why not:
Pretrial civil hearings N=94	1. <input type="checkbox"/> Yes 95.7 % 2. <input type="checkbox"/> No 4.3 % 3. <input type="checkbox"/> No opinion -	
Civil trials N=94	1. <input type="checkbox"/> Yes 97.9 % 2. <input type="checkbox"/> No 2.1 % 3. <input type="checkbox"/> No opinion -	
Post-trial civil hearings N=94	1. <input type="checkbox"/> Yes 95.7 % 2. <input type="checkbox"/> No 4.3 % 3. <input type="checkbox"/> No opinion -	
Pretrial criminal hearings N=93	1. <input type="checkbox"/> Yes 86.0 % 2. <input type="checkbox"/> No 14.0 % 3. <input type="checkbox"/> No opinion -	
Criminal trials N=94	1. <input type="checkbox"/> Yes 79.8 % 2. <input type="checkbox"/> No 20.2 % 3. <input type="checkbox"/> No opinion -	
Post-trial criminal hearings N=94	1. <input type="checkbox"/> Yes 83.0 % 2. <input type="checkbox"/> No 17.0 % 3. <input type="checkbox"/> No opinion -	
Other: N=9	1. <input type="checkbox"/> Yes (N=6) 2. <input type="checkbox"/> No (N=2) 3. <input type="checkbox"/> No opinion (N=1)	

Appendix III
Court Security Questionnaire (U.S. Marshals
Service—District Survey)

45. Overall, how satisfied or dissatisfied are you with the security provided by Court Security Officers in your district?
(CHECK ONE)

N=94

- | | |
|--|--------|
| 1. <input type="checkbox"/> Very satisfied | 77.7 % |
| 2. <input type="checkbox"/> Somewhat satisfied | 20.2 % |
| 3. <input type="checkbox"/> Neither satisfied nor dissatisfied | 2.1 % |
| 4. <input type="checkbox"/> Somewhat dissatisfied | - |
| 5. <input type="checkbox"/> Very dissatisfied | - |
| 6. <input type="checkbox"/> No opinion | - |

46. Is there any other information that you feel would be helpful to our review? If so, please use the space below:
(ATTACH EXTRA SHEETS IF NECESSARY)

N=94

HAD COMMENTS	26.6 %
NO COMMENTS	73.4 %

This completes our questionnaire.
Please return this questionnaire together with the Facility questionnaires, or separately in its own envelope.

Thank you for your assistance.

GGD - CR - 792

Court Security Questionnaire (U.S. Marshals Service—Facility Survey)

U.S. General Accounting Office



Court Security Questionnaire U.S. Marshals Service — Facility Survey

INTRODUCTION

The U.S. General Accounting Office (GAO), an agency of Congress, is conducting a study of the security provided to federal judicial personnel.

This "Facility Survey" contains questions about the federal judicial operations that take place here, security measures, staffing, and other issues. This questionnaire is to be filled out for the specific judicial facility identified on the label, regardless of the type of judicial operations here. If this facility has moved, please make the address correction. If a facility has been closed without replacement, check the box provided and return the questionnaire. Additional questionnaires without labels are included in the event that new judicial facilities have been opened recently.

The questions in this "Facility Survey" should be answered by the U.S. Marshal, Deputy Marshal, or Court Security Officer most familiar with operations at this judicial facility.

If you have any questions, please call Jerilyn Green or Vernon Tehas at (214) 855-2600.

Please return this questionnaire within 3 weeks of receipt. This questionnaire can be returned with other completed questionnaires, or separately in its own envelope, as soon as it is completed. In the event the envelopes are misplaced, the return address is:

U.S. General Accounting Office
Dallas Regional Office
Attn: Ms. Jerilyn Green
1445 Ross Avenue, Suite 1500
Dallas, TX 75202

Thank you for your assistance.

I. SURVEY INFORMATION

Unless otherwise noted, please answer the following questions as they relate to operations at this facility:

If the above address is not correct, please check one of the following boxes:

The judicial facility at this address has been moved to:
(Please answer the following questions as they relate to operations at the new facility you identify below)

The judicial facilities at this address have been closed and not re-opened elsewhere.
(If facility closed, please STOP here and RETURN questionnaire.)

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

**INDIVIDUAL(S) COMPLETING ANY PARTS OF THIS
QUESTIONNAIRE:**

Name: _____

Title: _____

Address: _____

Phone: () _____ - _____

Name: _____

Title: _____

Address: _____

Phone: () _____ - _____

Name: _____

Title: _____

Address: _____

Phone: () _____ - _____

II. FACILITY BACKGROUND INFORMATION

The questions in this section refer to operations at the judicial facility identified on the front-page label, or its equivalent. A "judicial facility" is a building, or a part of a building, where court-related activities take place, or where federal judicial personnel work.

1. Which of the following best describes the type of building this judicial facility is in? (CHECK ONLY ONE)

N=583

- 1. Multiple-tenant building 85.2 %
- 2. Judicial facility is sole tenant of building 14.8 %

2. How many different floors of this building does the judicial facility occupy? (ENTER NUMBER)

N=581

Mean = 2.9

Median = 2

Range = 1 - 30

_____ floors

3. In what year was this building originally constructed? (ENTER YEAR)

N=484

Mean = 1952

Median = 1961

Range = 1854 - 1992

4. Is this building designated as Historic? (CHECK ONE)

N=581

- 1. No 62.7 %
- 2. Yes 31.3 %
- 3. Do not know 6.0 %

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

5. Is this building: (CHECK ONLY ONE)

N=583

1. Owned or leased, in whole or part, by the General Services Administration (GSA)? 73.2 %
2. Privately owned and managed? 20.4 %
3. Other arrangements -- Please specify: _____ 6.3 %

6. Which, if any, of the following federal judicial operations or staff are located in this facility? (CHECK "YES" OR "NO" FOR EACH ROW; SPECIFY ANY OTHER JUDICIAL OPERATIONS)

Operation/Staff:		Located Here?			
Federal hearings or trials	N=580	1. <input type="checkbox"/> yes	75.5 %	2. <input type="checkbox"/> no	24.5 %
Clerk of Court staff	N=576	1. <input type="checkbox"/> yes	65.6 %	2. <input type="checkbox"/> no	34.4 %
Pretrial Services staff	N=576	1. <input type="checkbox"/> yes	41.3 %	2. <input type="checkbox"/> no	58.7 %
Probation Officer staff	N=581	1. <input type="checkbox"/> yes	59.4 %	2. <input type="checkbox"/> no	40.6 %
Public Defender staff	N=575	1. <input type="checkbox"/> yes	10.6 %	2. <input type="checkbox"/> no	89.4 %
U.S. Attorney staff	N=578	1. <input type="checkbox"/> yes	33.7 %	2. <input type="checkbox"/> no	66.3 %
Other: _____	N=225	1. <input type="checkbox"/> yes	74.2 %	2. <input type="checkbox"/> no	25.8 %
Other: _____	N=103	1. <input type="checkbox"/> yes	46.6 %	2. <input type="checkbox"/> no	53.4 %

7. How many federal judges' chambers, and how many courtrooms used by federal judges, are in this facility? (ENTER NUMBERS, OR "0" IF NO SUCH QUARTERS)

_____ Chambers N=584 Mean = 3.6 Median = 2 Range = 0 - 53

_____ Courtrooms N=585 Mean = 3.0 Median = 2 Range = 0 - 53

8. How many, if any, of the chambers or courtrooms you enumerated in Question 7 are usually set aside for visiting judges or senior judges? (ENTER NUMBERS, OR "0" IF NO SUCH QUARTERS SET ASIDE)

_____ Chambers N=583 Mean = 0.7 Median = 0 Range = 0 - 28

_____ Courtrooms N=574 Mean = 0.4 Median = 0 Range = 0 - 10

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

9. How many of the following types of personnel are permanently assigned to this building? Enter numbers of Full Time Equivalent personnel, including after-hours and other shift personnel. When counting personnel of the following types, please include those assigned supervisory roles, or duties not specifically including building security. (ENTER NUMBERS, OR "0" IF NO SUCH PERSONNEL HERE -- IF NUMBER UNKNOWN, LEAVE BLANK)

___ Deputy U.S. Marshals	N=554	Mean = 3.4	Median = 0	Range = 0 - 60
___ Court Security Officers (CSO's)	N=578	Mean = 3.9	Median = 2	Range = 0 - 55
___ Federal Protective Officers (FPO's)	N=530	Mean = .2	Median = 0	Range = 0 - 18
___ All other contract guards SPECIFY: _____	N=495	Mean = .5	Median = 0	Range = 0 - 15

10. Please estimate, to the best of your ability, the percentage of federal cases heard in this facility during calendar year 1991 that you perceived as high risk, moderate risk, and low risk. (ENTER WHOLE PERCENTAGES TOTALING 100% -- ESTIMATE FROM RECORDS, IF POSSIBLE)

N=585

No federal cases heard in this facility in 1991 24.8 %

_____	N=437	Mean = 16.5%	Median = 10%	Range = 0% - 90%
___ % High Risk (i.e., substantial potential for violence)				
_____	N=437	Mean = 31.8%	Median = 30%	Range = 0% - 100%
___ % Moderate Risk (i.e., some potential for violence)				
_____	N=437	Mean = 51.7%	Median = 50%	Range = 0% - 100%
___ % Low Risk (i.e., little or no potential for violence)				
_____				100 %

11. Do you consider the immediate area in which this building is located a high, medium, or low crime area? (CHECK ONE)

N=585

1. <input type="checkbox"/> High crime area	21.0 %
2. <input type="checkbox"/> Medium crime area	39.1 %
3. <input type="checkbox"/> Low crime area	38.5 %
4. <input type="checkbox"/> Do not know	1.4 %

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

12. Which of the following groups have any responsibility for providing or maintaining security in or around this building?
(CHECK EITHER "YES" OR "NO" FOR EACH ROW)

Does this group have any security responsibilities in or around this building?	Yes (1)	No (2)	Do not know/Not applicable (3)
General Services Administration (GSA) N=584	48.3 %	47.8 %	3.9 %
Commercial landlord of this building N=583	18.7 %	60.2 %	21.1 %
Other tenant(s) of this building (i.e., other governmental or commercial occupants) N=580	11.9 %	69.7 %	18.4 %
Other: _____ N=246	63.8 %	21.5 %	14.6 %

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

III. ON-SITE SECURITY

Please answer all questions in this section as they pertain to current security arrangements usually in effect at this facility.

A. Employee Parking

13. Please describe parking arrangements, if any, for the following personnel who work at this facility at least part-time: (INDICATE IN COLUMN 1 WHETHER PARKING ARRANGEMENTS HAVE BEEN MADE FOR EACH GROUP. IF SO, PLEASE ANSWER THE QUESTIONS IN COLUMNS 2 THROUGH 4.)

	1.	2.	3.	4.
	Is parking provided to this group?	If provided: Is this parking enclosed? (fenced lot or closed garage)	If provided: Is parking entrance controlled? (guard or electric gate access)	If provided: Is parking area monitored by Closed Circuit TV?
Article III Judges (District & Appeals Judges)	N=584 1. 62.8 % yes 2. 14.0 % no 3. 23.1 % no such personnel	N=365 1. 31.0 % yes, enclosed 2. 69.0 % no, not enclosed	N=363 1. 34.4 % yes, controlled 2. 65.6 % no, not controlled	N=365 1. 46.3 % yes, CCTV 2. 53.7 % no CCTV
U.S. Magistrate Judges	N=585 1. 47.5 % yes 2. 22.2 % no 3. 30.3 % no such personnel	N=276 1. 32.2 % yes 2. 67.8 % no	N=274 1. 36.1 % yes 2. 63.9 % no	N=273 1. 44.0 % yes 2. 56.0 % no
U.S. Bankruptcy Judges	N=585 1. 46.3 % yes 2. 23.8 % no 3. 29.9 % no such personnel	N=270 1. 37.0 % yes 2. 63.0 % no	N=269 1. 39.8 % yes 2. 60.2 % no	N=264 1. 38.6 % yes 2. 61.4 % no
Clerk of Court staff	N=583 1. 55.4 % yes 2. 26.6 % no 3. 18.0 % no such personnel	N=322 1. 32.0 % yes 2. 68.0 % no	N=321 1. 34.9 % yes 2. 65.1 % no	N=315 1. 25.7 % yes 2. 74.3 % no
Pretrial Services staff	N=582 1. 32.6 % yes 2. 32.8 % no 3. 34.5 % no such personnel	N=187 1. 29.9 % yes 2. 70.1 % no	N=186 1. 32.8 % yes 2. 67.2 % no	N=185 1. 21.6 % yes 2. 78.4 % no
Probation Office staff	N=581 1. 50.6 % yes 2. 26.9 % no 3. 22.5 % no such personnel	N=291 1. 24.1 % yes 2. 75.9 % no	N=289 1. 27.0 % yes 2. 73.0 % no	N=288 1. 15.6 % yes 2. 84.4 % no
Public Defender staff	N=583 1. 8.4 % yes 2. 39.1 % no 3. 52.5 % no such personnel	N=48 1. 35.4 % yes 2. 64.6 % no	N=47 1. 29.8 % yes 2. 70.2 % no	N=47 1. 10.6 % yes 2. 89.4 % no
U.S. Attorney staff	N=577 1. 32.1 % yes 2. 33.8 % no 3. 34.1 % no such personnel	N=183 1. 27.9 % yes 2. 72.1 % no	N=182 1. 34.1 % yes 2. 65.9 % no	N=181 1. 18.8 % yes 2. 81.2 % no

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

14. If you have any further comments on or explanations of employee parking at this facility, please use the space below:

N=207

B. Building Access

In this section, we would like you to describe the public, employee, and service entrances to the building. You will also be asked about any entrances to the judicial facility area from within the building that may serve as security checkpoints.

15. How many entrances to this building are there? Please consider entrances from the outside and any adjacent structures, such as garages. (ENTER NUMBER)

N=585
Mean = 4.3
Median = 4
Range = 1 - 26
_____ Entrances

16. First, thinking about the main public entrance to this building from the street, please answer the following questions:

a. How many, if any, of the following personnel provide security at this main public entrance during regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=585

54.9 % No security personnel usually assigned at this entrance

N=3¹
Mean=1.3
_____ U.S. Deputy Marshals

N=220¹
Mean = 2.1
_____ CSO's

N=33¹
Mean = 1.6
_____ GSA -- Federal Protective Service (FPS) or other contract personnel

N=17¹
Mean = 1.2
_____ Personnel of (commercial) building landlord

N=1¹
1
_____ Personnel of other building tenant

N=9¹
Mean = 1.6
_____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

b. Which, if any, of the following security devices are usually in operation at this entrance during regular building hours? (CHECK ALL THAT APPLY)

N=585 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 52.5 % |
| 2. <input type="checkbox"/> Magnetometer | 38.6 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 29.9 % |
| 4. <input type="checkbox"/> X-ray screening | 34.5 % |
| 5. <input type="checkbox"/> Monitored CCTV | 22.6 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 15.6 % |
| 7. <input type="checkbox"/> Lock system | 10.8 % |
| 8. <input type="checkbox"/> Intrusion detection system | 7.7 % |
| 9. <input type="checkbox"/> Other: _____ | 5.5 % |

c. How many, if any, of the following personnel provide security at this entrance AFTER regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=585

83.2 % No security personnel usually assigned at this entrance after hours

_____ U.S. Deputy Marshals

N=50¹

Mean=1.7

_____ CSO's

N=30¹

Mean=1.2

_____ GSA -- FPS or contract personnel

N=22¹

Mean=1.1

_____ Personnel of (commercial) building landlord

N=2¹

Mean=1.5

_____ Personnel of other building tenant

N=6¹

Mean=1

_____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

d. Which, if any, of the following security devices are usually in operation at this entrance AFTER regular building hours? (CHECK ALL THAT APPLY)

N=585 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 47.9 % |
| 2. <input type="checkbox"/> Magnetometer | 4.4 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 3.9 % |
| 4. <input type="checkbox"/> X-ray screening | 3.8 % |
| 5. <input type="checkbox"/> Monitored CCTV | 9.6 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 8.4 % |
| 7. <input type="checkbox"/> Lock system | 35.4 % |
| 8. <input type="checkbox"/> Intrusion detection system | 21.4 % |
| 9. <input type="checkbox"/> Other: _____ | 6.5 % |

17. Is there another public entrance to this building? (If there is more than one such entrance, answer the following questions for the next busiest entrance.) (CHECK ONE)

N=585

- | | |
|--|--------|
| 1. <input type="checkbox"/> No --> SKIP TO QUESTION 18 | 47.4 % |
| 2. <input type="checkbox"/> Yes --> CONTINUE WITH a. | 52.6 % |

a. How many, if any, of the following personnel provide security at this public entrance during regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=308

80.5 % No security personnel usually assigned at this entrance

N=1¹

1

____ U.S. Deputy Marshals

N=46¹

Mean = 1.6

____ CSO's

N=9¹

Mean = 1.1

____ GSA -- FPS or contract personnel

N=5¹

Mean = 1.4

____ Personnel of (commercial) building landlord

____ Personnel of other building tenant

N=3¹

Mean = 2.0

____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

b. Which, if any, of the following security devices are usually in operation at this entrance during regular building hours? (CHECK ALL THAT APPLY)

N=308 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 73.4 % |
| 2. <input type="checkbox"/> Magnetometer | 11.7 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 10.7 % |
| 4. <input type="checkbox"/> X-ray screening | 11.7 % |
| 5. <input type="checkbox"/> Monitored CCTV | 13.0 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 5.8 % |
| 7. <input type="checkbox"/> Lock system | 9.1 % |
| 8. <input type="checkbox"/> Intrusion detection system | 4.5 % |
| 9. <input type="checkbox"/> Other: _____ | 3.2 % |

c. How many, if any, of the following personnel provide security at this entrance AFTER regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=308

93.2 % No security personnel usually assigned at this entrance after hours

_____ U.S. Deputy Marshals

N=6¹

Mean = 1.5

_____ CSO's

N=9¹

Mean = 1.0

_____ GSA -- FPS or contract personnel

N=6¹

Mean = 1.2

_____ Personnel of (commercial) building landlord

N=2¹

Mean = 1.5

_____ Personnel of other building tenant

N=1¹

Mean = 1.0

_____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

d. Which, if any, of the following security devices are usually in operation at this entrance AFTER regular building hours? (CHECK ALL THAT APPLY)

N=308 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 53.6 % |
| 2. <input type="checkbox"/> Magnetometer | 1.3 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 1.3 % |
| 4. <input type="checkbox"/> X-ray screening | 1.3 % |
| 5. <input type="checkbox"/> Monitored CCTV | 7.8 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 5.5 % |
| 7. <input type="checkbox"/> Lock system | 36.0 % |
| 8. <input type="checkbox"/> Intrusion detection system | 15.3 % |
| 9. <input type="checkbox"/> Other: _____ | 4.9 % |

18. Is there an entrance to the judicial facility area from within the building (but NOT from a garage) that serves as a security checkpoint?

N=585

- | | |
|--|--------|
| 1. <input type="checkbox"/> No --> SKIP TO QUESTION 19 | 61.7 % |
| 2. <input type="checkbox"/> Yes --> CONTINUE WITH a. | 38.3 % |

a. How many, if any, of the following personnel provide security at this judicial facility area entrance during regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=224

- 29.9 % No security personnel usually assigned at this entrance

N=7¹

Mean = 3.7

____ U.S. Deputy Marshals

N=153¹

Mean = 1.8

____ CSO's

____ GSA -- FPS or contract personnel

____ Personnel of (commercial) building landlord

____ Personnel of other building tenant

N=6¹

Mean = 1.2

____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

b. Which, if any, of the following security devices are usually in operation at this entrance during regular building hours? (CHECK ALL THAT APPLY)

N=224 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 14.7 % |
| 2. <input type="checkbox"/> Magnetometer | 57.6 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 43.3 % |
| 4. <input type="checkbox"/> X-ray screening | 45.1 % |
| 5. <input type="checkbox"/> Monitored CCTV | 35.7 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 18.3 % |
| 7. <input type="checkbox"/> Lock system | 28.1 % |
| 8. <input type="checkbox"/> Intrusion detection system | 10.3 % |
| 9. <input type="checkbox"/> Other: _____ | 8.0 % |

c. How many, if any, of the following personnel provide security at this judicial facility area entrance AFTER regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=224

92.4 % No security personnel usually assigned at this entrance after hours

N=1¹
Mean=11.0
____ U.S. Deputy Marshals

N=12¹
Mean = 1.2
____ CSO's

N=3¹
Mean = 1.3
____ GSA -- FPS or contract personnel

N=1¹
Mean=1.0
____ Personnel of (commercial) building landlord

____ Personnel of other building tenant

N=2¹
Mean = 1.0
____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

d. Which, if any, of the following security devices are usually in operation at this entrance AFTER regular building hours? (CHECK ALL THAT APPLY)

N=224 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 54.9 % |
| 2. <input type="checkbox"/> Magnetometer | 2.2 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 2.2 % |
| 4. <input type="checkbox"/> X-ray screening | 1.8 % |
| 5. <input type="checkbox"/> Monitored CCTV | 8.5 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 3.1 % |
| 7. <input type="checkbox"/> Lock system | 34.8 % |
| 8. <input type="checkbox"/> Intrusion detection system | 14.3 % |
| 9. <input type="checkbox"/> Other: _____ | 4.9 % |

19. Is there another entrance to the building or judicial facility area that is primarily an employee entrance (but NOT vehicle access into a garage) for judges and/or any other court personnel?

N=585

- | | |
|--|--------|
| 1. <input type="checkbox"/> No --> SKIP TO QUESTION 20 | 57.4 % |
| 2. <input type="checkbox"/> Yes --> CONTINUE WITH a. | 42.6 % |

a. How many, if any, of the following personnel provide security at this employee entrance during regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=249

75.5 % No security personnel usually assigned at this entrance

N=2¹

Mean = 1.5

____ U.S. Deputy Marshals

N=54¹

Mean = 1.4

____ CSO's

N=7¹

Mean = 1.0

____ GSA -- FPS or contract personnel

N=1¹

Mean=1.0

____ Personnel of (commercial) building landlord

____ Personnel of other building tenant

N=2¹

Mean = 1.0

____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

b. Which, if any, of the following security devices are usually in operation at this entrance during regular building hours? (CHECK ALL THAT APPLY)

N=249 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 32.9 % |
| 2. <input type="checkbox"/> Magnetometer | 4.8 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 6.0 % |
| 4. <input type="checkbox"/> X-ray screening | 4.8 % |
| 5. <input type="checkbox"/> Monitored CCTV | 37.3 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 6.4 % |
| 7. <input type="checkbox"/> Lock system | 45.8 % |
| 8. <input type="checkbox"/> Intrusion detection system | 18.5 % |
| 9. <input type="checkbox"/> Other: _____ | 8.0 % |

c. How many, if any, of the following personnel provide security at this employee entrance AFTER regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=249

92.8 % No security personnel usually assigned at this entrance after hours

_____ U.S. Deputy Marshals

N=10¹

Mean = 1.4

_____ CSO's

N=6¹

Mean = 1.3

_____ GSA -- FPS or contract personnel

_____ Personnel of (commercial) building landlord

_____ Personnel of other building tenant

N=3¹

Mean = 1.0

_____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

d. Which, if any, of the following security devices are usually in operation at this entrance AFTER regular building hours? (CHECK ALL THAT APPLY)

N=249 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 32.5 % |
| 2. <input type="checkbox"/> Magnetometer | .8 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 1.6 % |
| 4. <input type="checkbox"/> X-ray screening | .8 % |
| 5. <input type="checkbox"/> Monitored CCTV | 12.4 % |
| 6. <input type="checkbox"/> Log-in book or ID check ¹ | 4.4 % |
| 7. <input type="checkbox"/> Lock system | 51.8 % |
| 8. <input type="checkbox"/> Intrusion detection system | 28.5 % |
| 9. <input type="checkbox"/> Other: _____ | 5.6 % |

20. Is there a main service entrance to this building, where mail or other deliveries are received?

N=584

- | | |
|--|--------|
| 1. <input type="checkbox"/> No → SKIP TO QUESTION 21 | 47.8 % |
| 2. <input type="checkbox"/> Yes → CONTINUE WITH a. | 52.2 % |

a. How many, if any, of the following personnel provide security at this service entrance during regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=306

74.5 % No security personnel usually assigned at this entrance

N=1¹

Mean=1.0

_____ U.S. Deputy Marshals

N=63¹

Mean = 1.5

_____ CSO's

N=13¹

Mean = 1.8

_____ GSA -- FPS or contract personnel

N=3¹

Mean = 1.0

_____ Personnel of (commercial) building landlord

_____ Personnel of other building tenant

N=2¹

Mean = 3.5

_____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

b. Which, if any, of the following security devices are usually in operation at this entrance during regular building hours? (CHECK ALL THAT APPLY)

N=306 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 57.8 % |
| 2. <input type="checkbox"/> Magnetometer | 7.8 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 7.5 % |
| 4. <input type="checkbox"/> X-ray screening | 10.8 % |
| 5. <input type="checkbox"/> Monitored CCTV | 23.9 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 7.8 % |
| 7. <input type="checkbox"/> Lock system | 21.2 % |
| 8. <input type="checkbox"/> Intrusion detection system | 7.8 % |
| 9. <input type="checkbox"/> Other: _____ | 3.3 % |

c. How many, if any, of the following personnel provide security at this entrance AFTER regular building hours: (ESTIMATE NUMBER OF STAFF TYPICALLY ASSIGNED ANY DUTY RELATED TO ACCESS CONTROL OR SECURITY AT THIS ENTRANCE)

N=306

91.2 % No security personnel usually assigned at this entrance after hours

_____ U.S. Deputy Marshals

N=11¹
Mean = 1.3
_____ CSO's

N=10¹
Mean = 1.3
_____ GSA -- FPS or contract personnel

N=3¹
Mean = 1.0
_____ Personnel of (commercial) building landlord

_____ Personnel of other building tenant

N=3¹
Mean = 1.0
_____ Others: _____

¹ NUMBERS PERTAIN TO FACILITIES WITH AT LEAST ONE SUCH TYPE OF PERSONNEL AT THIS ENTRANCE

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

d. Which, if any, of the following security devices are usually in operation at this entrance AFTER regular building hours? (CHECK ALL THAT APPLY)

N=306 (Note: Percentages total to more than 100% due to multiple responses.)

- | | |
|--|--------|
| 1. <input type="checkbox"/> No equipment in use | 46.1 % |
| 2. <input type="checkbox"/> Magnetometer | .7 % |
| 3. <input type="checkbox"/> Hand-held magnetometer | 1.0 % |
| 4. <input type="checkbox"/> X-ray screening | .7 % |
| 5. <input type="checkbox"/> Monitored CCTV | 11.1 % |
| 6. <input type="checkbox"/> Log-in book or ID check | 5.6 % |
| 7. <input type="checkbox"/> Lock system | 42.2 % |
| 8. <input type="checkbox"/> Intrusion detection system | 19.3 % |
| 9. <input type="checkbox"/> Other: _____ | 4.9 % |

21. Are there any other entrances to the building, other than any of those you described above, that are not regularly secured by either security personnel or security devices? (CHECK ONLY ONE)

N=585

- | | |
|--|--------|
| 1. <input type="checkbox"/> No | 75.4 % |
| 2. <input type="checkbox"/> Yes --> SPECIFY: _____ | 21.4 % |
| 3. <input type="checkbox"/> Do not know | 3.2 % |

22. Which of the following types of employees or visitors to the judicial facility, if any, are regularly allowed to bypass security screening at entrances to the building and at checkpoints within the building? (CHECK ALL THAT APPLY)

N=585

- | | |
|---|--------|
| a. <input type="checkbox"/> No such employees or visitors | 22.2 % |
| _____ | |
| b. <input type="checkbox"/> Federal Judges | 54.4 % |
| c. <input type="checkbox"/> Other judicial personnel | 46.0 % |
| SPECIFY: _____ | |
| d. <input type="checkbox"/> Certain contractors working in the judicial facility area | 14.0 % |
| SPECIFY: _____ | |
| e. <input type="checkbox"/> Other --> SPECIFY: _____ | 35.4 % |

23. If you have any further comments on or explanations of building access at this facility, please use the space below:

N=176

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

C. Security Equipment Within the Court Area

24. Are working duress alarms in place at the following locations in this judicial facility? (IF THIS FACILITY HAS JUDGES CHAMBERS OR COURTROOMS, CHECK ONE BOX FOR EACH ROW)

N=585

	Locations in this facility:	How many of these locations at this facility have working duress alarms:
JUDGES' CHAMBERS 19.0 % <input type="checkbox"/> not applicable - no chambers in this facility	Judges' desks	N=473 1. <input type="checkbox"/> All judges' desks 91.1 % 2. <input type="checkbox"/> Some judges' desks 2.1 % 3. <input type="checkbox"/> None of the judges' desks 6.8 %
	Near secretarial stations within chambers	N=472 1. <input type="checkbox"/> All secretarial stations 77.8 % 2. <input type="checkbox"/> Some secretarial stations 13.1 % 3. <input type="checkbox"/> None of the secretarial stations 9.1 %
	Judicial clerks' desks	N=471 1. <input type="checkbox"/> All clerks' desks 34.4 % 2. <input type="checkbox"/> Some clerks' desks 30.8 % 3. <input type="checkbox"/> None of the clerks' desks 34.8 %
COURTROOMS 23.4 % <input type="checkbox"/> not applicable - no chambers in this facility	Judges' benches	N=446 1. <input type="checkbox"/> All judges' benches 90.6 % 2. <input type="checkbox"/> Some judges' benches 1.6 % 3. <input type="checkbox"/> None of the judges' benches 7.8 %
	Clerks' stations (at least one station per courtroom)	N=446 1. <input type="checkbox"/> All clerks' stations 76.2 % 2. <input type="checkbox"/> Some clerks' stations 9.9 % 3. <input type="checkbox"/> None of the clerks' stations 13.9 %

25. How many of the judges' chambers in this facility have complete entry-control systems (consisting of CCTV camera outside the visitor entry door and monitors inside the chambers, intercom, and electric door strike lock)? (CHECK ONE)

N=585

1. Not applicable -- no judges' chambers in this facility 18.6 %

N=476

2. All chambers 68.9 %

3. Some chambers 13.0 %

4. None of the chambers 18.1 %

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

26. How many of the courtrooms in this building are covered by regularly monitored CCTV cameras? (CHECK ONE)

N=585

1. Not applicable -- no courtrooms in this building 25.3 %

N=437

2. All courtrooms 20.1 %

3. Some courtrooms 10.3 %

4. None of the courtrooms 69.6 %

27. How many of the courtrooms in this building have judges' benches lined with anti-ballistic material on all vertical sides? (CHECK ONE)

N=584

1. Not applicable -- no courtrooms in this building 22.8 %

N=451

2. All courtrooms 79.6 %

3. Some courtrooms 7.3 %

4. None of the courtrooms 13.1 %

28. Which of the following types of security systems or equipment are present at this facility, but are not currently in use -- that is, in storage or otherwise not installed, out of order, or replaced by a new system? (CHECK "YES" ONLY IF YOU HAVE THIS DEVICE, BUT ARE NOT CURRENTLY USING IT; OTHERWISE, CHECK "NO")

Is this system or device...	N	...present, but not in use?	
Magnetometer	N=583	1. <input type="checkbox"/> Yes 10.8 %	2. <input type="checkbox"/> No 89.2 %
X-ray machine	N=579	1. <input type="checkbox"/> Yes 4.3 %	2. <input type="checkbox"/> No 95.7 %
CCTV system	N=576	1. <input type="checkbox"/> Yes 3.6 %	2. <input type="checkbox"/> No 96.4 %
Intrusion Detection System	N=574	1. <input type="checkbox"/> Yes 3.5 %	2. <input type="checkbox"/> No 96.5 %

29. If you have any further comments on or explanations of security equipment of the kind discussed in this section, please use the space below:

N=135

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

IV. EMERGENCY RESPONSE

30. Do you have written plans for security personnel response in case of emergencies or disturbances at the following locations during regular building hours? Check "YES" in column 1 if these plans include: a) which personnel or agency will monitor or receive notification of the emergency, b) assignments of which personnel will respond, and c) an estimate of response time. If such plans exist for a given location, also answer the question in Column 2.

	1.	2.
Location:	Is there a written emergency response plan that includes the 3 elements stated above? (Check only one)	IF YES: Which of the following parties would usually first receive notice of an emergency here? (Check all that apply)
Main Entrance	N=583 1. 37.6 % No 2. 56.9 % Yes 3. 5.5 % Do not know	N=332 ¹ a. 59.3 % Deputy U.S. Marshals b. 74.1 % CSO's c. 16.9 % GSA (FPS or monitoring center) d. 11.1 % Contract security agency (e.g., Mosler) e. 40.7 % Local authorities f. 5.1 % Other: _____
Main Parking Area	N=581 1. 52.8 % No 2. 41.1 % Yes 3. 6.0 % Do not know	N=239 ¹ a. 61.5 % Deputy U.S. Marshals b. 74.1 % CSO's c. 14.2 % GSA (FPS or monitoring center) d. 7.1 % Contract security agency (e.g., Mosler) e. 37.2 % Local authorities f. 6.7 % Other: _____
Courtrooms	N=562 1. 36.3 % No 2. 61.2 % Yes 3. 2.5 % Do not know	N=344 ¹ a. 74.7 % Deputy U.S. Marshals b. 85.5 % CSO's c. 7.3 % GSA (FPS or monitoring center) d. 7.3 % Contract security agency (e.g., Mosler) e. 21.2 % Local authorities f. 4.9 % Other: _____
Judges' Chambers	N=568 1. 34.0 % No 2. 63.9 % Yes 3. 2.1 % Do not know	N=363 ¹ a. 74.1 % Deputy U.S. Marshals b. 82.9 % CSO's c. 7.2 % GSA (FPS or monitoring center) d. 7.4 % Contract security agency (e.g., Mosler) e. 22.6 % Local authorities f. 5.0 % Other: _____

(¹NOTE: PERCENTAGES TOTAL TO MORE THAN 100% DUE TO MULTIPLE RESPONSES.)

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

31. Do you have written plans for security personnel response in case of emergencies or disturbances at the following locations AFTER regular building hours? Check "YES" in column 1 if these plans include: a) which personnel or agency will monitor or receive notification of the emergency, b) assignments of which personnel will respond, and c) an estimate of response time. If such plans exist for a given location, also answer the question in Column 2.

	1.	2.
Location:	Is there a written emergency response plan that includes the 3 elements stated above? (Check only one)	IF YES: Which of the following parties would usually first receive notice of an emergency here? (Check all that apply)
Main Entrance	N=582 1. 51.4 % No 2. 42.8 % Yes 3. 5.8 % Do not know	N=249 ¹ a. 43.4 % Deputy U.S. Marshals b. 22.1 % CSO's c. 32.1 % GSA (FPS or monitoring center) d. 20.1 % Contract security agency (e.g., Mosler) e. 59.4 % Local authorities f. 4.4 % Other: _____
Main Parking Area	N=579 1. 61.8 % No 2. 32.0 % Yes 3. 6.2 % Do not know	N=185 ¹ a. 42.7 % Deputy U.S. Marshals b. 24.9 % CSO's c. 27.0 % GSA (FPS or monitoring center) d. 17.3 % Contract security agency (e.g., Mosler) e. 63.2 % Local authorities f. 4.9 % Other: _____
Courtrooms	N=561 1. 52.9 % No 2. 43.7 % Yes 3. 3.4 % Do not know	N=245 ¹ a. 61.6 % Deputy U.S. Marshals b. 29.4 % CSO's c. 21.6 % GSA (FPS or monitoring center) d. 21.2 % Contract security agency (e.g., Mosler) e. 49.4 % Local authorities f. 5.7 % Other: _____
Judges' Chambers	N=566 1. 50.4 % No 2. 46.6 % Yes 3. 3.0 % Do not know	N=264 ¹ a. 60.2 % Deputy U.S. Marshals b. 28.4 % CSO's c. 19.7 % GSA (FPS or monitoring center) d. 21.2 % Contract security agency (e.g., Mosler) e. 49.6 % Local authorities f. 5.3 % Other: _____

(NOTE: PERCENTAGES TOTAL TO MORE THAN 100% DUE TO MULTIPLE RESPONSES.)

**Appendix IV
Court Security Questionnaire (U.S. Marshals
Service—Facility Survey)**

32. If you have any further comments on or explanations of security staffing or emergency response plans at this facility, please use the space below:

N=123

33. Do you have any security concerns specifically about this facility which have not been fully addressed in this questionnaire? If so, please use the space below to list these concerns, or to make other comments.

N=139

This completes our questionnaire.
Please return it to GAO in the envelope provided, or to the U.S. Marshal in this district for collection.

Thank you for your assistance.

GGD - CR - 7/92

Comments From the Administrative Office of the U.S. Courts

L. RALPH MECHAM
DIRECTOR

CLARENCE A. LEE, JR.
ASSOCIATE DIRECTOR

ADMINISTRATIVE OFFICE OF THE
UNITED STATES COURTS

WASHINGTON, D.C. 20544

May 2, 1994

Mr. Henry R. Wray
Director, Administration
of Justice Issues
United States General
Accounting Office
Washington, D.C. 20548

Dear Mr. Wray:

I appreciate the opportunity to comment on the draft GAO report entitled Judicial Security: Comprehensive Risked-Based Program Should Be Fully Implemented. We have provided members of the Subcommittee on Security of the Committee on Security, Space and Facilities with a copy of the draft report. Your recommendations and analysis of the court security program were discussed in April 1994 with the Security Subcommittee. The Subcommittee's comments have been incorporated into this response.

As you know, the Judicial Conference Committee on Court and Judicial Security, and its successor Committee, the Committee on Security, Space and Facilities, have been actively involved with the GAO staff throughout the course of the review.¹ The Committee and the Administrative Office of the United States Courts (AOUSC) both fully agree with the premise that better coordination needs to take place among the AOUSC, the Department of Justice, and the General Services Administration (GSA). In addition, and this was a topic of much discussion within the Security Subcommittee at their April meeting, we agree with your recommendation that some level of off-site security be provided to judicial officers (pp. 71-73).

¹ At its August 1993 meeting, the Judicial Conference's Executive Committee (the Judicial Conference is the Judiciary's policy-making body; its Executive Committee acts on the Conference's behalf between biannual Conference sessions) voted to merge the Conference's Committee on Court and Judicial Security and its Committee on Space and Facilities to form the Committee on Security, Space and Facilities. The newly-created Security, Space and Facilities Committee subsequently established a Subcommittee on Security.

A TRADITION OF SERVICE TO THE FEDERAL JUDICIARY

Now on pp. 45-46.

Appendix V
Comments From the Administrative Office
of the U.S. Courts

Now on
pp. 47-48.

Mr. Henry R. Wray
Page 2

Our comments will focus primarily on the conclusions specifically addressed to the Judiciary on pages 74-80 of your draft.

Enhancing Systematic Oversight of the Court Security Program

The growth of the Federal Judiciary over the past ten years has put great pressure on the limited human resources at the Administrative Office of the United States Courts. What was a \$12 million program in 1983 has grown to an \$86 million program in 1994. This increase reflects the growth in the number of judicial officers, court facilities, and personnel required to meet judicial workload.

Now on
p. 44.

As referenced on page 68 of the draft, the limited staff of the AOUSC is not sufficient to actively monitor and oversee the judiciary's court security program. The Judicial Conference Committee on Security, Space and Facilities and the Administrative Office of the United States Courts agree that past practices of little active AOUSC involvement in the work being performed by the Marshals Service or the General Services Administration can no longer continue. The Administrative Office recently sought and received approval from the Judicial Conference of the United States and the Congress to establish three additional professional staff positions to enhance our program oversight and monitoring abilities.

The first step toward achieving the Judiciary's vision of an enhanced court security program will be to hire, as one of the three new positions, an expert in complex security programs with a wide range of law enforcement experience to head our security office. We conducted a nationwide recruitment and are in the process of reviewing applications for the position at this time. It is anticipated that an individual will be selected and "on-board" within the next six to eight weeks.

The Judiciary concurs with the report's recommendations that the 1982 Task Force Recommendations be fully implemented. In keeping with these recommendations, we see our primary role as one of enhanced oversight over the program. While there is no intent on the part of the Judiciary to take over the responsibilities of the Marshals Service and GSA, we do intend to enhance our oversight and evaluation of each organization's efforts in meeting the policy standards for protection of Judicial officers. Naturally this will include oversight of appropriations for court security operations.

We continue to work with the Marshals Service and GSA to improve the security for judicial officers and facilities. As a result of open communications among the three organizations the Marshals Service has been able to provide a higher quality of

Appendix V
Comments From the Administrative Office
of the U.S. Courts

Mr. Henry R. Wray
Page 3

security service under the court security officer program than was available under the contract guard services provided by GSA. It is through open communication and objective analysis of issues that the Judicial Conference and the Congress will be assured that the limited financial resources made available for the program are put to their most efficient and effective use.

At our request, the Marshals Service recently conducted a review of all court security officer position allocations on a district-by-district basis using staffing standards approved by the former Committee on Court and Judicial Security in June 1993. As a result of this analysis the Judiciary has concluded that, in view of current fiscal and personnel constraints, court security officer positions are being allocated effectively by the Marshals Service. We intend to ask the Marshals Service to perform these types of analyses on a regular basis. The minimal increase in staff at the AOUSC described above and increased activity of the district court security committees will enable the Judiciary to monitor and use such reports and findings in program management more effectively.

In addition, the report notes the need for enhanced review of budget formulation activities (p.70). The AOUSC has recently hired a new Chief Financial Officer and is in general enhancing its budget oversight capabilities. The Judicial Conference Committee on the Budget and its newly established Subcommittee on Economy are leading the Judiciary and the AOUSC in this effort. In addition, for fiscal year 1996, the Security, Space and Facilities Committee and the Budget Committee will be taking a much more detailed look at the priorities proposed for inclusion in our court security budget submission. The committees will weigh the relative priority order of, for example, on-site security equipment, court security officers for newly-constructed buildings, and court security for facilities currently staffed below the approved standards. We are pleased to see this recommendation in your draft report and have planned for some time to implement this budget strategy into our 1996 budget formulation process.

High Level Official Meetings

The draft report recommends (on page 80) that the Attorney General, the Judicial Conference, and the Administrator of GSA, direct security officials of the Marshals Service, AOUSC, and GSA, respectively, to meet periodically at the national level to discuss progress and problems in implementing a comprehensive judicial security program and address any problems and issues.

We are pleased to report that we are well on our way toward implementing this recommendation. The Judiciary currently participates in a Security and Facilities Working Group comprised

Now on
pp. 44-45.

Now on
p.50.

Mr. Henry R. Wray
Page 4

of senior officials of the Administrative Office of the United States Courts, the Department of Justice, and the General Services Administration, as well as the Chairman of the Judicial Conference Committee on Security, Space and Facilities and the Chairman of its Subcommittee on Security. This working group is one of five groups established jointly by the Judiciary and the Attorney General to address important issues affecting the two branches of Government.

The Security and Facilities Working Group is responsible for identifying, analyzing, and providing recommendations for resolution of issues related to security for judicial officers and security for court buildings. The Working Group has met once so far, so we are in the very early stages of development. However, we did meet with the Director of the United States Marshals Service immediately after he was appointed and have met with him frequently since that time. In addition, the Judicial Conference's Executive Committee has met with the Attorney General to discuss security concerns.

Some of the issues we plan to address with the Working Group include:

- Review and coordination of court security financial concerns to ensure the Marshals Service. General Services Administration and Judiciary budgets are coordinated;
- Off-site security for judicial officers;
- Security implications of locating courts in multiple separate buildings in the same city; and
- Coordination of the long and short term facilities planning process and coordination for new courthouse construction.

Enhancing the District Court Security Committees

The report, on pages 56-59, notes the need to energize the district court security committees and to ensure that productive meetings of the committees take place on a regular basis. The Administrative Office and the Judicial Conference Committee on Security, Space and Facilities have been concerned about the effectiveness of the district court security committees in the overall administration of the court security program. As noted on pages 54-59, the activity level of district court security committees varies from district to district.

The Subcommittee on Security discussed this matter in great detail in April 1994. It is currently considering a policy that

Now on
pp. 35-37.

Now on
pp. 34-37.

Appendix V
Comments From the Administrative Office
of the U.S. Courts

Mr. Henry R. Wray
Page 5

would establish a routine district court security committee reporting mechanism. These reports would help to ensure that the district court security committees are actively involved in the provision of security services within the district. The Security Subcommittee also plans to consider a policy on holding regularly scheduled district court security meetings. These items, among others, will be discussed at meetings in June 1994.

In March 1994, a memorandum was sent to all chief district judges (the chief district judge serves as the chairman of the district court security committee) urging them to convene meetings of the district security committees and to evaluate their court security officer staffing requirements with a view toward reducing or reallocating positions. The response to that memorandum has been both supportive and enthusiastic. Judges throughout the country have acknowledged the need to manage and oversee the security requirements of their individual districts. The responses received at the Administrative Office indicate an acute awareness on the part of the Judiciary of its security needs. This is another step we have taken to implement the recommendations contained in your draft report.

**Relationship Between the Administrative Office
and the Judicial Conference**

The draft report recommends that the Judicial Conference direct the AOUSC to report annually to the Judicial Conference, the Marshals Service, and GSA the results of its monitoring and oversight activities and its recommendations for resolving any problems (p.79).

We agree with this recommendation to the extent that the AOUSC should provide the Judicial Conference with operational status reports. Currently, the Court Security Staff at the Administrative Office, in its role of providing staff support to the Judicial Conference Committee on Security, Space and Facilities, prepares position and working papers for the Committee on security issues affecting the Judiciary and makes recommendations on possible solutions. The Marshals Service, and when appropriate, the General Services Administration, are consulted in the development of these reports and studies. This effort comports with the last two recommendations on page 79 of the draft report.

You may wish to consider changing the wording of the recommendations on page 79 (see suggested language enclosed) to reflect more accurately the role of the AOUSC in its relationship with the Judicial Conference.

Now on
pp. 49-50.

Now on
p. 50.

Now on
p. 49.

Mr. Henry R. Wray
Page 6

Policy Guidance of the Judicial Conference

The Judicial Conference Committee on Security, Space and Facilities is aware of the important role that it has in overseeing the provision of security-related services to the Judiciary (see last recommendation on page 79). The Committee, since its creation in 1988 and subsequent merger with the Space and Facilities Committee in 1993, has been involved actively in the development of policy in such areas as regulating the possession of firearms in courtrooms, the need for off-site security, expanding the membership of the district court security committees, expanding its jurisdiction to include the protection of family members, background checks on employees, and security orientation programs for judicial officers and court employees. As mentioned previously, the Committee at its June 1993 meeting, approved court security officer staffing standards that will be used to develop the Judiciary's 1996 court security appropriation request and to allocate court security officer positions to the districts.

Off-Site Security

In recognition of the importance of off-site security to a comprehensive security program, the GAO report recommends that the Attorney General have the Director of the Marshals Service, in consultation with the Judicial Conference and the AOUSC, incorporate consideration of off-site security needs into district security surveys and plans, using risk-management principles to identify, evaluate, and prioritize such needs.

We are pleased that the draft report acknowledges a need for some measure of off-site security for judicial officers and recommends that the parties involved work out a solution (see pp. 35-40, 71-73, 79). The Judiciary, for some time, has been concerned about this important issue. As noted in the report the problem was (and continues to be) one of funding rather than a question of responsibility or authority. As noted earlier, the issue of off-site security has been placed on the agenda of the Security and Facilities Working Group. It also will be addressed in a Judiciary long range plan currently under development.

The Committee on Security, Space and Facilities will be addressing other recommendations contained in your draft report at its June 1994 meeting. It recognizes that more needs to be done in the areas of off-site and on-site security, and will pursue an enhanced oversight role for the program. In addition, its discussions are likely to include the importance of reporting all threats received by judges and the need to consider carefully security measures recommended by the Marshals Service (see page 70 of the draft report).

Now on
p. 49.

Now on
pp. 24-27,
45-46, 49.

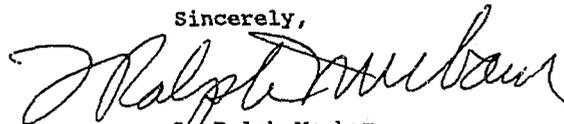
Now on
p. 45.

Appendix V
Comments From the Administrative Office
of the U.S. Courts

Mr. Henry R. Wray
Page 7

The issues you have raised will be of great assistance to the Federal Judiciary as it examines and further enhances its court security program. We are grateful for your assistance and appreciate the efforts of your staff.

Sincerely,



Ralph Mecham
Director

Enclosure

We did not
reproduce the
enclosure.

Comments From the Department of Justice



U.S. Department of Justice

Washington, D.C. 20530

April 29, 1994

Mr. Henry R. Wray
Director, Administration of Justice Issues
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Wray:

The following is provided in response to your March 25, 1994, request to the Attorney General for comments on the General Accounting Office (GAO) draft report entitled, "JUDICIAL SECURITY: Comprehensive Risk-Based Program Should Be Fully Implemented."

The Department of Justice agrees with GAO's assessment of the U.S. Marshals Service's management of the Judicial Security Program. For more than two centuries, the U.S. Marshals Service has provided security to the federal judges and strived to ensure a safe and secure environment for the judicial process. Nonetheless, GAO has pointed out some deficiencies or areas that could be improved, and we appreciate the opportunity to provide comments on those areas.

In the draft report, the GAO recommended that the Attorney General direct the Director of the U.S. Marshals Service (USMS), working with the Administrative Office of the U.S. Courts (AOUSC) and the Judicial Conference, to encourage judges and other judicial personnel to report all threats by explaining the definition of, the process for, and importance of reporting threats.

The Department notes that, while the definition of a threat has evolved over the past decade, the Marshals Service has published an official policy definition in the last revision to the USMS Policy and Procedures Manual, Vol. X, Judicial and Court Security, dated August 1993. Also, the Director and other management officials of the Marshals Service are continually emphasizing the importance and necessity of reporting threats to the local U.S. Marshal's Office. We concur in the need for constantly reinforcing these procedures to help ensure that the Marshals Service -- which is both responsible for evaluating threats and protecting against them -- is notified. In this regard, the Director of the Marshals Service is disseminating correspondence to the AOUSC which clearly defines judicial threats, procedures for reporting them, and emphasizing the importance of prompt notification, even when in doubt.

Mr. Henry R. Wray

2

It is important to note, however, all the vital steps the Marshals Service takes when a judicial official is threatened. The Marshals Service takes every threat seriously. When they err, they try to err on the side of caution. Like many activities of the Service, its performance is often measured in the things that do NOT happen.

When a judicial officer is threatened, there is frequently little information available to assess properly the threat's credibility. As a precaution, the local U.S. Marshal immediately begins to gather all evidence and information and makes a determination whether a personal protection detail is warranted. Existing policy dictates that the available information be immediately communicated to the Court Security Division of the Marshals Service. Protection details vary in the degree of protection provided, based on the unique factors of the threat and the desires of the judicial officer. They range from mere escorting to and from the courthouse to around-the-clock protection of the judge and family members to complete relocation to a safe area. U.S. Marshals are authorized to implement a protection detail for up to 72 hours. During that period, the Court Security Division continues to review all information available concerning the threat and makes a determination whether to extend the protection detail beyond the 72 hour period. This may include a formal assessment from the Service's Threat Analysis Division, which involves coordination with the Federal Bureau of Investigation and other agencies which may have information pertinent to the threat investigation.

The GAO also recommended that the Director have the Court Security Division's operating manual updated to include (1) procedures for establishing and operating district security committees and preparing and updating security surveys and plans, and (2) requirements for uniform, comprehensive formats for security surveys and plans. Further, GAO pointed out the need for the Marshals Service (1) to reiterate to the U.S. Marshals the 1982 Task Force recommendations and expectations that security committees be established and that they include all parties specified by the Task Force and the Judicial Conference, and (2) to establish a monitoring mechanism to ensure that these committees play an integral role in district security activities.

The recently revised USMS Policy and Procedures Manual volume cited above addresses the establishment of the District Court Security Committees. In addition, the U.S. Marshals are being tasked to provide to the Court Security Division reports on the meeting of their various security committees to include the agenda and identities of the participants. The Manual also addresses the requirement for periodic review and update of security surveys and plans. Copies of the survey and plan formats have been distributed to all United States Marshals who

Mr. Henry R. Wray

3

are currently in the process of reviewing these documents for all judicial facilities and revising them as necessary. These survey and plan formats will be incorporated into the next revision of the Policy and Procedures Manual, as well as the minimum composition of the District Court Security Committees in accordance with the Task Force recommendations and the 1987 Memorandum of Agreement. In the interim, these issues will be addressed in Policy Notices as addenda to the Manual. Also, the Marshals Service will make available the USMS Policy and Procedures Manual to all Chief Judges and reemphasize the importance of regular meetings of the security committees. It should be noted, however, that while the U.S. Marshal is the coordinator of the committee and serves as the judicial security expert, the Chief Judge chairs the committee and ultimately controls the frequency and agenda of meetings. Therefore, full implementation of these recommendations will require the cooperation of the judiciary. However, the Department and the Marshals Service will continue to urge full and frequent participation. In light of these corrective actions, we are confident that the U.S. Marshals Service has taken all the steps necessary to implement all of the recommendations contained in the Task Force Report.

Another recommendation of the GAO was that the Marshals Service, in consultation with the Judicial Conference and AOUSC, incorporate consideration of off-site security needs into district security surveys and plans, using risk-management principles to identify, evaluate, and prioritize such needs.

The Department agrees that off-site security for judicial officers is a matter that should be addressed further. In this regard, the Marshals Service is proposing this topic as an agenda item for the next meeting of the Judicial Conference Committee on Security, Space, and Facilities in June 1994. It is important to note, however, that whether the Marshals Service should be responsible for off-site security -- in the absence of a specific threat -- and who should fund this activity, is a matter best addressed by the Congress. There is general consensus that judges are increasingly at risk solely as a result of their official duties, but specific statutory authority and funding is necessary before any satisfactory resolution to this problem can be achieved. There is no question that the Marshals Service could perform this function; rather, the questions are should they and how should it be funded. Nonetheless, the Marshals Service already is actively attempting to raise the judiciary's awareness of the risks associated with its profession and is offering security briefings at judicial conferences and at the local level. The Service also provides to judges, family members, and staffs security handbooks concerning things that can be done to increase their security both at the workplace and elsewhere.

Mr. Henry R. Wray

4

The GAO also recommended there be periodic meetings at the national level to discuss progress and problems in implementing a comprehensive judicial security program. This recommendation has been implemented already. A Security Working Group, chaired by the Deputy Attorney General and comprising the U.S. Marshals Service, the judiciary, the AOUSC, the General Services Administration (GSA), and the Bureau of Prisons has been formed for this purpose and held its first meeting on February 9, 1994. Additionally, it is likely that a subcommittee of the Security Working Group will be formed. This subcommittee, comprised of representatives of the USMS, AOUSC, and GSA, will meet on a more frequent basis to further address security issues of mutual concern.

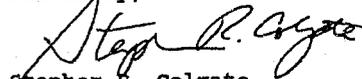
Finally, the GAO recommended that the Marshals Service sponsor periodic regional meetings to foster interchange among the agencies' key officials involved in judicial security matters and to discuss and resolve major issues.

To satisfy this recommendation, the Marshals Service is directing that its Circuit Court Security Inspectors meet periodically with the Circuit Executives and regional GSA officials to discuss current security needs and concerns and to help ensure full cooperation in their resolution.

In summary, the United States Marshals Service has historically taken great steps to protect federal judges and to ensure a safe and secure environment in which the judicial process could take place. Admittedly, there has been some lack of follow-through on some of its actions -- partly due to the turnover of U.S. Marshals at the district level. Still, recent actions -- some of which were taken as a result of information revealed during GAO's audit -- will ensure continuous attention is paid to these matters.

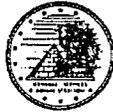
We appreciate the opportunity to comment on the draft report and hope that you find our comments both constructive and beneficial.

Sincerely,



Stephen R. Colgate
Assistant Attorney General
for Administration

Comments From the General Services Administration



Administrator
General Services Administration
Washington, DC 20405

May 2, 1994

The Honorable Charles A. Bowsher
Comptroller General
of the United States
General Accounting Office
Washington, DC 20548

Dear Mr. Bowsher:

Thank you for the opportunity to review and comment on your March 1994 draft report entitled "Judicial Security: Comprehensive Risk-Based Program Should Be Fully Implemented," which incorporates comments from members of the judiciary, as well as officials from the U. S. Marshals Service (USMS), the Administrative Office of the U.S. Courts (AOC), and the General Services Administration (GSA). I would also like to compliment your staff on the overall quality of this study, which represents a wide-ranging and detailed analysis of the complex issues involved in providing security services to ensure the continuity and integrity of the Federal judicial process.

GSA agrees with your overall conclusion that maintaining and refining the current system would be preferable to implementing fundamental changes to the existing management and organizational mechanisms. We believe that the 1987 Memorandum of Agreement (MOA) provides a sound framework for delivery of protective services to the Federal courts,

GSA also agrees, generally, with the draft report's findings that court security issues could be better addressed through improved communication and coordination between the USMS and the Federal Protective Service (FPS) operational field components. For example, there is no apparent reason for the lack of participation of FPS regional officials in the district security committees. Consequently, we will advise our regions to take a proactive approach with the USMS in this matter. We will also inform the regions to work closely with the USMS in conducting GSA's physical security surveys and risk assessments, and provide both the USMS and the judiciary a copy of the survey report for any buildings housing judicial functions. Similarly, we would expect FPS participation in the USMS surveys as outlined in the 1987 MOA. Improved coordination and communication can only result in better resource utilization by both agencies.

At the national level, we plan to meet with USMS and AOC representatives, in the near future, to continue our ongoing dialogue concerning judicial security. We remain open to the revision of the 1987 MOA where it would support improvements to accomplish our mutual responsibilities in security areas.

Federal Recycling Program



Printed on Recycled Paper

Appendix VII
Comments From the General Services
Administration

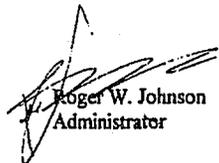
-2-

However, I would like to express my concern regarding certain statements in the draft report. I disagree with any implication that GSA is not fulfilling its security responsibilities, with the result that at some locations the USMS is forced to perform these functions. Where GSA has not identified a building-related need for special entrance security, the MOA specifically provides for the USMS to move court-related security activities to a building entrance or perimeter. As you may be aware, GSA's physical security program was developed in consultation with the Office of Management and Budget, congressional committees, GSA regional officials, and our customer agencies. The central focus of this program is the assignment of resources based on potential risks and threat levels identified through a recurring survey process that incorporates a comprehensive risk assessment methodology. This risk assessment methodology evaluates a wide range of criteria such as building environment, physical structure, architectural features, mix of tenants, building crime rate, value of building and contents, as well as a number of other related factors. Based on evaluation of potential risks and possible threats, a variety of security countermeasures, including such items as electronic security systems, security guarding, crime prevention activities, and physical deterrents (locks, protective barriers, protective lighting, etc.) may be implemented.

GSA's survey program and risk assessment methodology have worked well for the last seven years, and have proved to be a reliable tool in resource deployment and risk management. The survey program has been recognized in technical journals, such as "Security Management," and is widely used by other Federal agencies, private corporations, and educational institutions. In fact, our security program serves as the foundation for the basic and advanced physical security training offered at the Federal Law Enforcement Training Center in Glynco, GA, which is the primary training source for security specialist professional development throughout the Government.

I hope that these comments will be helpful in preparing the final version of your report. If you have any further questions, please contact Mr. Garrett J. Day, Assistant Commissioner, Office of Physical Security and Law Enforcement, at (202) 501-0887.

Sincerely,


Roger W. Johnson
Administrator

Federal Recycling Program



Printed on Recycled Paper

Major Contributors to This Report

General Government Division, Washington, D.C.

Daniel C. Harris, Assistant Director
Tim Outlaw, Assignment Manager
Barry J. Seltser, Social Science Analyst
Carl M. Ramirez, Social Science Analyst
Stuart M. Kaufman, Social Science Analyst

Office of General Counsel

Geoffrey R. Hamilton, Staff Attorney

Dallas Regional Office

Ronald L. Berteotti, Assistant Regional Manager
Vernon L. Tehas, Evaluator-in-Charge
Jerilyn Green, Site Senior
Danny Burton, Senior Evaluator
Philip Caramia, Senior Evaluator
Sherrill H. Johnson, Senior Evaluator
Terry T. Hunt, Evaluator
Michael W. Buell, Evaluator
Carolyn E. Harrell, Information Processing Assistant

UNITED STATES
GENERAL ACCOUNTING OFFICE
WASHINGTON, D.C. 20548-0001

Bulk Mail
Postage & Fees Paid
GAO
Permit No. G100

OFFICE OF INSPECTOR GENERAL
GENERAL ACCOUNTING OFFICE

Address Correction Requested